

**REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 15, 2009 – 5:30 P.M.**

5:30 P.M. SESSION

CALL TO ORDER – Mayor ProTem Busch at 5:30 p.m.

ROLL CALL

Mayor McDowell	-	Present - arrived at 5:45 p.m.
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:

Mark Hensley, City Attorney, stated that Council would be meeting in Closed Session pursuant to items identified on the agenda and that the Government Code §54956.9(b) items related to Business License Processing Fees and Firefighter Association negotiations.

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): -2- 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): -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, SEPTEMBER 15, 2009 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Pastor Wes Harding, El Segundo Foursquare Church

PLEDGE OF ALLEGIANCE – Council Member Don Brann

PRESENTATIONS

- a. Council Member Fisher presented a Proclamation announcing observance of the 33rd Annual Richmond Street Fair on Saturday, September 26, 2009.
- b. Council Member Jacobson presented a Proclamation announcing week of September 20th through 26th as Volunteer Recognition Week.
- c. Mayor McDowell read a Proclamation declaring September 17 through 23, 2009 as Constitution Week.

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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Denise Devasquali, South Bay Workforce Investment Group, gave a brief presentation regarding on the 2008-2009 4th quarter summary.

Gail Church, Resident; spoke regarding the water conservation ordinance.

Bill Watkins, Resident and Member of the Board of Education; spoke regarding the Joint Use Agreement. He stated that the State budget to schools was reduced approximately 18%. He thanked the Council for their past support and any future support they can accommodate.

Liz Garnholtz, Resident; spoke regarding the budget and City's in-kind support and funding for the schools.

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 (Continued Public Hearing) regarding the Fiscal Year 2009-2010 Budget (including all City Revenues and Expenditures), Five-Year Capital Improvement Plan and Adoption of Resolutions approving Appropriation Limit, Preliminary Budget as amended, and Capital Improvement Plan as amended. (Copies of the Fiscal Year 2009-2010 Preliminary Budget can be found in the Library, City Clerk's office, and on the City's website.) (Fiscal Impact \$118,874,000 in total appropriations; \$111,975,950 in total estimated revenues and prior year designations of \$6,898,050.) (Fiscal Impact: None)

Mayor McDowell stated this is the time and place hereto fixed for a continued public hearing regarding the Fiscal Year 2009-2010 Budget (including all City Revenues and Expenditures), Five-Year Capital Improvement Plan and Adoption of Resolutions approving Appropriation Limit, Preliminary Budget as amended, and Capital Improvement Plan as amended. (Copies of the Fiscal Year 2009-2010 Preliminary Budget can be found in the Library, City Clerk's office, and on the City's website.). Clerk Mortesen stated that proper notice was completed and one written communication had been received by City Clerk's Office and had been copied to Council and copies provided for the public.

Deborah Cullen, Finance Director, gave a presentation.

Chris Thomason, El Segundo Firefighter Association President; spoke regarding the proposed budget adoption and the reduction in staffing in the Fire Department.

MOTION by Council Member Jacobson, SECONDED by Council Member Brann to close the Public Hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4615

A RESOLUTION ADOPTING THE 2009-2010 FINAL OPERATING BUDGET FOR THE CITY OF EL SEGUNDO AND ADOPTING THE 2009-2010 CAPITAL IMPROVEMENT BUDGET.

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Fisher to adopt Resolution No. 4615 adopting the 2009-2010 Final Operating Budget and Five-Year Capital Improvement Plan for the City of El Segundo, as amended in Section 4, to reduce expenditures in the General Fund by \$230,000 at the discretion of the City Manager, and Section 5, transferring funds from the Capital Improvements Budget to the General Fund to maintain the current funding to the El Segundo Unified School District for Fiscal Year 2009-2010 at \$400,000. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MCDOWELL, BUSCH, FISHER, BRANN; NOES: JACOBSON. 4/1

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4616

A RESOLUTION OF THE EL SEGUNDO CITY COUNCIL SETTING ITS APPROPRIATIONS LIMIT FOR FISCAL YEAR 2009-2010 IN ACCORDANCE WITH ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION.

