

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 20, 2011 – 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER – Council Member Jacobson

ROLL CALL

Mayor Busch	-	Present – arrived at 5:03 p.m.
Mayor Pro Tem Fisher	-	Present – arrived at 5:01 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:

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- matters

City of El Segundo vs. City of Los Angeles, et. al. LASC Case No. BS094279
NSA Construction vs. City of El Segundo, LASC Case No. BC438182

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): -1- (Wyle Claim).

Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.

DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957): - 2- matter

**Employee Evaluation
Position: City Manager**

**Employee Evaluation
Position: City Attorney**

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

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -6- matters

Represented Group: Police Support Services Employees Association (PSSEA)

**Negotiators: Doug Willmore, City Manager
Deborah Cullen, Finance Director
Richard Kreisler**

Represented Group: City Employees Association (CEA)

**Negotiators: Doug Willmore, City Manager
Deborah Cullen, Finance Director
Richard Kreisler**

Represented Group: Firefighters Association (FFA)

**Negotiators: Doug Willmore, City Manager
Deborah Cullen, Finance Director
Richard Kreisler**

Represented Group: Police Officers Association (POA)

**Negotiators: Doug Willmore, City Manager
Deborah Cullen, Finance Director
Richard Kreisler**

Represented Group: Police Managers Association (PMA)

**Negotiators: Doug Willmore, City Manager
Deborah Cullen, Finance Director
Richard Kreisler**

Unrepresented Group: Executive Management Staff (includes all employees not in bargaining units)

Negotiator: Mark Hensley, City Attorney

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, SEPTEMBER 20, 2011 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Bishop Jim Hepworth, Church of Jesus Christ of Latter Day Saints

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Bill Fisher

PRESENTATIONS

- (a) Mayor Pro Tem Fisher presented a Proclamation proclaiming the observance of the 35th Annual Richmond Street Fair from 9:00 a.m. to 5:00 p.m., Saturday, September 24, 2011.
- (b) Mayor Busch presented a Proclamation to Fire Chief Kevin Smith proclaiming the week of October 9 through October 15, 2011 as Fire Prevention Week.

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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Ron Swanson, Resident; complimented the Council and Staff for the budget preparations and the sacrifices that have been made. He also announced the Opening of the High School Auditorium on October 1, 2011 by 5:30 p.m.

Helmet Knueppel, Resident; spoke regarding the contract agreement between the Police Department and the City and also on the budget.

Mr. Axlerod spoke regarding the American flags displayed on City Streets. He also stated he was offended by the Invocation and the Pledge of Allegiance at Council Meetings.

Denise DiPasquale, South Bay Workforce Investment Board, gave the Quarterly Summary.

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Brann, 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)

1. Consideration and possible action (Continued Public Hearing) regarding the Fiscal Year 2011-2012 Budget (including all City Revenues and Expenditures), Five-Year Capital Improvement Plan and Adoption of Resolutions approving Appropriation Limit, Preliminary Budget as amended. (Copies of the Fiscal Year 2011-2012 Preliminary Budget can be found in the Library, City Clerk's office, and on the City's website.) (Fiscal Impact \$109,848,900 in total appropriations; \$97,672,000 in total estimated revenues and prior year designations of \$12,176,900.)

Mayor Busch stated that this was the time and place to conduct a continued public hearing regarding the Fiscal Year 2011-2012 Budget (including all City Revenues and Expenditures), Five-Year Capital Improvement Plan and Adoption of Resolutions approving Appropriation Limit, Preliminary Budget as amended. (Copies of the Fiscal Year 2011-2012 Preliminary Budget can be found in the Library, City Clerk's office, and on the City's website.) (Fiscal Impact \$109,848,900 in total appropriations; \$97,672,000 in total estimated revenues and prior year designations of \$12,176,900.)

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

Deborah Cullen, Finance Director, gave a report.

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

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4732

A RESOLUTION ADOPTING THE 2011-2012 FINAL OPERATING BUDGET
FOR THE CITY OF EL SEGUNDO AND ADOPTING THE
2011-2012 CAPITAL IMPROVEMENT BUDGET.

MOTION by Mayor Pro Tem Fisher, SECONDED by Mayor Busch to adopt Resolution No. 4732 adopting the 2011-2012 Final Operating Budget for the City of El Segundo and Adopting the 2011-2012 Capital Improvement Budget; Incorporate "Exhibit A" Fiscal Year 2011-2012 Change List of Budget Revisions in all Funds" into the Adopted Budget and deposit any Fiscal Year 2010-2011 General Fund savings into the Economic Uncertainty Fund in Fiscal Year 2011-2012 once the Fiscal Year 2010-2011 audit is complete. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: BUSCH, FISHER, JACOBSON, FUENTES. NOES: BRANN. 4/1

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.

