

**REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JANUARY 18, 2011 – 5:00 P.M.**

5:00 P.M. SESSION

CALL TO ORDER – Mayor Pro Tem Fisher at 5:00 p.m.

ROLL CALL

Mayor Busch	-	Present arrived at 5:01 pm
Mayor Pro Tem Fisher	-	Present
Council Member Brann	-	Present
Council Member Fuentes	-	Present
Council Member Jacobson	-	Present arrived at 5:01 pm

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 announced that Council would be meeting in closed session pursuant to the items listed on the agenda and that the Government Code §54956.9(b) item related to facts and circumstances arising from the Initiative Petition seeking to require the City to turn it's Fire Services over to the County and the fact that the petition did not include a request for a special election.

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

1. 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): -1-
Initiation of litigation pursuant to Government Code §54956.9(c): -1- matter.

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

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -0-
matters

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, JANUARY 18, 2011 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Pastor Scott Lambert, Hilltop Church of Christ

PLEDGE OF ALLEGIANCE – Council Member Carl Jacobson

PRESENTATIONS

- a. Council Member Carl Jacobson introduced Julie Warner El Segundo Chamber of Commerce who presented trophies to the 2010 Holiday Parade winners.
- b. Council Member Fisher presented an official Commendation to Peter and Edna Freeman for their years of community service to the City of El Segundo.
- c. Mayor Busch presented an official Commendation to Cathy Domann for her achievement of Municipal Master Clerk designation.

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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Joe Svezia; spoke regarding trash hauling and the RFP process to possibly select a new residential trash hauler.

Bryan Partlow, Fire Initiative proponent; spoke regarding the signature gathering process and their intent on the circulation of the petition by obtaining the required 15% of the registered voters for a special election. They did not request a special election but

urge the Council to place this on the ballot at the earliest possible election, June, 2011 statewide election.

Chris Thomason, President of the Fire Fighters Association; urged Council to place the Fire Initiative on the June, 2011 statewide election.

Mona Ryan; representing the El Segundo High School Band, requested that Council wave the banner charge for their fun raising event.

Mike Robbins, resident; spoke against the Fire Initiative.

Marc Renner, resident; spoke against the Fire Initiative.

Dave Atkinson; resident; spoke regarding the Proposition 218 ballot counting process and against the Fire Initiative.

Ron Swanson, resident; spoke regarding the parade awards; spoke against speakers coming to the podium, making negative comments and having bad manners.

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 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 to open a public hearing and receive testimony regarding: 1) an Environmental Assessment for a proposed Negative Declaration; 2) a Specific Plan Amendment amending the Smoky Hollow Specific Plan Land Use Plan; and 3) a Zone Text Amendment amending the El Segundo Municipal Code ("ESMC") regulating the permitted uses in the Small Business (SB) and Medium Manufacturing (MM) Zones. Applicant: Matt Crabbs (Fiscal Impact: N/A)

Mayor Busch stated that this was the time and place to conduct a public hearing and receive testimony regarding: 1) an Environmental Assessment for a proposed Negative Declaration; 2) a Specific Plan Amendment amending the Smoky Hollow Specific Plan Land Use Plan; and 3) a Zone Text Amendment amending the El Segundo Municipal Code ("ESMC") regulating the permitted uses in the Small Business (SB) and Medium Manufacturing (MM) Zones. Applicant: Matt Crabbs (Fiscal Impact: N/A)

City Clerk Mortesen stated that proper notice had been given in a timely manner and that one written communication has been received in the City Clerk's Office.

Council Member Jacobson left the dais at 7:53 pm. and did not participate in the item due to a possible conflict of interest.

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

Matt Crabs, Applicant; spoke about the project.

Bill Messori, Vice President, Mar Ventures; supported the zone change amendment.

MOTION by Council Member Brann, SECONDED BY Mayor Pro Tem Fisher to close the public hearing. MOTION PASSED BY UNANIMOUS THE FOLLOWING VOICE VOTE: AYES: BUSCH, FISHER, BRANN, FUENTES. NOES: NONE. NOT PARTICIPATING: JACOBSON. 4/0/1

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1458

AN ORDINANCE APPROVING A SPECIFIC PLAN AMENDMENT AND A ZONE TEXT AMENDMENT TO AMEND THE SMOKY HOLLOW SPECIFIC PLAN AND THE PERMITTED USES IN THE SMALL BUSINESS (SB) AND MEDIUM MANUFACTURING (MM) ZONES TO ALLOW ART STUDIOS AND A WIDER RANGE OF OFFICES USE.

