

**REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, FEBRUARY 15, 2011 – 5:00 P.M.**

5:00 P.M. SESSION – Adjourned due to lack of quorum to 5:45 p.m.

CALL TO ORDER – Mayor Busch at 5:45 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:

Assistant City Attorney Karl Berger announced that Council would be meeting in closed session pursuant to the items listed on the agenda and Government Code §54956.9(b) items were related to a claim filed on or about December 2, 2010 regarding 929 McCarthy Court and the Fire Petition initiative discussed on Agenda Item 8.

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): -2-
Initiation of litigation pursuant to Government Code §54956.9(c): -1- matter.

DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957): - 0- 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, FEBRUARY 15, 2011 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Pastor Brandon Cash, Oceanside Christian Fellowship

PLEDGE OF ALLEGIANCE – Council Member Suzanne Fuentes

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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Brian Partlow, resident and Initiative proponent, urged Council to adopt the ordinance or place this item on the likely to be called June 7, 2011, Statewide election.

Marc Renner, resident, spoke regarding the date to pick for an election placing the initiative before the voters. He also spoke about employee salaries.

Mike Robbins, resident, spoke regarding the Fire Initiative and urged Council to not place this on a ballot. He urged Council to schedule it for the April 2012 election date.

Scott Houston, resident, spoke regarding budget restrictions and fire and paramedic protection. He urged Council to adopt the initiative ordinance tonight and if not place it on the earliest possible election date.

Ron Swanson, resident, spoke regarding the initiative and a ballot measure. He suggested placing this on the June 2011 ballot and let the people decide.

Jim Boulgarides, resident, spoke regarding the Fire initiative and suggested letting the people decide.

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 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. Consideration and possible action to select the City of Lawndale to exchange the City of El Segundo's Fiscal Year 2011-2012 and prior year unallocated Community Development Block Grant (CDBG) funds totaling \$90,061 at an exchange rate of \$0.70 per CDBG dollar, for a total of \$63,042.70 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 2011-2012. (Fiscal Impact: \$63,042.70).

Tina Gall, CDBG Consultant, gave a report.

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Brann to adopt Resolution No. 4709 authorizing the exchange of CDBG funds with the City of Lawndale. Authorized 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 2011-2012. 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.

2. Approved Warrant Numbers 2580880 to 2581076 on Register No. 9 in the total amount of \$490,175.38 and Wire Transfers from 01/21/11 through 02/03/11 in the total amount of \$1,177,281.33. 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.
3. Approved Regular City Council Meeting Minutes of February 1, 2011.
4. Received and filed report without objecting to a modification to an Alcoholic Beverage Control (ABC) license for on-site sale and consumption of beer and wine to allow a 484 square-foot expansion of an existing restaurant (La Paz) with a Type 41 (On-sale Beer and Wine—Eating Place) located at 514 Center Street. Applicant: Jose Mendez, La Paz. (Fiscal Impact: None)
5. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN
6. Approved a change order with Matthew and Stewart Company, Inc. for the repair of an 8-inch diameter sanitary sewer pipe at the intersection of Virginia Street and Walnut Ave. (Fiscal Impact: \$34,116.22) Authorized the City Manager to approve a payment in the amount of \$34,116.22 with Matthew and Stewart Company, Inc., for the removal and replacement of a 8" verified clay pipe and damaged asphalt.

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Brann to approve Consent Agenda Items 1, 2, 3, 4, and 6. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

5. Consideration and possible action to approve the request from the El Segundo Education Foundation to waive the banner fees per El Segundo Municipal Code section 8-8-7 D1. (Fiscal Impact: \$1,780)

MOTION by Council Member Brann, SECONDED, by Council Member Fuentes to waive the banner fees per El Segundo Municipal Code section 8-8-7 D1. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

7. Consideration and possible action regarding the Fiscal Year 2009-2010 Yearend report and FY 2010-2011 First Quarter Financial Review. (Fiscal Impact: None)

Deborah Cullen, Finance Director, gave a report.

