

**REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, APRIL 19, 2011 – 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 – arrived at 5:34 p.m.
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, 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 is based upon a matter for which the facts and circumstances might result in litigation against the City, but which the City believes are not yet known to the potential plaintiffs, which facts and circumstances need not be disclosed.

**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- matters**

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): -0- matter.

DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957): - 0- matter

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

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, APRIL 19, 2011 - 7:00 P.M.**

**7:00 P.M. SESSION**

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

**INVOCATION – Pastor Wes Harding, El Segundo Foursquare Church**

**PLEDGE OF ALLEGIANCE – Council Member Suzanne Fuentes**

**PRESENTATIONS**

- a. **Presentation by Mitch Tavera, Police Chief, on behalf of the El Segundo Police Department, who will be participating in the National Take Back Initiative to dispose of unwanted/expired prescription medications on April 30, from 10:00 a.m. to 2:00 p.m.**
  
- b. **Mayor Busch presented a Proclamation Frederick Scheer, Ceroplast Bioplastics, announcing April 21, 2011 as Cereplast Bioplastics Day.**

**ROLL CALL**

<b>Mayor Busch</b>	<b>-</b>	<b>Present</b>
<b>Mayor Pro Tem Fisher</b>	<b>-</b>	<b>Present</b>
<b>Council Member Brann</b>	<b>-</b>	<b>Present</b>
<b>Council Member Fuentes</b>	<b>-</b>	<b>Present</b>
<b>Council Member Jacobson</b>	<b>-</b>	<b>Present</b>

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**Sam Penia, Consolidated Disposal Services, spoke regarding the services provided by the Company. He also spoke on Spring Clean Up Week.**

**Marc Rener, spoke, regarding item 4, Class Specification for the classification of Fire Engineer, item 10, Wiseburn School District proposed school site, and item 9, closure of the United States Post Office facility located at 200 Main Street.**

Liz Garnholz, resident, spoke about transparency issues with regard to items placed on the Consent Agenda. Also spoke regarding item 4, Class Specification for the classification of Fire Engineer, item 6, Southern California Edison Grant, Energy Efficiency Strategic Planning Activities, and Item 10, Wiseburn School District proposed school site.

**A. PROCEDURAL MOTIONS**

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

**MOTION by Mayor Pro Tem Fisher, SECONDED 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)**

**C. UNFINISHED BUSINESS**

**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.

1. Approved Warrant Numbers 2581725 to 2581922 on Register No. 13 in the total amount of \$762,964.27 and Wire Transfers from 3/25/11 through 4/07/11 in the total amount of \$1,072,715.25. 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.
2. Approved Regular City Council Meeting Minutes of April 5, 2011.
3. PULLED FOR DISCUSSION BY MAYOR BUSCH
4. PULLED FOR DISCUSSION BY MAYOR BUSCH
5. Adopted Resolution No. 4716 vacating an existing two (2) feet water easement and approved Quit Claim Deed located at 126 Lomita Street. (Fiscal Impact: None)
6. PULLED FOR DISCUSSION BY COUNCIL MEMBER FUENTES

7. Waived second reading and adopted Ordinance No. 1460 approving an Environmental Assessment (EA 862) for a Categorical Exemption and a Zone Text Amendment amending the El Segundo Municipal Code ("ESMC") as it relates to nonconforming buildings and structures and to allow administrative adjustments for nonconforming buildings for incidental life safety repairs or upgrades and reasonable access accommodations for persons with disabilities. Applicant: City Initiated (Fiscal Impact: None)
8. Waived second reading and adopted Ordinance No. 1459 approving an Environmental Assessment (EA No. 911) and a Development Agreement Amendment (DA No. 11-01), (First Amendment to Development Agreement No. 00-02), to allow an 88,847 square-foot office building at 888-898 North Sepulveda Boulevard. (Fiscal Impact: \$150,000-\$228,000 Contribution to improvements of Sepulveda Boulevard and to other public benefits)

MOTION by Council Member Brann, SECONDED by Council Member Jacobson to approve Consent Agenda Items 1, 2, 5, 7, and 8. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

3. Consideration and possible action to accepted a donation from El Segundo resident Sam Hepworth to paint the walls, planters, and railing surrounding the George E. Gordon Clubhouse at Recreation Park for his Boy Scout Eagle Project; adopt a Resolution to approve the plan for the project; authorize the City Manager to execute a Contract with Sam Hepworth in a form approved by the City Attorney. (Fiscal Impact: None)