2. Approved Warrant Numbers 2584024 to 2584172 on Register No. 23 in the total amount of \$327,719.95 and Wire Transfers from 8/26/11 through 9/8/11 in the total amount of \$798,099.58. 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 September 6, 2011 and Special City Council Meeting Minutes of August 31, 2011 with corrections.
4. PULLED FOR DISCUSSION BY COUNCIL MEMBER FUENTES
5. ITEM PULLED FROM THE AGENDA
6. PULLED FOR DISCUSSION BY COUNCIL MEMBER FUENTES
7. Authorized the City Manager to renew a five-year Parks License Agreement No. 4186 with Southern California Edison (SCE). The agreement is for the City to continue to maintain and operate SCE's property as City parks along Washington Street between Walnut and Mariposa Avenues and along Illinois Street between Mariposa and Holly Avenues. (Fiscal Impact: FY 11/12 \$1,733 or \$8,665 for five years)

8. PULLED FOR DISCUSSION BY COUNCIL MEMBER FUENTES
9. Received and filed report without objecting to a modification of a Type 47 Alcoholic Beverage Control (ABC) license for the on-site sale and consumption of alcohol for a new restaurant within the Hyatt Place Hotel (Type 47 On-sale General for Bona Fide Public Eating Place) located at 750 North Nash Street. Applicant: Michael Gallen, OTO Development (Fiscal Impact: N/A)
10. Approved a new Class Specification for the at-will position of Economic Development Analyst; Adopted Resolution No. 4733 establishing the basic monthly salary range for Economic Development Analyst; and introduced and waived first reading of Ordinance No. 1464 amending El Segundo Municipal Code § 1-6-4 Regarding Exclusions. (Fiscal Impact: \$133,613.22 included in FY 2011/12 Budget)
11. Authorized the City Manager to extend ongoing professional service agreements and blanket purchase orders for FY 2011-2012 in excess of \$25,000 for various departments and waived the formal bidding process and authorized the continued purchase of various goods and services as described below. (Fiscal Impact: General Fund \$1,578,094; Assets Forfeiture Fund \$13,000; Prop "A" Fund \$31,000; Water Fund \$114,000; Sewer Fund \$88,000; Golf Course Fund \$108,000; Workers' Compensation Fund \$92,140)

(1) Authorized the City Manager to extend ongoing service agreements with Baker & Taylor Information Services for supplying books and other library materials, and issuance of blanket purchase order not to exceed \$64,000 (General Fund).

(2) Authorized the City Manager to extend contract #2235 to Innovative Interfaces, Inc., for library computer network system maintenance and issuance of blanket purchase order not to exceed \$30,000 (General Fund).

(3) Authorized the City Manager to extend ongoing service agreements with J. Lee Engineering to provide plan check and inspection consulting services for the Building and Safety Division not to exceed \$150,000 (General Fund).

(4) Authorized the City Manager to extend ongoing service agreements with JAS to provide plan check and inspection consulting services for the Building and Safety Division not to exceed \$100,000 (General Fund).

(5) Authorized the City Manager to extend ongoing service agreements with Scanning Services Corporation. Scanning Services Corporation scans and inputs data into the City's document imaging system not to exceed \$35,000 (General Fund).

(6) Authorized the City Manager to extend ongoing service agreements with Willdan Engineering Services to provide professional planning consulting and engineering services to the City not to exceed \$30,000 (General Fund).

(7) Authorized the City Manager to extend ongoing service agreements with U.S. HealthWorks to provide an extremely cost effective method of delivery of pre-employment and occupational medical services not to exceed \$45,000 (General Fund).

(8) Authorized the City Manager to extend ongoing service agreements with Westchester Medical Group/Center for Heart and Health to provide annual safety employees fitness for duty and executive physical examinations not to exceed \$70,000 (General Fund).

(9) Authorized the City Manager to extend ongoing service agreement with York Risk Services Group to administer workers' compensation claims not to exceed \$92,140 in FY 11-12 (Workers' Compensation Fund).

(10) Authorized the El Segundo Fire Department to waive the bidding process per El Segundo Municipal Code §1-7-10 to purchase medical and pharmaceutical supplies, and piggyback on the City of Redondo Beach's Bound Tree Medical, Inc. ("Bound Tree") Bid #1011-023, and authorize issuance of a blanket purchase order to Bound Tree for FY 11-12 for medical and pharmaceutical supplies not to exceed \$26,000 (General Fund).

(11) Authorized the issuance of a blanket purchase order for FY 11-12 to UCLA Center for Pre-Hospital Care for continuing education, defibrillation training and AED program oversight not to exceed \$32,600 (General Fund).

