

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JULY 20, 2010 – 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER – Mayor Busch at 5:00 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.

Mark Hensley City Attorney, announced that Council would be meeting in closed session pursuant to the items listed on the agenda, and that Government Code §54956.9(b) would only pertain to one item, DeQuan Hale, Claim No. 10-15. He also announced that Council would not be taking up the Government Code §54956.9(a) item, NSA Construction Group, Inc. vs. City of El Segundo, LASC Case No. BC438182.

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) -2- matter

City of El Segundo vs. City of Los Angeles, et. al. LASC Case No. BS094279

NSA Construction Group, Inc. vs. City of El Segundo, LASC Case No. BC438182 –
DELETED FROM AGENDA

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. ONE ITEM DELETED FROM AGENDA

APPOINTMENT AND PERFORMANCE EVALUATION OF PUBLIC EMPLOYEE (Gov't. Code § 54957) -0- matter

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 and Bob Hyland

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -1- matters

City Property: 2161 El Segundo Boulevard, El Segundo (Fire Station No. 2)

City Negotiators: City Manager, Assistant City Manager

Negotiating Party: Wiseburn School District

Under Negotiation: Price and Terms (potential lease or sale)

Council recessed at 6:50 p.m.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JULY 20, 2010 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Busch at 7:04 p.m.

INVOCATION – Father Robert Victoria, St. Anthony's Catholic Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Bill Fisher

PRESENTATIONS

ROLL CALL

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

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Lauren Peters, Broadway in the Park, spoke on the upcoming Sound of Music production.

Joe Harding, Hacienda Hotel, spoke against raising the Transient Occupancy Tax and suggested looking into a Parking Tax.

Marissa Diaz, Hacienda Hotel, spoke against raising the Transient Occupancy Tax.

Lieslie Evans, resident, spoke regarding the recent letter on the RSI Program.

Heifa Fellen, 701 Hillcrest, spoke regarding the RSI Program and requested an explanation on how the Zones were established.

Bob Eggers, 530 Sierra Place, spoke regarding the lack of funding for the RSI program.

Shar Franklin, Embassy Suites Hotel, spoke against raising the Transient Occupancy Tax. Also suggested looking into a Parking Tax.

Magda Khordoc, Director of Sales at the Embassy Suites, spoke against raising the Transient Occupancy Tax.

Marsha Hansen, Executive Director, Chamber of Commerce, spoke regarding the Fire Ballot Initiative being circulated and suggested setting up a Task Force to come up with creative options for raising revenue.

Jennifer Gardner, resident, spoke regarding the RSI program.

George Hoops, resident, spoke regarding item 6, the Beach Cities Transit contract.

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Brann, SECOND Mayor Pro Tem 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)

C. UNFINISHED BUSINESS

1. Continuation of Council's consideration to transition 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), including 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.

Jack Wayt, City Manager, gave a report and stated that the proposal was due back from Los Angeles County on Friday and that it would be posted on the City's website by Monday, July 26.

Item continued to next City Council meeting.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

2. Consideration and possible action to announce the appointee to the Environmental Committee. (Fiscal Impact: None)

Mayor Busch announced the appointment of Karl Bruskotter to the Environmental Committee for a partial term to expire 6/30/12.

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 2578025 to 2578241 on Register No. 19 in the total amount of \$1,204,669.88 and Wire Transfers from 6/25/10 through 7/08/10 in the total amount of \$918,561.99 . 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 July 6, 2010.
5. Approved Final Tract Map No. 70424, a 12-unit commercial and industrial condominium property located at 215 - 237 California Street. (Fiscal Impact: None) Authorized the City Engineer and City Clerk to sign and record said Map.
6. PULLED FOR DISCUSSION BY COUNCIL MEMBER JACOBSON
7. Accepted the work as complete for the annual contract for curb, gutter, handicap access ramps, sidewalk and other minor improvements at various locations citywide. Approved Capital Improvement Project. Project No. PW 09-08. CDBG Project No. 601209-09 (Fiscal Impact: \$232,773.75) Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office.
8. Approved Change Order No. 1 in the amount of \$840. Accepted the work as complete for the pavement rehabilitation of Mariposa Avenue from Sepulveda Boulevard to Nash Street. Project No.: PW 09-01, Federal Project No.: LAES 681 (Fiscal Impact: \$210,341.65) Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office.
9. Adopted Plans and Specifications for rehabilitation of Grand Avenue from Sepulveda Boulevard to Duley Road. Approved Capital Improvement Project. Project No.: PW10-03 (Fiscal Impact: \$350,000) Authorized staff to advertise the project for receipt of construction bids.
10. PULLED FOR DISCUSSION BY COUNCIL MEMBER JACOBSON
11. Received and filed report regarding an Alcoholic Beverage Control (ABC) license that was approved for on-site sale and off-site consumption of alcohol at Village Wine and Cigar Shop located at 601 Virginia Street. Applicant: Abdo Diab Barakat (Fiscal Impact: N/A)
12. Adopted Plans and Specifications for Recreation Park Phase III Field Lighting Project. Project No.: PW10-07 (Fiscal Impact: \$239,000). Authorized staff to advertise the project for receipt of construction bids.

