

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 17, 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.

SPECIAL ORDER OF BUSINESS:

Mark Hensley, City Attorney, stated that Council would be meeting in closed session pursuant to the items posted 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.

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): -2- 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 or Brian Sweeny

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

City Property: APN #4155-614-900 (Storm Water Detention Basin)

City Negotiators: City Manager

Negotiating Party: El Segundo Unified 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, AUGUST 17, 2010 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Father Alexei Smith, St. Andrews Russian Greek Catholic Church

PLEDGE OF ALLEGIANCE – Council Member Don Brann

PRESENTATIONS - NONE

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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Elizabeth Diaz, resident, spoke, in favor on transitioning to Los Angeles County Fire.

Frank Silva, resident, spoke in favor of transitioning to Los Angeles County Fire.

Wyndell Phillips, California Attorney representing the City Employees Association, spoke in favor of finding solutions for saving employee jobs.

Steven Eno, resident, spoke regarding placement of tax measures on the ballot.

Linda Cruz, resident, spoke, in favor of transitioning to Los Angeles County Fire.

Fred Curcio, resident, spoke in favor of transitioning to Los Angeles County Fire.

Dennis Poore, resident, support examining alternatives that will keep City services intact, including transitioning to Los Angeles County Fire Department, to balancing the budget.

Peter Lewis, resident, spoke in support of retaining public safety level and transitioning to Los Angeles County Fire.

Peggy Tyrell, resident, spoke against transitioning to Los Angeles County Fire Department. Also spoke regarding the El Segundo Soccer fields.

Gregorio Daniel, International Brotherhood of Teamsters Local 911, stated that until Council decided whether or not to transition to Los Angeles County Fire, there would not be a clear picture of impacts to employee groups.

Bill Schultz, resident, spoke in favor of transitioning to Los Angeles County Fire Department.

Joe Hardy, resident and representing the Hacienda Hotel, thanked Council for their decision regarding the Transient Occupancy Tax.

Liz Garnholz, resident, spoke regarding Transient Occupancy Tax. Also spoke regarding the recent Los Angeles Times article on public employee salaries and questioned why El Segundo did not respond to the salary information request in a timely manner. Also spoke in favor of salary reductions,

Loretta Frye, resident, spoke against transitioning to Los Angeles County Fire Department.

Mark Rener, resident, spoke regarding costs for transitioning to Los Angeles County Fire Department.

Ann Mazuke, resident, spoke against transitioning to Los Angeles County Fire Department. Also spoke in favor of raising the Transient Occupancy Tax.

Veronica Becerra, representing the 603 Sepulveda Boulevard business, spoke regarding Council's protest of an off-site alcohol permit and requested Council revisit their decision.

Mike Robbins, resident, spoke regarding the excessive salary and benefits for public safety employees.

Jason Van Biezen, spoke regarding the "South Bay Open Carry" organization. Requested Council oppose AB1934.

Ron Swanson, resident and business owner, spoke regarding transitioning to Los Angeles County Fire and said he wanted to see the results of concessions with labor unions, charging for Trash pick-up, UUT tax increase and other options.

Rod Spackman, Chevron, spoke regarding item on Zoning changes to Plaza El Segundo.

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Jacobson, 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)

1. Consideration and possible action to conduct a public hearing regarding the proposed revisions made to the Police Services Fee Schedule. (Fiscal Impact: None)

Mayor Busch stated that this was the time and place to conduct a public hearing regarding proposed revisions made to the Police Services Fee Schedule. (Fiscal Impact: None)

Clerk Domann stated that proper notice had been given in a timely manner and that no communications had been received in the City Clerk's Office.

Mitch Tavera, Police Chief, gave a report.

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

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Fisher to adopt Resolution No. 4674 adopting a new fee schedule for the El Segundo Police Department to recover costs incurred from providing various public services. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

ITEM NO. 10 BROUGHT FORWARD ON THE AGENDA

10. Consideration and possible action regarding the presentation of fiscal year 2009-2010 third quarter Financial Review and presentation of the fiscal year 2010-2011 Preliminary Budget. (Fiscal Impact: None)

Deborah Cullen, Finance Director, gave a presentation.

Council consensus to receive and file FY 2009-2010 Third Quarter Financial staff report

Presentation of the fiscal year 2010-2011 Preliminary Budget scheduled for September 7, 2010.

C. UNFINISHED BUSINESS

2. 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 proceed with negotiations with the Los Angeles County Fire Department for annexation of the El Segundo Fire Department to the Fire District pursuant to the Los Angeles County Board of Supervisors authorization of the attached Feasibility Study. Additionally, the Council will consider 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, Introduced Debbie Aguirre, Chief, Planning Division, and Daryl L. Osby, Chief Deputy, from Los Angeles County Fire.

Chief Osby and Aguirre gave a presentation and responded to Council questions.

Council recessed at 9:58 p.m.

Council reconvened at 10:03 p.m. with all members present.

MOTION by Council Member Brann to direct staff to proceed with negotiations with the Los Angeles County Fire Department for annexation of the El Segundo Fire Department to the Fire District pursuant to the authorization of Los Angeles County Board of Supervisors.

Mayor Busch proposed amending the motion to proceed and move forward with the Fiscal Year 2010-2011 budget as if the El Segundo Fire Department was not transitioning to Los Angeles County Fire and proceed with negotiations in November with the Los Angeles County Fire for potential annexation of the El Segundo Fire Department to the Fire District pursuant to the authorization of Los Angeles County Board of Supervisors.