MOTION by Mayor Busch, SECONDED by Council Member Brann to receive and file FY 2009-2010 Yearend and FY 2010-2011 First Quarter Financial Review; FY 2009-2010 --reduce the scheduled transfer from the Economic Uncertainty Fund from \$750,000 to \$250,000; FY 2010-2011 -- Cancel the budgeted item from the Other Post Employment Benefit (OPEB) Trust drawdown of \$750,000 and, alternatively, use a portion of the proceeds from the sale of Fire Station #2 in the Economic Uncertainty Fund to help balance the FY 2010-2011 Budget. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Kate Anderson, Congresswoman Harmon's Deputy Chief of Staff, spoke regarding the date of Congresswoman Harmon's resignation as February 28, 2011. The date of the Special election is currently unknown. The office will still continue to provide services to the public.

REPORTS – CITY MANAGER - NONE

REPORTS – CITY ATTORNEY - NONE

REPORTS – CITY CLERK

8. 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).

City Clerk Mortesen gave a report.

MOTION by Council Member Brann, SECONDED by Mayor Busch to adopt Resolution No. 4710 certifying the Initiative as qualifying for the ballot as amended. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Jacobson to schedule the election for April 10, 2012. MOTION PASSED BY THE FOLLOWING VOICE VOTE. AYES: MAAYOR PRO TEM FISHER, COUNCIL MEMBERS JACOBSON AND FUENTES; NOES: MAYOR BUSCH AND COUNCIL MEMBER BRANN. 3/2

MOTION by Council Member Jacobson, SECONDED by Council Member Fuentes to adopt Resolution No. 4711 calling for a election on April 10, 2012. MOTION PASSED BY THE FOLLOWING VOICE VOTE. AYES: MAYOR PRO TEM FISHER, COUNCIL MEMBERS JACOBSON AND FUENTES; NOES: MAYOR BUSCH AND COUNCIL MEMBER BRANN. 3/2

MOTION by Council Member Fuentes, SECONDED by Council Member Jacobson to adopt Resolution No. 4712 requesting that the Los Angeles County Board of Supervisors provide election services to the City regarding the Election. MOTION PASSED BY THE FOLLOWING VOICE VOTE. AYES: MAYOR PRO TEM FISHER, COUNCIL MEMBERS JACOBSON AND FUENTES; NOES: MAYOR BUSCH AND COUNCIL MEMBER BRANN. 3/2

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Jacobson to adopt Resolution No. 4713 regarding ballot arguments, MOTION PASSED BY THE FOLLOWING VOICE VOTE. AYES: MAYOR PRO TEM FISHER, COUNCIL MEMBERS JACOBSON AND FUENTES; NOES: MAYOR BUSCH AND COUNCIL MEMBER BRANN. 3/2

MOTION by Council Member Jacobson, SECONDED by Council Member Fuentes, to adopt Resolution No. 4714 directing the City Attorney to prepare an impartial analysis. MOTION PASSED BY THE FOLLOWING VOICE VOTE. AYES: MAYOR PRO TEM FISHER AND COUNCIL MEMBERS JACOBSON AND FUENTES, NOES: MAYOR BUSCH AND COUNCIL MEMBER BRANN. 3/2

REPORTS – CITY TREASURER - Spoke regarding the low-flow toilets being exchanged for regular toilets.

REPORTS – CITY COUNCIL MEMBERS

Council Member Fuentes – Spoke regarding the speakers at the Women’s Club. Reminded everyone to purchase their dog license.

Council Member Brann – NONE

Council Member Jacobson – NONE

Mayor Pro Tem Fisher – NONE

Mayor Busch – Spoke regarding the El Segundo High School Varsity Basketball Team.

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Scott Houston, resident, expressed his disappointment with Council’s decision to have the election in April of 2012.

Marc Renner, resident, spoke in favor of the April 10, 2012 election date.

Mike Robbins, resident, spoke regarding a contract of adhesion. He also spoke regarding paramedic transport.

MEMORIALS – NONE

CLOSED SESSION – NONE

ADJOURNMENT at 9:07 p.m.


Cindy Mortesen, City Clerk