MOTION by Council Member Busch, SECONDED by Council Member Fisher to adopt Resolution No. 4616 setting its Appropriations Limit for Fiscal Year 2009-2010 in accordance with Article XIII B of the California Constitution. 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 2573484 to 2573723 on Register No. 23 in the total amount of \$686,552.61 and Wire Transfers from 08/21/09 through 09/03/09 in the total amount of \$233,660.86. 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 September 1, 2009.**

4. Approved ongoing service agreements, amendments and issuance of blanket purchase orders for Fiscal Year 2009/2010 in excess of \$25,000 for the City Manager's Office. (Fiscal Impact: \$167,100) Authorized the City Manager to execute a contract amendment and/or purchase order with Tyler Technologies for maintenance of the existing Eden finance system, as approved to form by the City Attorney, not to exceed \$27,100; Authorized the City Manager to execute a contract amendment and/or purchase order with Shannon David, Inc. for professional services with the City's business recruitment and marketing program, as approved to form by the City Attorney, not to exceed \$140,000.
5. Waived the formal bidding process pursuant to the El Segundo Municipal Code Section §1-7-10 and authorized the Fire Department to piggy back on a City of Orange Fire Department contract #78E45 for the purchase of a replacement fire engine from Seagrave Fire Apparatus, LLC. (Fiscal Impact: \$566,421)
6. Authorized the El Segundo Fire Department to waive the bidding process per El Segundo Municipal Code §1-7-10 to purchase medical and pharmaceutical supplies, and piggyback on the City of Berkeley's Bound Tree Medical, Inc. ("Bound Tree") Bid #09-10348-C, and authorized issuance of a blanket purchase order to Bound Tree for FY 2009-2010 for medical and pharmaceutical supplies; Authorized the issuance of a blanket purchase order for FY 09-10 to UCLA Center for Pre-Hospital Care for continuing education, defibrillation training and AED program oversight.
7. Authorized staff to continue to purchase gasoline and diesel fuel for City vehicles and equipment through the use of spot market purchasing in an amount not to exceed \$321,000; Authorized the issuance of a blanket purchase order to Metron Farnier & Actaris in an amount not to exceed \$50,000 for the purchase of single jet water meters for the City's water system; Authorized the issuance of a blanket purchase order to Blue Diamond Materials, a division of Sully Miller Contracting Company in an amount not to exceed \$50,000 for the purchase of asphalt paving materials for Street Maintenance Division projects.
8. Authorized the City Manager to extend ongoing service agreements with Baker & Taylor Information Services for supplying books and other library materials, and issuance of a blanket purchase order not to exceed \$91,000; Authorized the City Manager to amend/extend Contract #2235 to Innovative Interfaces, Inc., for library computer network system maintenance and issuance of a blanket purchase order not to exceed \$30,000.
9. Authorized the City Manager to amend/extend Contract #3907, for ongoing service agreements, as approved by the City Attorney, with U.S. Healthworks Medical group, for pre-employment physical examinations and protocols for the El Segundo Police Department (not to exceed \$15,000), and occupational injury and illness services and related medical testing (not to exceed \$30,000), and issuance of a Blanket Purchase Order, with a combined total not to exceed

\$45,000; Authorized the City Manager to amend/extend Contract #3912, for ongoing service agreements, as approved by the City Attorney with Westchester Medical Group/Center for Heart and Health for employee's Fitness for Duty Examinations (not to exceed \$60,000) and Executive Physical examinations (not to exceed \$10,000), and issuance of a Blanket Purchase Order, with the combined total not to exceed \$70,000.