Council Member Brann introduced the ordinance.

Second reading and adoption scheduled for February 1, 2011.

Council Member Jacobson returned to the dais at 8:07 p.m.

2. Consideration and possible action regarding a public hearing related to the Proposition 218 majority protest ballot process for Residential Trash Collection. (Fiscal Impact: Up to \$560,700 in annual savings if the fee is imposed.)

Mayor Busch stated that this was the time and place to conduct a public hearing related to the Proposition 218 majority protest ballot process for Residential Trash Collection. (Fiscal Impact: Up to \$560,700 in annual savings if the fee is imposed.)

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

Mark Hensley, City Attorney gave a brief report.

Mike Robbins, resident; requested the returned protest ballots be posted to the web and include the protester's name and address. Also spoke against the trash fees.

Marc Renner, Resident; spoke against the trash fees.

Thomas Jolly, Resident; spoke regarding a Wall Street Journal article regarding trash hauling and trash containers and read it into the record.

Bob Streets, Resident; spoke against the trash fees.

Jennifer Strenstem; Resident; spoke about receiving a protest ballot after the County Assessors data was received.

Dave Atkinsons Resident; stated that since the second mailing of the supplemental post card extended the date of the Public Hearing, the new owners should have received a ballot.

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

City Attorney Mark Hensley briefly gave a history of Proposition 218 and what data would be used for the purpose of issuing protest ballots. He also stated that these guidelines were State requirements.

MOTION by Council Member Brann, SECONDED by Council Member Jacobson to dispense with the counting of the ballots and move forward to consider the protest sufficient and complete. The unopened and unverified Protest Ballots were deemed not a public record. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: BRANN, JACOBSON, FUENTES; NOES: BUSCH AND FISHER. 3/2

C. UNFINISHED BUSINESS

3. Consideration and possible action regarding adoption of the Resolutions updating the employer's contribution under the Public Employees' Medical and Hospital Care Act for the El Segundo Fire Fighters' Association, the El Segundo Police Officers' Association, the El Segundo City Employees' Association, the El Segundo Police Support Services Association, and the El Segundo Supervisory and Professional Employees' Association. Fiscal Impact: Active Employees: \$31,600; Retirees \$32,600.

Deborah Cullen, Finance Director, gave a report.

MOTION by Council Member Brann, SECONDED by Council Member Fuentes to adopt the following resolutions: El Segundo Fire Fighters' Association, Resolution No.4703, El Segundo Police Officers' Association, Resolution No. 4704, El Segundo City Employees' Association, Resolution No. 4705, El Segundo Police Support Services Association, Resolution No. 4706, and the El Segundo Supervisory and Professional Employees' Association, Resolution No. 4707. MOTION PASSED BY UNANIMOUS VOICE VOTE 5/0

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.

4. Approved Warrant Numbers 2580178 to 2580365 on Register No. 6 in the total amount of \$975,932.53 and Wire Transfers from 12/09/10 through 12/22/10 in the total amount of \$1,624,953.38; and Warrant Numbers 2580564 to 2580727 on Register No. 7 in the total amount of \$413,993.75 and Wire Transfers from 12/23/10 through 01/06/11 in the total amount of \$619,616.42. 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.
5. Approved Special Meeting Minutes of December 21, 2010 and Regular City Council Meeting Minutes of December 21, 2010.
6. Approved revised Class Specifications for the classifications of Police Officer Trainee and Construction Coordinator (At-Will). (Fiscal Impact: None)
7. Adopted Resolution No. 4702 approving a list of capital projects recommended for Measure R Highway Program funding and authorized the City Manager to execute all documents necessary for the administration of projects funded through Measure R. (Fiscal Impact: Approximately \$4.4 million reimbursement of Measure R grant funds under Phase 1.)
8. Approved Agreement No. 4117 between the City of El Segundo, West Basin Municipal Water District (WBMWD), and El Segundo Energy Center (ESEC) for construction of a recycled water pipeline (RW) and a potable water pipeline (PW) for additional water services to ESEC. (Fiscal Impact: None) Authorized the City Manager to execute the agreement, in a form approved by the City Attorney, related to the design, permit, finance, and construction of the water pipelines by WBMWD for water services to ESEC.
9. Approved an updated list of pre-approved consultants that provide environmental review services pursuant to California Environmental Quality Act guidelines (CEQA) and National Environmental Policy Act (NEPA) regulations to assist the City in the processing of entitlement projects; and authorized the City Manager to execute Professional Services Agreements in an amount not to exceed \$200,000 (increased from \$125,000 currently), in a form approved by the City Attorney, for developer reimbursed environmental review services pursuant to CEQA and NEPA regulations from the pre-approved list of consultants. (Fiscal Impact: None)

