

**REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, FEBRUARY 16, 2010 – 5:00 P.M.**

5:00 P.M. SESSION

CALL TO ORDER – Mayor at 5:00 p.m.

ROLL CALL

Mayor McDowell	-	Absent
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.

Mark Hensley, City Attorney, advised Council that the City had just received a letter from S&L Specialty Contracting, Inc., dated February 12, 2010, that contains threats of litigation relating to item no. 2, on tonight's agenda. He further requested that pursuant to Government Code Section 54954.2(b)(2) that the Council take action to place the matter on closed session under Government Code Section 54956.9(b)(C). The Council voted 3/0 to place the matter on the closed session agenda. MAYOR MCDOWELL AND MAYOR PRO TEM BUSCH ABSENT.

SPECIAL ORDER OF BUSINESS:

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

- 1. Appointment of Jack Wayt (City Manager), Bob Hyland (Human Resources Director) and Rich Kreisler (Liebert, Cassidy & Whitmore) to represent the City as labor negotiators of the Police Support Services Employees Association (PSSEA), City Employees Association (CEA), Firefighters Association (FFA), Police Managers Association (PMA), Police Officers Association (POA), Supervisory and Professional Employees (S&P)**

MOTION by Council Member Jacobson , SECONDED by Council Member Fisher to appoint Jack Wayt (City Manager), Bob Hyland (Human Resources Director) and Rich Kreisler (Liebert, Cassidy & Whitmore) to represent the City as labor negotiators of the Police Support Services Employees Association (PSSEA), City Employees Association (CEA), Firefighters Association (FFA), Police Managers Association (PMA), Police

Officers Association (POA), Supervisory and Professional Employees (S&P) MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR MCDOWELL ABSENT.

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) -1- matter

City of El Segundo vs. City of Los Angeles, et. Al. LASC Case 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): -1- matters

1. Represented Group: Police Support Services Employees Association (PSSEA), City Employees Association (CEA), Firefighters Association (FFA), Police Managers Association (PMA), Police Officers Association (POA), Supervisory and Professional Employees (S&P)
Negotiators: Jack Wayt, Bob Hyland and Rich Kreisler

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

SPECIAL MATTERS: - 0- matter

Council recessed at 6:50 p.m.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, FEBRUARY 16, 2010 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – John Fedshau, El Segundo Foursquare Church

PLEDGE OF ALLEGIANCE – Council Member Bill Fisher

PRESENTATIONS

- a. Council Member Fisher presented a proclamation to Marie Stinnett, embarking upon her 100th birthday on Sunday, February 14, 2010.
- b. Council Member Brann presented a Certificate Hannah Burrell for her artistic contribution to the El Segundo Environmental Expo 2010 Student Art Contest.
- c. Mayor Pro Tem Busch presented a Certificate for Northrop Grumman recognizing their Integrated Systems Sector for donating a Green Building Kiosk.

ROLL CALL

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

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Ed Little, West Basins Municipal Water District, spoke on the upcoming tour of the Delta System in Central California on April 19 and 20, 2010.

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. 4/0. MAYOR MCDOWELL ABSENT.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

C. UNFINISHED BUSINESS

1. Consideration and possible action to select the City of La Mirada to exchange the City of El Segundo's Fiscal Year 2010-2011 and prior year unallocated Community Development Block Grant (CDBG) funds totaling \$94,023 at an exchange rate of \$0.55 per CDBG dollar, for a total of \$51,712.65 in General Revenue Funds and to allocate the funds to the City's Home Delivered Meals, Juvenile Diversion, Administration and Senior In-Home Care programs for Fiscal Year 2010-2011. (Fiscal Impact: \$51,712.65).

Tina Gall, CDBG Consultant, gave a report.

MOTION by Council Member Jacobson, SECONDED by Council Member Fisher to adopt Resolution No. 4645 authorizing the exchange of CDBG funds with the City of La Mirada; authorize the City Manager to execute any and all contracts and documents, as to form approved by the City Attorney, necessary to complete the exchange of CDBG funds on behalf of the City; and approve allocation of the funds for Home Delivered Meals, Juvenile Diversion, Administration and Senior In-Home Care projects for Fiscal Year 2010-2011. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0 MAYOR MCDOWELL ABSENT.

2. Consideration and possible action to disqualify S&L Specialty Contracting, Inc. as a bidder for Group 39 (Project No. RSI 10-01) and Group 40 (Project No. RSI 10-02) of the City's Residential Sound Insulation Program and select the next apparent lowest responsible Bidder for each Project. (Estimated construction costs and retention: \$716,705)

James O'Neill, Residential Sound Insulation Program Manager, gave a report.