10. Adopted Resolution No. 4617 establishing Basic Monthly Salary Ranges for the job classifications of Community Cable Program Manager, Principal Engineer, Residential Sound Insulation Manager, Senior Network Assistant, and Senior Video Technician II (part-time); Adopted Resolution No. 4618 establishing new Hourly Pay Rates for the City's unrepresented, Part-time, Temporary job classifications; Approved the proposed Class Specifications for the job classifications of Network Assistant, Principal Engineer, Senior Network Assistant, and Senior Video Technician II; Approved the Examination Plan for Senior Network Assistant.
11. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN
12. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN
13. Authorized the issuance of a blanket purchase order to Lane Donovan Partners, LLC (Agreement # 3399) to provide management services for The Lakes at El Segundo municipal golf course for an amount not to exceed \$108,000; Authorized the City Manager to enter into a contract for professional services with the South Bay Children's Health Center Association for the South Bay Youth Project on-site counseling services at El Segundo Unified School District facilities for an amount not to exceed \$33,018; Authorized the City Manager to amend/extend Agreement #3476 for ongoing maintenance agreement with Great Scott Tree Service Inc. The extension will be for two (2) years commencing on October 1, 2009 and ending on September 30, 2011 with three (3) one (1) year renewal periods to be renewed upon mutual consent of the parties ending September 30, 2014. Total cost for services not to exceed \$100,000.
14. Waived second reading and adopted Ordinance No. 1432 for a zone change from the General Commercial (C-3) Zone to the Corporate Office (CO) Zone on the site located at 900, 950 and 960 Sepulveda and 901 and 915 Selby Street. Applicant: The Boeing Company (Fiscal Impact: None)
15. Approved a budget appropriation for \$150,000 to provide building plan check consulting services; Authorized the City Manager to execute the Second Amendment to the Professional Services Agreement with J. Lee Engineering Inc. to provide building plan check consulting services for the Planning and Building Safety Department through September 30, 2010 for Fiscal Year 2009-10, in a form approved by the City Attorney, to increase the amount in the agreement and purchase order by \$150,000 and to extend the term to expire on September 30, 2010.

16. Approved a budget appropriation for \$100,000 to provide building plan check consulting services; Authorized the City Manager to execute the amendment to the existing agreement with JAS Pacific to provide building inspection consulting services in a form approved by the City Attorney, to increase the amount in the agreement and purchase order by \$100,000 and to extend the term for one year through September 30, 2010.
17. Approved a budget appropriation for \$50,000 to provide storm water plan review services and implementation support of the City's Standard Urban Storm Water Mitigation Plan (SUSWMP) Ordinance No. 1329; Authorized the City Manager to execute the amendment to the existing agreement with John L. Hunter and Associates, Inc. to provide plan review and inspection services in compliance with SUSWMP Ordinance No. 1329 and extend the term for one year through September 30, 2010.
18. Approved a budget appropriation of \$80,000 to provide planning consulting services; Authorize the City Manager to execute the Second Amendment to the Professional Services Agreement with Willdan, in a form approved by the City Attorney, to increase the amount in the agreement and purchase order by \$80,000 and to extend the term to expire on September 30, 2010 for planning consulting services.
19. Authorized the City Manager to execute a one-year contract with the West Covina Service Group for Computer Aided Dispatching/Records Management System, Mobile Data Computer maintenance and operations, not to exceed \$68,500; Authorized the City Manager to execute a one-year contract with Motorola for two-way radio repair and maintenance of the Communication Center's radio assets and infrastructure, not to exceed \$75,000; Authorized the City Manager to execute a one-year contract with the Society for the Prevention of Cruelty to Animals Los Angeles for animal sheltering services, not to exceed \$28,200; Authorized the City Manager to execute a one-year contract with Duncan Solutions (formerly Enforcement Technology Inc.) for processing of parking citations/collections, not to exceed \$77,000; Authorized the City Manager to execute a one-year contract with AT&T Connection Services for communications related to mobile data computers and radio sites, not to exceed \$27,500.
20. Received and filed the revised Public Hearing date of November 3, 2009, to consider proposed water service rate increases associated with providing water services to property located in the City of El Segundo. (Fiscal Impact: None)
21. Awarded Contract No. 3991 to The Jones Payne Group for Design and Testing Services related to the Residential Sound Insulation Program (Fiscal impact: \$945,220); Authorized the City Manager to execute a contract in a form approved by the City Attorney.

22. Approved Employment Agreement No. 3992 with Robert Hyland for the position of Director of Human Resources , effective September 15, 2009. (Fiscal Impact: \$73,500) Authorized the City Manager to execute the agreement.
23. Approved Employment Agreement No. 3993 with David Cummings for the position of Police Chief, effective September 15, 2009. (Fiscal Impact: \$106,560) Authorized the City Manager to execute the agreement.
24. PULLED FOR DISCUSSION BY COUNCIL MEMBER JACOBSON
- 24A. PULLED FOR DISCUSSION BY COUNCIL MEMBER JACOBSON

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Fisher to approve Consent Agenda items 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

11. Consideration and possible action regarding two adoption of Resolutions providing for salary increases and benefit changes to Chapter 1A2 (Management-Confidential Series - includes all non-represented employees, except the City Manager) of the El Segundo Administrative Code. (Fiscal Impact: \$130,965 Executive Management, Mid-Management/Confidential Employees. \$92,300 Public Safety Management Employees. Total Fiscal Impact \$223,265.)