13. Approved amendment to Agreement No. 3500 with CBS Outdoor, Inc. to provide, install, maintain and repair bus benches and bus shelters with or without advertising at various bus stop locations throughout the City. (Fiscal Impact: \$56,000 Projected Income) Authorized the City Manager to execute an amendment with CBS Outdoor, Inc. for an additional five (5) years.
14. Accepted the work as complete for the Seismic Strengthening of the 3.1 MG Water Reservoir Project. Project No. PW 09-13. (Fiscal Impact: \$738,944) Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office.
15. Approved the revised Class Specification for the classification of Management Analyst (Payroll) and approved the examination plan for Management Analyst (Payroll). Fiscal Impact: None.

MOTION by Mayor Pro Tem Fisher, SECONDED BY Council Member Brann to approve Consent Agenda Items 3, 4, 5, 7, 8, 9, 11, 12, 13, 14, and 15. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

6. Consideration and possible action regarding to approve a cost sharing Agreement with Beach Cities Transit for operation of Transit Line 109 for FY 2010-11 through FY 2011-12; in conjunction with the cities of Hermosa Beach, Redondo Beach and Manhattan Beach. (Fiscal Impact: \$ 66,289 for FY 2010-11 Proposition C funds; \$114,025 for FY 2011-12) Authorized the City Manager to execute the two-year cost sharing agreement, in a form acceptable to the City Attorney.

Joyce Rooney, Beach Cities Transit, responded to Council questions.

MOTION by Council Member Jacobson, SECONDED by Mayor Pro Tem Fisher to approve a cost sharing Agreement No. 4081 with Beach Cities Transit for operation of Transit Line 109 for FY 2010-11; in conjunction with the cities of Hermosa Beach, Redondo Beach and Manhattan Beach. (Fiscal Impact: \$ 66,289 for FY 2010-11 Proposition C funds) Authorized the City Manager to execute the one-year cost sharing agreement, in a form acceptable to the City Attorney.

10. Consideration and possible action to waived second reading and adopt Ordinance No. 1444 approving Environmental Assessment EA 755 and Zone Text Amendment ZTA 07-02 to amend the El Segundo Municipal Code ("ESMC") off-street parking and loading regulations. (Fiscal Impact: N/A)

Council Member Jacobson requested the Ordinance be amended so that the maximum garage size standard for single family homes would not apply to subterranean and semi-subterranean garages.

Mayor Busch reintroduced Ordinance No. 1444 as amended and schedule second reading and adoption for August 3, 2010.

F. NEW BUSINESS

16. Report on the status of funding from the Federal Aviation Administration (FAA) and Los Angeles World Airports (LAWA) for future Residential Sound Insulation (RSI) treatment. (Fiscal Impact: None)

Greg Carpenter, Director of Planning and Building Safety, gave a report and responded to Council questions.

Council consensus to receive and file report.

17. Receive and file a report on the installation and maintenance and operation of photovoltaic electric generators on the roofs of City facilities. (Fiscal Impact: None)

Stephanie Katsouleas, Public Works Director, gave a report.

Council consensus to receive and file report.

G. REPORTS – CITY MANAGER – NONE

- H. REPORTS – CITY ATTORNEY – Stated that in Closed Session the City Council unanimously voted to reject Claim No. 10-15, Dequan Hale, and instructed that legal counsel defend against the claim.

I. REPORTS – CITY CLERK – NONE

J. REPORTS – CITY TREASURER – NONE

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fuentes – spoke regarding the upcoming production of “Broadway in the Park” and noted that this was the 41st anniversary of Neil Armstrong landing on the Moon.

Council Member Brann – Spoke regarding recent interview on “Spotlight on El Segundo.” Also spoke on recent City/School Task Force meeting and Broadway in the Park.

18. Consideration and possible action to review and discuss the City's reserve fund policies to improve the utilization of reserves for municipal budgetary and operational purposes. (Fiscal Impact: None)

Council consensus to receive and file report.

19. Consideration and possible action to direct staff to prepare documents necessary for final Council action at the August 3, 2010 Council Meeting to place a ballot measure on the November election seeking voter approval to increase the City's transient occupancy tax ("TOT") and/or utility user tax ("UUT). (Fiscal Impact: unknown/depend on proposed amount of increase)

MOTION by Mayor Busch, Seconded by Council Member Brann to direct staff to prepare documents necessary to place a ballot measure on the November 2010 election seeking voter approval to increase the City's TOT and UUT. MOTION PASSED BY THE FOLLOWING VOICE VOTE: MAYOR BUSCH, MAYOR PRO TEM FISHER, COUNCIL MEMBERS BRANN AND FUENTES; NOES: COUNCIL MEMBER JACOBSON. 4/1

Council Member Jacobson – Spoke regarding the upcoming Broadway in the Park production.

Mayor Pro Tem Fisher – NONE

Mayor Busch – Reported on the City/School Affairs Committee meeting and upcoming improvements to the High School athletic fields and auditorium.

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Scott Gobel, Southern California Edison, spoke regarding the "smart meters" being installed in the City.

Michelle Lawson, 414 W. Oak, spoke regarding the RSI program.

Marcella Lowe, Public Affairs Gas Company, spoke regarding the proposed UUT increases.

Jim Lasky, 1524 E. Palm Avenue, spoke regarding the movement of the LAX South runway closer to El Segundo and impact on establishing RSI Zones.

MEMORIALS – Tammy Tagami – Reeves.

CLOSED SESSION – NONE

ADJOURNMENT at 9:40 p.m.



Cathy Dornann
Deputy City Clerk