MOTION by Council Member Brann to amend his original motion to proceed with negotiations with Los Angeles County Fire in November 2010 and proceed with planning the Fiscal Year 2010-2011 budget not expecting any financial benefit from the outcome of the negotiations, **SECONDED** by Mayor Busch. **MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MAYOR BUSCH, MAYOR PRO TEM FISHER, COUNCIL MEMBERS BRANN AND FUENTES; NOES: COUNCIL MEMBER JACOBSON. 4/1**

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 2578445 to 2578647 on Register No. 21 in the total amount of \$1,003,769.44 and Wire Transfers from 7/23/10 through 8/05/10 in the total amount of \$2,470,874.79. 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 August 3, 2010.
5. Approved a five-year bulk rate Agreement No. 4084 between the City and Time Warner for cable television services to the residents of Park Vista. (Fiscal Impact: None) Authorized the City Manager to execute a five-year bulk rate agreement between the City and Time Warner.
6. Authorized the City Clerk to file the Notice of Completion in the County Recorder's Office and authorized the City Manager, or designee, to accept completion of work for 26 homes related to the City's Residential Sound Insulation Program's Group 38 and close out Project No. RSI 09-19. (Final Contract Amount: \$746,207.09)
7. Waived second reading and adopted Ordinance No. 1446 approving Environmental Assessment EA No. 863 and Zone Text Amendment ZTA 10-03 to amend the C-4 (Commercial Center) Zone to allow: 1) medical and dental offices, not to exceed 5,000 square feet as permitted uses, and 2) automobile sales and service centers, not to exceed 70,000 square feet as a conditionally permitted use; and adopting Development Agreement No. 10-01 (Fourth Amendment to Development Agreement No.03-01 with Rosecrans-Sepulveda Partners, 2, LLC and PES Partners, LLC for the Plaza El Segundo development project located at 710-860 South Sepulveda Boulevard, 700-740 Allied Way, and 2003-2015 East Park Place to allow the following uses: 1) a certified Farmer's Market to operate one day per week from 8 a.m. to 3 p.m.; 2) Medical and Dental Offices, not to exceed a total of 5,000 square feet of floor area; 3) an Automobile Sales and Service Center, not to exceed 70,000 sq. ft.; and to allow the entire Plaza El Segundo Development (Phase 1) to be considered as a single parcel for the purpose of meeting the El Segundo Municipal Code minimum parking requirements and to eliminate the requirement for individual parcels to have parking covenants recorded to transfer parking between parcels within the Phase 1 Development. Applicant: PES Partners, LLC. (Fiscal Impact: None).
8. PULLED FOR DISCUSSION BY COUNCIL MEMBER FUENTES
9. PULLED FOR DISCUSSION BY COUNCIL MEMBER FUENTES

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Fuentes to approve Consent Agenda Items 3, 4, 5, 6, and 7. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

8. Consideration and possible action regarding a request for Community Challenge Grant funds from the Department of Housing and Urban Development for the proposes of updating the General Plan and Zoning Regulations. (Fiscal Impact: Grant award of \$640,000 with \$160,000 commitment of City matching funds)
9. Consideration and possible action regarding a request for Transportation Investment Generating Economic Recovery (TIGER II) grant funds for (1) infrastructure improvements to El Segundo Blvd. between Whiting St. and Aviation Blvd. and extension of Park Place between Nash Street and Sepulveda Blvd. (Fiscal Impact: \$550,000 in grant monies as match)

MOTION by Council Member Fuentes, SECONDED by Council Member Jacobson to adopt Resolution No. 4677 approving the request for Community Challenge Grant funds from the Department of Housing and Urban Development for the proposes of updating the General Plan and Zoning Regulations and authorize the submittal of the grant application and commitment of \$160,000 in matching funds and in-kind staff time; and adopt Resolution No. 4676 approving the request for Transportation Investment Generating Economic Recovery (TIGER II) grant funds for (1) infrastructure improvements to El Segundo Blvd. between Whiting St. and Aviation Blvd. and Resolution No. 4675 for extension of Park Place between Nash Street and Sepulveda Blvd. and authorize the submittal of a TIGER II grant application for infrastructure improvements to El Segundo Blvd. between Whiting and Aviation Blvd. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS – ITEM NO. 10 WAS MOVED FORWARD ON THE AGENDA

11. Consideration and possible action regarding the sale of City property located at 2161 E. El Segundo Boulevard (former Fire Station Number 2) and a determination that the sale of the property is categorically exempt from the California Environmental Quality Act based on Environmental Assessment No. 860. (Fiscal Impact: revenue of not less than \$1,575,000)

Bill Crowe, Assistant City Manager gave a report.

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Fuentes to authorize the City Manager to enter into Purchase Agreement No. 4085 for the property. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MAYOR BUSCH, MAYOR PRO TEM FISHER, COUNCIL MEMBERS FUENTES AND JACOBSON; NOES: COUNCIL MEMBER BRANN. 4/1

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 Fuentes – Stated that this was the last weekend for drama presentation at Recreation Park.

Council Member Brann – Stated he would be going to the Big Creek Power Plant for a study trip.

Council Member Jacobson – NONE

Mayor Pro Tem Fisher – NONE

Mayor Busch – NONE

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Mike Robbins, resident, spoke regarding union contracts.

Peggy Tyrell, resident, asked how current salaries would be affected if the Fire Department transitioned to Los Angeles County.

Mark Rener, resident, spoke regarding Firefighter shift schedules and pay rates.

Lilly Craig, resident, thanked Council for all the time that they have put into budget and fire issues.

Connie Copperas, resident, spoke regarding the uniqueness of the City of El Segundo and urged Council not to transition to County Fire.

Liz Garnholz, resident, spoke on the negotiation process with Los Angeles County.

Loretta Frye, resident, spoke regarding City special events and against transitioning to Los Angeles County Fire.

MEMORIALS – NONE