MOTION by Council Member Brann, SECONDED by Council Member Fisher to direct the City Manager to not execute contracts 4037 and 4038 with S&L Specialty Contracting, Inc.; Select the next apparent lowest responsible Bidder for each project; Waive minor irregularity in the Bid from Big West Construction Corporation, Inc.; award Contract No. 4048 to Big West Construction Corporation, Inc. for Group 39 (RSI 10-01); Waive minor irregularity in the Bid from G&G Specialty Contractors, Inc.; award Contract No. 4049 to G&G Specialty Contracting, Inc. for Group 40 (RSI 10-02); and authorize the City Manager to execute contracts in a form approved by the City Attorney. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR MCDOWELL ABSENT.

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.

3. Approved Warrant Numbers 2575810 to 2576015 on Register No. 9 in the total amount of \$728,745.37 and Wire Transfers from 1/22/10 through 2/4/10 in the total amount of \$1,693,827.22. 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 February 2, 2010.
5. Authorized the City Manager to execute License Agreement No. 3724A with Mattel, Inc., in a form approved by the City Attorney, to allow the use of the City of El Segundo logo and vehicle graphics of the El Segundo Fire Department for production of die-cast replica toy fire vehicles. (Fiscal Impact: None)
6. Adopted Resolution No. 4644 amending Resolution No. 4640 in its entirety to authorize the City Manager, or designee, to apply for, receive, and appropriate grant funds through the California Energy Commission to implement energy efficiency improvements at El Segundo City Hall (Fiscal Impact: Potentially \$90,691.00)
7. Authorized the City Manager to issue a letter of concurrence to the County of Ventura Fire Department to utilize a radio frequency co-channelled with one assigned to the City. (Fiscal Impact: None)

8. Authorized renewal of the General Services Agreement No. 4046 between the City of El Segundo and the County of Los Angeles for an additional five years commencing on July 1, 2010 which would allow the City to access on an as needed basis municipal support services performed by the County, such as traffic signal maintenance and other public works activities. (Fiscal Impact: None) Authorized the Mayor to sign the General Services Agreement in a form approved by the City Attorney.
9. Accepted the work as complete on the project for the slurry sealing of the streets in the area bounded by Sheldon Street, Mariposa and Imperial Avenues and Sepulveda Boulevard. Project No.: PW 09-10. (Fiscal Impact: \$207,431.35) Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office.
10. Authorized the City Manager or his designee to enter into Agreement No. 4047 with West Basin Municipal Water District ("West Basin") for the development of a Local Water Use Efficiency Compliance Plan in a form approved by the City Attorney. (Fiscal Impact: \$2,465 in matching funds)
11. Waived second reading and adopted Ordinance No. 1440 for a zone change from the General Commercial (C-3) Zone to the Corporate Office (CO) Zone on the site located at 1916 East Imperial Highway and Assessor Parcel Number 4138-005-057. Applicant: The City of El Segundo (Fiscal Impact: None)

CALL ITEMS FROM CONSENT AGENDA

MOTION by Council Member Brann, SECONDED by Council Member Jacobson to approve Consent Agenda items 3, 4, 5, 6, 7, 8, 9, 10 and 11. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR MCDOWELL ABSENT.

F. NEW BUSINESS

12. Consideration and possible action regarding the Fiscal Year 2008-2009 Year-end report and Fiscal Year 2009-2010 First Quarter Financial Review. (Fiscal Impact: None)

Deborah Cullen, Finance Director, gave a report.

Council consensus to receive and file FY 2008-2009 Year-end and FY 2009-2010 First Quarter Financial staff report.

MOTION by Council Member Brann, SECONDED by Council Member Fisher to approve staff recommendation to transfer sufficient funds from the Internal Service Funds back to the General Fund to maintain 20% unreserved/undesignated fund balance in the General Fund. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR MCDOWELL ABSENT.

REPORTS – CITY MANAGER - NONE

REPORTS – CITY ATTORNEY - NONE

REPORTS – CITY CLERK - NONE

REPORTS – CITY TREASURER - NONE

REPORTS – CITY COUNCIL MEMBERS

Council Member Brann – NONE

Council Member Fisher – Attended Pancreatic Cancer Action Network Walk at Plaza El Segundo last weekend.

Council Member Jacobson – Announced the CERT and Amateur Radio group drill at 10:00 a.m. on Saturday, February 20, 2010.

Mayor Pro Tem Busch – Attended theater performance at Pacific Stages in El Segundo Also noted that El Segundo was the first City in the United States to implement a Golf Ball Recycling Program.

Mayor McDowell – ABSENT

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MEMORIALS – Ray “Archie” Archambault

CLOSED SESSION – NONE

ADJOURNMENT at 8: 06 p.m.



Cathy Domann, Deputy City Clerk