(12) Authorized the City Manager to execute a one-year contract with All Cities Management Company to provide crossing guard services for the El Segundo School District not to exceed \$80,000 (General Fund).

(13) Authorized the issuance of a blanket purchase order to Mayer Hoffman McCann PC (Agreement #3866) for auditing services not to exceed \$54,250 in FY 11-12 (General Fund).

(14) Authorized the issuance of a blanket purchase order to Lane Donovan Partners, LLC (Agreement #3399) to provide management services for The Lakes Golf Course for an amount no to exceed \$108,000 (Golf Course Fund).

(15) Authorized the issuance of a blanket purchase order to TruGreen Landcare (Agreement #4096) to provide weekly landscape services for an amount not to exceed \$153,504 (General Fund).

(16) Authorized the City Manager to extend ongoing tree maintenance services agreement with Great Scott Tree Service Inc. (Agreement #3476) for services not to exceed \$70,000 for FY 11-12 (General Fund).

(17) Authorized the City Manager to extend ongoing custodial services agreement with Bell Building Services (Agreement #3898) and issuance of blanket purchase order not to exceed \$66,540 (General Fund).

(18) Authorized the City Manager to execute a standard professional services agreement with Martin & Chapman Co. for election support and services for the General Municipal Election, April 10, 2012, not to exceed \$36,000 (General Fund).

(19) Authorized the City Manager to execute a one-year contract and/or purchase order with Buxton to provide economic development analysis and marketing assistance not to exceed \$50,000 (General Fund).

(20) Authorized staff to continue to purchase gasoline and diesel fuel for City vehicles and equipment through the use of spot market purchasing in an amount not to exceed \$321,000 (Various).

(21) Authorized the issuance of a blanket purchase order to Metron Farnier & Actaris in an amount not to exceed \$100,000 in total for the purchase of single jet water meters for the City's water system (Water Enterprise Fund).

(22) Authorized the issuance of a blanket purchase order to Blue Diamond Materials, a division of Sully Miller Contracting Company in an amount not to exceed \$50,000 for the purchase of asphalt paving materials for Street Maintenance Division projects (General Fund).

(23) Authorized the issuance of a blanket purchase order to Flo-Systems, Inc. in an amount not to exceed \$75,000 for ongoing repair and maintenance of the City's sewer and stormwater stations (Sewer Fund).

(24) Authorized the City Manager to execute a one-year contract with the Society for the Prevention of Cruelty to Animals Los Angeles for animal sheltering services, not to exceed \$28,200 (General Fund).

(25) Authorized the City Manager to execute a one-year contract with Duncan Solutions (formerly Enforcement Technology Inc.) for processing of parking citations/collections, not to exceed \$77,000 (General Fund).

(26) Authorized the City Manager to execute a one-year contract with AT&T Connection Services for communications related to mobile data computers and radio sites, not to exceed \$39,400 (General Fund).

(27) Authorized the City Manager to execute a one-year contract amendment and/or purchase order with Tyler Technologies who provide financial software to manage the City's General Ledger, Accounts Receivable, Accounts Payable, Payroll, and Human Resources. This item is for annual licensing, maintenance, and support of these systems not to exceed \$40,600 (General Fund).

12. Awarded a standard Public Works Contract No. 4187, in a form approved by the City Attorney, to the lowest responsible bidder, All American Asphalt, Inc., in the amount of \$261,629 for Lairport Street rehabilitation from Mariposa Avenue to Maple Avenue. Project No.: PW 10-04 and pavement repair of a section of the Joslyn Center parking lot damaged by tree roots. (Fiscal Impact: \$288,000)
13. PULLED FOR DISCUSSION BY COUNCIL MEMBER JACOBSON
14. Approved request from the El Segundo Kiwanis Club to operate a Beer Garden in the food court section of the Kiwanis sponsored 35th Annual Richmond Street Fair, subject to compliance with all Alcohol Beverage Commission regulations and permits, on Saturday, September 24, 2011 from 11:00 am – 5:00 pm (Fiscal Impact: None)
15. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Brann to approve Consent Agenda Items 2, 3, 7, 9, 10, 11, 12, and 14. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

4. Consideration and possible action regarding a 2-year approval to waive fees for recurring City co-sponsored annual Special Events, in which the City provides support services and/or facilities at no cost to the organizing group. (Fiscal Impact: \$122,480 over 2 years)

MOTION by Council Member Fuentes, SECONDED by Mayor Pro Tem Fisher to waive fees for recurring City co-sponsored annual Special Events, in which the City provides support services and/or facilities at no cost to the organizing group. (Fiscal Impact: \$122,480 over 2 years) MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

6. Consideration and possible action to (1) accept a donation from El Segundo resident Craig Zinn, Jr. to build a new storage unit at the Joslyn Center at Recreation Park for his Boy Scout Eagle Project; (2) adopt a Resolution to approve the plan for the project; (3) authorize the City Manager to execute a contract with Craig Zinn, Jr. and his parent/guardian in a form approved by the City Attorney.

