REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, JUNE 15, 2010 – 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER- Mayor Busch at 5:40 p.m.

ROLL CALL

Mayor Busch - Present
Mayor Pro Tem Fisher - Present
Council Member Brann - Present
Council Member Fuentes - 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:

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.

APPOINTMENT AND PERFORMANCE EVALUATION OF PUBLIC EMPLOYEE (Gov't. Code § 54957) -1- matter Position: City Manager.

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

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

Council recessed at 6:50 p.m.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, JUNE 15, 2010 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION - Mark Stepp, Oceanside Christian Fellowship

PLEDGE OF ALLEGIANCE - Council Member Carl Jacobson

PRESENTATIONS

a. Presentation to El Segundo Boys Volleyball Team for CIF Championship

ROLL CALL

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

PUBLIC COMMUNICATIONS – (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. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.

Christine Delgado, Reach out Against Drugs, spoke regarding item 12.

Mike Rotolo, Chamber of Commerce, spoke regarding the possible change in Fire Department administration and stated the Chamber is preparing a list of concerns that they will be presenting to the City Council.

Stephanie Katsouleas, Public Works Director announced the City is hosting the Third Annual Environmental Expo in the City Plaza.

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 Mayor ProTem 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 open a public hearing and receive public testimony concerning adopting a resolution supporting the proposed issuance of Recovery Zone Facility Revenue Bonds (RZFRB) by the California Municipal Finance Authority (CMFA) in an amount not to exceed \$250,000,000, to finance or refinance the acquisition, construction, reconstruction and/or renovation of certain improvements related to the manufacturing of usable fuels and petroleum products at the Chevron El Segundo Refinery located at 324 W. El Segundo Blvd. (Fiscal Impact: None)

Mayor Busch stated that this was the time and place fixed for a public hearing and receive public testimony concerning adopting a resolution supporting the proposed issuance of Recovery Zone Facility Revenue Bonds (RZFRB) by the California Municipal Finance Authority (CMFA) in an amount not to exceed \$250,000,000, to finance or refinance the acquisition, construction, reconstruction and/or renovation of certain improvements related to the manufacturing of usable fuels and petroleum products at the Chevron El Segundo Refinery located at 324 W. El Segundo Blvd. (Fiscal Impact: None)

Clerk Mortesen stated that proper noticing was done and no written communication had been received in the City Clerk's Office.

Assistant City Manager Bill Crowe gave a report.

Rod Spackman, Chevron stated this was a procedural item that had to be done to satisfy California Municipal Finance Authority (CMFA) requirements, the City is under no financial obligation.

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

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4655

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY REVENUE BONDS (CHEVRON U.S.A. INC. PROJECT), SERIES 2010 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$250,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, CONSTRUCTION,

RECONSTRUCTION AND/OR RENOVATION OF REFINERY FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO.

MOTION by Council Member Brann, SECONDED by Council Member Jacobson to adopt Resolution No. 4655 approving the issuance of the California Municipal Finance Authority Revenue Bonds (Chevron U.S.A. Inc. Project), series 2010 in an aggregate principal amount not to exceed \$250,000,000 for the purpose of financing or refinancing the acquisition, construction, reconstruction and/or renovation of refinery facilities and certain other matters relating thereto. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

2. Consideration and possible action to open a public hearing and receive testimony regarding: 1) an Environmental Assessment for a proposed Categorical Exemption; and 2) a Zone Text Amendment amending the El Segundo Municipal Code ('ESMC") off-street parking and loading regulations. Applicant: City Initiated. (Fiscal Impact: N/A)

Mayor Busch stated that this was the time and place fixed for a public hearing and receive testimony regarding: 1) an Environmental Assessment for a proposed Categorical Exemption; and 2) a Zone Text Amendment amending the El Segundo Municipal Code ('ESMC") off-street parking and loading regulations. Applicant: City Initiated.

Clerk Mortesen stated that proper noticing was done and no written communication had been received in the City Clerk's Office.

Greg Carpenter, Planning and Building Safety Director and Paul Samaras, Principal Planner, gave a report.

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

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1444

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE ("ESMC") PARKING AND LOADING REGULATIONS.

Mayor Busch introduced the ordinance.

MOTION by Mayor Busch, SECONDED, by Mayor ProTem Fisher to direct the City Manager set a policy that discretionary decisions of the Director of Planning and Building Safety be sent to the Planning Commission in written format for review at their regularly scheduled meetings. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: BUSCH, FISHER, BRANN: NOES: JACOBSON, FUENTES, 3/2/0

Second reading and adoption scheduled for July 6, 2010 or the first regular meeting thereafter.

3. Receive and file report prepared by the County of Los Angeles regarding transitioning the El Segundo Fire Department's ("ESFD") services to the Consolidated Fire Protection District of Los Angeles County (aka the Los Angeles County Fire Department). Consideration and possible action to direct staff to undertake further analysis of potential impacts including, without limitation, an analysis pursuant to Elections Code § 9212 regarding an initiative petition currently being circulated that would require, if adopted, that ESFD's services be performed by the County.

Kevin Smith, Fire Chief, gave a report.

Council consensus to receive and file report and direct staff to undertake further analysis of the impacts of transitioning ESFD to the County including, without limitation, an analysis under Elections Code § 9212 regarding the initiative petition currently being circulated that would require, if adopted, that ESFD be transitioned to the County. schedule a workshop, or preferably at the June 24 Strategic Planning Session, to have the County make a presentation on the staffing issues and Council concerns. Present a financial analysis of the initiative petition and possible election at the June 24, strategic plan meeting.