MOTION by Council Member Brann, SECONDED by Council Member Jacobson, to accept a donation from El Segundo resident Sam Hepworth to paint the walls, planters, and railing surrounding the George E. Gordon Clubhouse at Recreation Park for his Boy Scout Eagle Project; adopt Resolution No. 4717 to approve the plan for the project; authorize the City Manager to execute Contract No. 4152 with Sam Hepworth in a form approved by the City Attorney. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

#### CALL ITEMS FROM CONSENT AGENDA

4. Consideration and possible action to approve the revised Class Specification for the classification of Fire Engineer. Fiscal Impact: None

Martha Dijkstra, Human Resources Manager, gave a brief report.

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Fisher to approve the revised Class Specification for the classification of Fire Engineer. Fiscal Impact: None. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

6. Consideration and possible action to approve Professional Services Agreement for \$437,850 with Willdan Energy Solutions for implementation of Energy Efficiency Strategic Planning Activities and Professional Services Agreement for \$48,650 with Nina Tarnay for grant administration activities on behalf of the City of El Segundo using funds awarded by Southern California Edison. (Fiscal Impact: \$486,500.00)

MOTION by Council Member Fuentes, SECONDED by Council Member Jacobson to approve Professional Services Agreement No. 4153 for \$437,850 with Willdan Energy Solutions for implementation of Energy Efficiency Strategic Planning Activities and Professional Services Agreement No.4154 for \$48,650 with Nina Tarnay for grant administration activities on behalf of the City of El Segundo using funds awarded by Southern California Edison. Authorize the City Manager to execute the agreements in a form approved by the City Attorney. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

G. REPORTS – CITY MANAGER - NONE

H. REPORTS – CITY ATTORNEY - Addressed issues of transparency regarding City Council Agenda items.

I. REPORTS – CITY CLERK - NONE

J. REPORTS – CITY TREASURER - NONE

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fuentes – Completed a six week CERT training program. Also spoke on the upcoming HAM radio training to be provided by CERT.

Council Member Brann – Spoke on the upcoming Easter Egg Hunt on Saturday starting at 10:00 a.m. at Recreation Park.

Council Member Jacobson – Spoke on CERT training and the Recreation Park Easter Egg Hunt on Saturday.

Mayor Pro Tem Fisher – NONE

Mayor Busch –

9. Consideration and possible action regarding the closure of the United States Post Office facility located at 200 Main Street. (Fiscal Impact: None)

Contact information for Eduardo H. Ruiz, Jr., District Manager Los Angeles, for the United States Postal Service: 323.586.1200, [Eduardo.h.ruiz@usps.gov](mailto:Eduardo.h.ruiz@usps.gov).

Directed staff to post mail and contact information on the City's web site. The information will also be available in the City Clerk's Office.

Council consensus to direct staff to monitor the status of the Post Office's determination and report to City Council.

10. Consideration and possible action to: review the Wiseburn School District's ("WSD") proposed acquisition of property within the City of El Segundo to be utilized for unspecified school/classroom purposes; direct staff regarding the Council's position regarding the potential acquisition; and direct staff to continue to review and monitor WSD's activities and report significant events to the Council. (Fiscal Impact: Unknown at this time)

Council Member Brann, left the dais due to a potential conflict.

Doug Willmore, City Manager and Greg Carpenter, Planning and Building Safety Director, gave a brief report.

Council consensus to direct staff to review WSD's proposed acquisition of property within the City of El Segundo to be utilized for unspecified school/classroom purposes; direct staff regarding the Council's position regarding the potential acquisition; and direct staff to continue to review and monitor WSD's activities and report back to Council regarding this matter.

Council Member Brann, returned to the dais.

Mayor Busch also spoke on the Mayor's Good Friday Breakfast, 6:45 a.m. on April 22<sup>nd</sup> at the Hacienda Hotel.

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Liz Garnholz, resident, spoke regarding a recent "Tea Party" meeting which she attended.

Marc Renner, resident, spoke regarding additional pay for city employees for special licenses. Also spoke regarding attendance and participation at Council meetings.

MEMORIALS – Mary Lewis retired City employee.

CLOSED SESSION – NONE

ADJOURNMENT AT 8:02 p.m.

  
Cathy Domann, Deputy City Clerk