MOTION by Council Member Fuentes, SECONDED by Council Member Jacobson to accept a donation from El Segundo resident Craig Zinn, Jr. to build a new storage unit at the Joslyn Center at Recreation Park for his Boy Scout Eagle Project; adopt Resolution No. 4734 to approve the plan for the project; authorize the City Manager to execute Contract No. 4188 with Craig Zinn, Jr. and his parent/guardian. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

8. Consideration and possible action regarding a request for a new Alcoholic Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 41 – On-Sale Beer and Wine) at a new bakery and cafe located at 131 West Grand Avenue, Suite A (Schat's Bakery Cafe), EA No. 933 for AUP No. 11-08. Applicant: David Schat (Fiscal Impact: N/A)

MOTION by Council Member Fuentes, SECONDED by Council Member Brann to receive and file report without objecting to a new Alcoholic Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 41 – On-Sale Beer and Wine) at a new bakery and cafe located at 131 West Grand Avenue, Suite A (Schat's Bakery Cafe). MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

13. Consideration and possible action to award a non-exclusive franchise to Consolidated Disposal Service, LLC for residential and municipal solid waste hauling services. (Fiscal Impact: \$3,565,500 over 7 years) Authorized the Mayor to execute a 7-year Franchise Agreement No. 4189 in a form approved by the City Attorney with Consolidated Disposal Services, LLC in the amount of \$3,565,500 which represents \$489,950 annually for the first three years, and \$523,913 annually for the remaining four years of the contract.

MOTION by Council Member Jacobson, SECONDED by Mayor Pro Tem Fisher to award a non-exclusive franchise to Consolidated Disposal Service, LLC for residential and municipal solid waste hauling services. (Fiscal Impact: \$3,565,500 over 7 years) Authorize the Mayor to execute a 7-year Franchise Agreement No. 4189 in a form approved by the City Attorney with Consolidated Disposal Services, LLC in the amount of \$3,565,500 which represents \$489,950 annually for the first three years, and \$523,913 annually for the remaining four years of the contract. To include clarifying contract to: (1) change title to clarify contract is for residential properties with four units or less; (2) missed collections will be picked up on the next day; (3) the agreement will not use the term "exclusive" but shall provide that the City shall not award a contract to another entity to provide the service to the same properties covered by the agreement; and (4) that the vehicle insurance policy can contain a pollution exclusion so long as Consolidated provides proof that its environmental/pollution insurance policy covers damages caused by its vehicles. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

15. Consideration and possible action to amend the City's existing contract with Liebert Cassidy Whitmore ("LCW") the law firm that provides the City with specialized labor and personnel legal services. The amendment seeks an approximate 12.5% rate increase. (Fiscal Impact: City Staff will offset the hourly increase with lower utilization of LCW services and there will be no budgetary impact for FY 2011-2012)

MOTION by Mayor Busch, SECONDED by Council Member Fuentes to approve increasing billing rates by approximately 12.5% for a term of two years and authorize the City Manager to execute the amendment to Contract. No. 3365. MOTION PASSED

BY THE FOLLOWING VOICE VOTE. AYES: BUSCH, FISHER, JACOBSON, FUENTES. NOES: BRANN. 4/1

- F. NEW BUSINESS
- 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 – Reported on the 911 Ceremony; the Promotional Ceremony for Sgt. Vince Martinez; the volunteer luncheon; AYSO kick-off party; El Segundo High School Football Field opening; and the Chamber of Commerce Breakfast on September 27, 2011.

Council Member Brann – Reported on the Pancake Breakfast on September 10, 2011

Council Member Jacobson - NONE

Mayor Pro Tem Fisher - NONE

Mayor Busch – Thanked staff for the 911 preparations; spoke on Hero's Night sponsored by the Four-Square Church; thanked all of the City volunteers; USPS letter regarding the retail service closure on Main Street. Also noted LA County Registrar Recorder sent notice that Sample Ballots may now be received electronically.


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Helmet Knueppel, Resident; spoke regarding the Liebert Cassidy Whitmore contract.

James Carver, President of the Employees Union, stated that Liebert Cassidy Whitmore was a very professional firm and they always were fair and provided good service.

MEMORIALS – NONE

ADJOURNMENT at 8:40 p.m.



Cindy Mortesen, City Clerk