- C. UNFINISHED BUSINESS
- D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS
- 4. Consideration and possible action to announce the candidates of the Library Board of Trustees, Senior Citizen Housing Corporation Board, Community Cable Advisory Committee and Environmental Committee. (Fiscal Impact: None)

Mayor Busch announced the appointment of Sheila Henry to the Library Board of Trustees for a full term to expire 5/30/13 and Kevin Smith to a full term to expire 5/30/13; reappoint Paula Rotolo to the Senior Citizen Housing Corporation Board, for a full term to expire 6/30/14 and Samantha Lee to a partial term to expire 6/30/12; Carol Pirsztuk to the Community Cable Advisory Committee, for a full term to expire 10/31/13 and reappoint Joe Pinchuk to the Community Cable Advisory Committee, for a full term to expire 10/31/13; and reappoint Eric Alegria to the Environmental Committee for a full term to expire 10/31/14.

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.

- 5. Approved Warrant Numbers 2577515 to 2577710 on Register No. 17 in the total amount of \$581,715.13 and Wire Transfers from 5/20/10 through 6/03/10 in the total amount of \$993,013.75. 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.
- 6. Approved Regular City Council Meeting Minutes of June 1, 2010 and Special Meeting Minutes of June 1, 2010.
- 7. Adopted Resolution No. 4656 delegating authority for making disability determinations to the City Manager and Human Resources Director pursuant to Government Code § 21173. (Fiscal Impact: None)
- 8. Awarded standard Public Works Contract No. 4077 to Advanced Sewer Technologies, Inc. for the Cleaning and Closed Circuit Television (CCTV) inspection of sewer lines west of Sepulveda Boulevard between El Segundo Boulevard and Imperial Avenue. (Project No.: PW 10-02) and adopted Plans and Specifications for the CCTV inspection of sewer lines east of Sepulveda Boulevard, between El Segundo Boulevard and Imperial Highway. (Fiscal Impact \$183,951.11) Authorized the City Manager to execute a Standard Public Works Contract in a form as approved by the City Attorney.
- 9. Second reading and adoption of Ordinance No. 1443 amending regulation of massage establishments within the City of El Segundo. (Fiscal Impact: None)
- PULLED FOR DISCUSSION BY MAYOR BUSCH
- 11. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN
- 11a. Received and filed correspondence received from Big West Construction Corporation. Approved request and authorized Big West to replace Colocho Glass as a subcontractor for Group 39 (Project No. RSI 10-1) of the City's Residential Sound Insulation program with Discount Interiors (Fiscal Impact: None)

MOTION by Council Member Brann, SECONDED by Council Member Jacobson to approve Consent Agenda Items 5, 6, 7, 8, 9, and 11a. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

10. Consideration and possible action regarding the design and location of an El Segundo monument sign provided by the Boeing Corporation at the intersection of Imperial Highway and Sepulveda Boulevard. (Fiscal Impact: None)

MOTION by Mayor Busch, SECONDED by Council Member Brann to approve the proposed City of El Segundo monument sign design and location at the intersection of Imperial Highway and Sepulveda Boulevard provided by the Boeing Corporation.

MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

11. Consideration and possible action to approve a contract amendment to the employment agreement with Robert Hyland for the position of Director of Human Resources, effective July 1, 2010. (Fiscal Impact: \$73,500)

MOTION by Mayor ProTem Fisher, SECONDED by Council Member Jacobson to approve Contract Amendment No. 3992A to the employment agreement with Robert Hyland for the position of Director of Human Resources, effective July 1, 2010. (Fiscal Impact: \$73,500) Authorized the City Manager to execute an extension to the contract employment agreement, in a form acceptable to the City Attorney MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES, BUSCH, FISHER, AND JACOBSON; NOES: FUENTES, BRANN. 3/2

- F. NEW BUSINESS
- 12. Consideration and possible action to establish an annual Tobacco Retail License Fee. (Fiscal Impact: None)

Mitch Tavera, Police Chief, gave a report.

Directed Staff to develop and proceed with the implementation of a Tobacco Retail License Fee of \$250. MOTION PASSED BY THE FOLLOWING VOICE VOTE. AYES: BUSCH, FISHER, BRANN NOES: JACOBSON, FUENTES 3/2

- G. REPORTS CITY MANAGER
- H. REPORTS CITY ATTORNEY
- REPORTS CITY CLERK
- 13. Consideration and possible action regarding Council consensus to cancel the July 6, 2010 City Council Meeting. (Fiscal Impact: None)

Council consensus to continue this item to the June 24, 2010 Strategic Planning Session meeting.

REPORTS – CITY TREASURER

REPORTS - CITY COUNCIL MEMBERS

Council Member Fuentes – Spoke on the Recreation Parks drama production.

Council Member Brann – Spoke regarding personnel costs.

Council Member Jacobson - None

Mayor Pro Tem Fisher – Spoke regarding the strategic planning session.

Mayor Busch – Spoke regarding the upcoming July 4th event.

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Liz Garnholz, Resident; spoke regarding budget cuts and when Council would be making the decisions.

MEMORIALS – NONE

CLOSED SESSION - NONE

ADJOURNMENT at 9:05 p.m.