MOTION by Mayor Pro Tem Busch, SECONDED by Mayor McDowell to adopt Resolution No. 4619, providing for salary and benefit changes to Chapter 1A2 Management-Confidential Series and Resolution No. 4620, adopting the Nationwide Retirement Solutions Governmental Deferred Compensation Matching Plan and Trust. MOTION PASSED BY THE FOLLOWING VOTE AYES: MCDOWELL, BUSCH, FISHER, JACOBSON; NOES: BRANN. 4/1

12. Adopted Resolution No. 4621 approving a three-year Memorandum of Understanding (Labor Agreement) No. 3994 between the City of El Segundo and California Teamsters Public, Professional and Medical Employees Union, Local 911, Supervisory and Professional Employees' Bargaining Unit. (Fiscal Impact: \$162,470 in first year of Agreement.)

MOTION by Mayor Pro Tem Busch, SECONDED by Mayor McDowell to approve item 12. MOTION PASSED BY THE FOLLOWING VOTE: AYES: MCDOWELL, BUSCH, FISHER, JACOBSON; NOES: BRANN. 4/1

24. Consideration and possible action regarding the adoption of Ordinance No. 1433 adding a new Chapter 10-5 to the El Segundo Municipal Code ("ESMC") regulating water conservation methods and amending ESMC §§ 1-2A-1, 1-2A-2, and 1-2A-3 to enforce Chapter 10-5 with administrative citations. (Fiscal Impact: None)

- 24A. Supplemental staff report for Consent Agenda Item. No. 24 regarding consideration and possible action regarding the adoption of Ordinance No. 1433 adding a new Chapter 10-5 to the El Segundo Municipal Code ("ESMC") regulating water conservation methods and amending ESMC §§ 1-2A-1, 1-2A-2, and 1-2A-3 to enforce Chapter 10-5 with administrative citations. (Fiscal Impact: None)

Council consensus to direct staff to amend the Ordinance and return for introduction at the next regular meeting with a proposed plan for educating the public and a program for community education. The Ordinance to take effect on January 1, 2010.

- F. NEW BUSINESS
- G. REPORTS – CITY MANAGER – NONE
- H. REPORTS – CITY ATTORNEY – NONE
- I. REPORTS – CITY CLERK – NONE
- J. REPORTS – CITY TREASURER – NONE
- K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann –

Item 25 was discussed during the Public Hearing on the FY 2009-2010 Annual Budget.

25. Consideration and possible action to amend the City Manager's FY 2009-2010 Budget recommendation for City financial assistance to El Segundo Unified School District with a one-time budget augmentation of \$150,000 above the base annual cash contribution of \$250,000 provided under the terms of the Funding Agreement. (Fiscal Impact: Proposed Budget \$250,000; Additional Request \$150,000; Total \$400,000)

Announced his availability to meeting with city residence on September 23, 2009, from 10:00 a.m. to 2:00 p.m. at City Hall.

Council Member Fisher –

Congratulated the Tree Musketeers on their Grand Opening and the Environmental Enhancement and Mitigation Grant they received that will allow for residents to receive a tree.

Council Member Jacobson –

Spoke regarding the SCE event he attended and the upgrades that they are implementing.

26. Consideration and possible action to direct staff to prepare an amendment to the General Plan and process the re-zoning of the property located at 1916 E. Imperial Highway. (Fiscal Impact: none)

MOVED by Council Member Jacobson, SECONDED by Mayor Pro Tem Busch to direct staff to prepare an amendment to the General Plan and process the re-zoning of the property located at 1916 E. Imperial Highway. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mayor Pro Tem Busch – NONE

Mayor McDowell –

Spoke regarding the Police and Fire Associations Pancake Breakfast held on Saturday, September 12th. He also spoke regarding the Star Party this Friday at Hilltop Park.

Congratulated Steve Bradford, Southern California Edison, on his recent election to the 51st State Assembly District.

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Bill Watkins, Resident and School Board Member, thanked the Council for their support of the Schools.

MEMORIALS – Birth of Preston Thomas Polis

CLOSED SESSION – NONE

ADJOURNMENT at 8:50 p.m.


Cindy Mortesen, City Clerk