10. Adopted Plans and Specifications for the 2010-2011 annual contract for curb, gutter, sidewalk and other minor improvements at various locations citywide. Approved Capital Improvement Program. Project No.: PW 11-01 (Fiscal Impact: \$50,000 Gas Tax funds) Authorized staff to advertise the project for receipt of construction bids.
11. Approved the request from the El Segundo High School Band to allow banners to be hung over Main Street at no cost. (Fiscal Impact: \$178)
12. Received proceeds from the sale of Fire Station #2. Net proceeds: \$1,539,685.65. (Fiscal Impact: \$1,539,685.65 Proceeds from Sale deposited to the Economic Uncertainty Fund.)

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Fisher to approve Consent Agenda Items 4, 5, 6, 7, 8, 9, 10, 11, and 12. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

G. REPORTS – CITY MANAGER – Debra Cullen, Finance Director gave a brief report on the impacts of the State Budget.

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

13. Consideration and possible action regarding an initiative (the “Initiative”) amending the El Segundo Municipal Code to transfer all functions of the El Segundo Fire Department to the Consolidated Fire Protection District of Los Angeles County (aka the Los Angeles County Fire Department). (Fiscal Impact: Unknown)

Cindy Mortesen, City Clerk, gave a report.

MOTION by Council Member Brann, SECONDED by Mayor Busch, to defer this item to the February 15, 2011 City Council meeting, in order to receive a report on costs of elections and a report on the impacts of another initiative being circulated to cure any deficiencies that were in the first petition. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fuentes – Reported that she recently attended a performance of the “Young Americans.”

Council Member Brann – Spoke regarding Candy Cane Lane and the Holiday Parade. He also spoke on the Green Line extension.

Council Member Jacobson – NONE

Mayor Pro Tem Fisher – Reflected on 2010.

Mayor Busch –

Announcement of retirees for 2010:

Mayor	Hobart (Kelly) McDowell	4/21/98 - 04/20/2010	12 yrs
Asst. City Manager	Bill Crowe	2/22/06 - 12/31/2010	4.75 yrs
Fire	John Bibee	2/15/75 - 12/21/2010	35.8 yrs
Human Resources	Betsy Kozykoski	2/14/10 - 12/31/2010	10.8 yrs
Information Services	Norm Thorn	4/25/05 - 12/31/2010	5.6 yrs
Library	Elisa Bonilla	2/28/94 - 12/18/2010	16.8 yrs
Plan. & Bldg. Safety	Evelyn Gossett	4/19/95 - 01/15/2010	14.7 yrs
Plan. & Bldg. Safety	Mary Lewis	2/29/97 - 12/31/2010	13 yrs
Police	Walter Krumbach	11/13/79- 05/07/2010	30.5 yrs
Police	Yvonne Redford	2/25/80 - 08/30/2010	28.9 yrs
Police	Christine Vukelich	4/20/84 - 10/07/2010	26.4 yrs
Police	Seane Nemeth	9/25/89 - 11/18/2010	21.1 yrs
Police	Roger Stephenson	9/8/81 - 12/21/2010	29.3 yrs
Police	Michael Mitchell	8/10/92 - 12/31/2010	17.4 yrs
Police	Jan Mitsuda	3/13/85 - 12/31/2010	25.8 yrs

Announced free airplane rides sponsored by the Experimental Aircraft Association, at Hawthorne Airport, January 29, 2011, to the first 60 applications.

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Mike Robbins, Resident; thanked Council Members who deemed the protest ballots sufficient and withdrew the proposed trash fee. Requested case numbers referred to which deal with petition circulators.

Mark Rener, Resident; spoke regarding the budget problems.

ADJOURNMENT: 9:26 P.M.


Cindy Mortesen, City Clerk