REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, JUNE 2, 2009 – 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER – Council Member Jacobson at 5:00 p.m.

ROLL CALL

Mayor McDowell - Present – arrived at 5:01 p.m.

Mayor Pro Tem Busch - Present – arrived at 5:03 p.m.

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:

Mark Hensley, City Attorney, announced that Council would be meeting in closed session pursuant to items listed on the agenda.

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): - 2- matters

 Public Employee Performance Evaluation Title: City Manager

2. Public Employment Title: City Manager

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -2-matters

- 1. 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)
- 2. Unrepresented Employee: City Manager, Jack Wayt City's Representative: City Attorney, Mark Hensley

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, JUNE 2, 2009 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Cindy Mortesen, City Clerk

PLEDGE OF ALLEGIANCE - Council Member Carl Jacobson

PRESENTATIONS

a. Mayor ProTem Busch presented a Proclamation announcing June 13, 2009 for Beauty and the Beach Day in El Segundo.

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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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)

- 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.

- 1. Approved Warrant Numbers 2571785 to 2571990 on Register No. 16 in the total amount of \$958,134.71 and Wire Transfers from 05/08/09 through 05/21/09 in the total amount of \$1,802,166.68. 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.
- 2. Approved Regular City Council Meeting Minutes of May 20, 2009.
- 3. Adopted Ordinance No.1429 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. (Fiscal Impact: None)
- 3a. Adopted Resolution No. 4599, establishing procedures for paying an in-lieu fee in accordance with the Downtown Specific Plan. (Fiscal Impact: None)
- 4. 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 2251 E. Maple Avenue (Kaya Sushi Restaurant), EA No. 823 for AUP No. 09-01. Applicant: Dae Kil Im/Kaya Sushi Restaurant (Fiscal Impact: None)
- 5. Approved amendment to the Professional Services Agreement with Tetra Tech, Inc. in conjunction with the 3.1 Million Gallon (MG) Water Reservoir Seismic Retrofit project RFP 07-04 located at 400 Lomita Street. (Fiscal Impact: \$63,625.00) Authorized the City Manager to execute the amendment to the existing Professional Services Agreement No. 3742.
- 6. Authorized the City Manager to enter into a Lease Agreement No. 3947, in a form approved by the City Attorney, for office space located at 333 Main Street for the purpose of relocating the Residential Sound Insulation (RSI) program offices. (Fiscal Impact: \$7,000 for the remainder of FY 2008-2009 and annual cost of \$40,000)
- 7. PULLED FROM THE AGENDA BY THE CITY MANAGER

- 8. Waived the formal bidding process pursuant to the El Segundo Municipal Code § 1-7-10 and authorized the Fire Department to purchase twenty-five (25) self-contained breathing apparatus units under a sole source purchase through Allstar Fire Equipment. The City will be reimbursed for these expenditures through the Urban Area Security Initiative Fiscal Year 2006 grant funding. (Fiscal Impact: Not to exceed \$140,725)
- 9. Rejected bid from Harry H. Joh Construction, Inc.; Awarded Contract No. 3948 to Professional Building Contractors, Inc. for construction related to Group 32 (24 homes) of the City's Residential Sound Insulation Program (Project No. RSI 09-09). (Estimated construction costs and retention: \$909,013); Authorized the City Manager to execute the contract in a form approved by the City Attorney.
- 10. Rejected Bid submitted by S&L Specialty Contracting, Inc.; Awarded Contract No. 3949 to Professional Building Contractors, Inc. for construction related to Group 33 (30 homes) of the City's Residential Sound Insulation Program (Project No. RSI 09-10). (Estimated construction costs and retention: \$633,996); Authorized the City Manager to execute the contract in a form approved by the City Attorney.
- 11. Awarded Contract No. 3950 to Professional Building Contractors, Inc. for construction related to Group 36 (30 homes) of the City's Residential Sound Insulation Program (Project No. RSI 09-11). (Estimated construction costs and retention: \$751,188) Authorized the City Manager to execute the contract in a form approved by the City Attorney.
- 12. Waived the formal bidding process per the El Segundo Municipal Code Section 1-7-10 and authorized the Fire Department to issue a purchase order enabling Valley Fire Service to perform a major engine overhaul for Engine 32. (Fiscal Impact: \$27,760)
- 13. Adopted required resolutions updating the employer's contribution under the Public Employees' Medical and Hospital Care Act for El Segundo Fire Fighters' Association, Resolution No. 4601, El Segundo Police Officers' Association, Resolution No. 4602, El Segundo Police Management Association, Resolution No. 4603, and the El Segundo Management / Confidential Group, Resolution No. 4604. (Fiscal Impact: Included in adopted budget)

MOTION by Mayor ProTem Busch, SECONDED by Council Member Fisher to approve Consent Agenda Items 1, 2, 3, 3a, 4, 5, 6, 8, 9, 10, 11, 12 and 13. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

7. Consideration and possible action to amend the base salary of police officer trainees from 80% of Step A of the Police Salary Table to 100% of Step A of the Police Salary Table. (Fiscal Impact: \$27,000)

Item pulled by the City Manager for further review and returned to Council at a later date.

F. NEW BUSINESS

14. Consideration and possible action to receive and file in accordance with the independent auditor's opinion on the City's Comprehensive Annual Financial Report, and its various fund financial statements, schedules, and agreements. (Fiscal Impact: None)

Deborah Cullen presented Mark Davis of Mayer Hoffman McCann P.C. who updated Council with the new audit requirements.

Council consensus to receive and file in accordance with the independent auditor's opinion on the City's Comprehensive Annual Financial Report, and its various fund financial statements, schedules, and agreements.

REPORTS – CITY MANAGER

Spoke regarding the City's Environmental Council meetings which are to be held at least quarterly and more often if necessary.

REPORTS – CITY ATTORNEY

REPORTS - CITY CLERK

REPORTS - CITY TREASURER

Announced that he represented the City at the Annual Municipal Treasurers' Conference, and the California Municipal Treasurers' Division Two Luncheon.

REPORTS - CITY COUNCIL MEMBERS

Council Member Brann - NONE

Council Member Fisher – Reported on the 2nd annual El Segundo Education Foundation Car Show and Automobile Museum event on Saturday May 30, 2009.

Council Member Jacobson – Reported on CPR Saturday.

Mayor Pro Tem Busch – Announced Beauty and the Beach June 13, 2009 and closing ceremony for Little League.

Mayor McDowell – Congratulated his brother for his White House re-nomination to the Federal Communications Committee.

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MEMORIALS – Vu Nguyen, reporter for the Daily Breeze, and Jim Weber former City employee.

CLOSED SESSION - NONE

ADJOURNMENT at 7:20. p.m.

Cindy Mortesen, City Clerk