

**REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 16, 2011 – 5:00 P.M.**

5:00 P.M. SESSION

CALL TO ORDER

ROLL CALL

Mayor Busch	-	Present
Mayor Pro Tem Fisher	-	Present
Council Member Brann	-	Present
Council Member Fuentes	-	Present – arrived at 5:02 p.m.
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:

Mayor Busch announced that Council would be meeting in closed session pursuant to the items listed on the agenda.

Council Member Don Brann not participating in the initiation of litigation pursuant to Government Code §54956.9(c), Wiseburn School District item, on this agenda or on any future agenda nor has he participated in such item in prior closed sessions.

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): -0-
Initiation of litigation pursuant to Government Code §54956.9(c): -1- matter.

Wiseburn School District

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

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): -5-
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

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, AUGUST 16, 2011 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE – Council Member Carl Jacobson

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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Liz Garnholz, Resident; requested an update on the redistricting of voting districts for District, State, and Federal representation.

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 to open a public hearing and receive testimony to: 1) receive and file the Pool Alternatives Study (2010) regarding site selection and feasibility for a new aquatics facility; 2) approve Environmental Assessment No. 836 certifying the Environmental Impact Report (EIR) for the El Segundo Aquatics Site Feasibility Alternatives Project with a statement of overriding considerations; and 3) determine that the reservoir structure located at Hilltop Park is not a local cultural resource. Applicant: City of El Segundo. (Fiscal Impact: N/A)

Mayor Busch stated that this was the time and place to conduct a public hearing and receive testimony to: 1) receive and file the Pool Alternatives Study (2010) regarding site selection and feasibility for a new aquatics facility; 2) approve Environmental Assessment No. 836 certifying the Environmental Impact Report (EIR) for the El Segundo Aquatics Site Feasibility Alternatives Project with a statement of overriding considerations; and 3) determine that the reservoir structure located at Hilltop Park is not a local cultural resource. Applicant: City of El Segundo.

City Clerk Mortesen stated that proper notice had been given in a timely manner and that three written communications had been received in the City Clerk's Office. Council has been copied.

Greg Carpenter, Planning and Building Safety Director, Bob Cummings, Recreation and Parks Directors both gave a report.

Ron Swanson, Resident; spoke in favor of building a new pool and he prefers the Urho Sarri (Richmond Street School) site.

Michael Hammond, Resident; spoke against the Hilltop site and resulting traffic.

Father Alexis Smith, Pastor of St. Andrews Church; spoke in favor of a new pool and the Plunge is a community asset. He felt the Plunge site is maxed out and does not have enough support area for the traffic.

Rebecca Crane Okada; Resident; spoke against the Hilltop site and concerns about parking.

Resident; spoke about the Imperial site and an alternative measure he proposed. He felt the EIR is flawed and other issues need to be addressed.

Barbara Briney, Resident and member of the aquatic task force; hoped the Council could advance the EIR so that further studies and plans can be made. This was just the first step in the process, and planning for the future was necessary.

Rebecca Crane Okada, resident; Feels that the length of the pool needs to be addressed.

Debby Shrimmer, resident; spoke about the noise impact at the Hilltop site. She also talked about parking at other sites.

Mike Robbins, Resident; spoke regarding concerns about the pool and who would be using it.

Michelle Lawson, Resident; spoke about concerns on construction and impact on the school and students during construction and use.

Joel Okada, Resident; spoke on the Hilltop park site, and does not feel that this is the best place for a large pool.

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

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4729

A RESOLUTION CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT FOR ENVIRONMENTAL ASSESSMENT NO. 836; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE AQUATICS SITE FEASIBILITY ALTERNATIVES PROJECT WITH POTENTIAL MUNICIPAL SWIMMING POOL LOCATIONS AT 301 MARYLAND STREET, 530 EAST IMPERIAL AVENUE, AND 219 WEST MARIPOSA AVENUE, AND DETERMINING THAT THE EXISTING RESERVOIR STRUCTURE AT 301 MARYLAND STREET IS NOT A LOCAL CULTURAL RESOURCE.

MOTION by Mayor Pro Tem Fisher, SECONDED by Mayor Busch to Receive and File the Pool Alternatives Study; Adopt Resolution No. 4729 certifying the EIR and not designating the Hilltop Park reservoir a local cultural resource. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

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 2583538 to 2583712 on Register No. 21 in the total amount of \$477,454.24 and Wire Transfers from 7/21/11 through 8/4/11 in the total amount of \$3,555,847.48. 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 and Special City Council Meeting Minutes of August 2, 2011.
4. Adopted Resolution No. 4730 to apply for a grant from Los Angeles County Regional Park and Open Space District (RPOSD) in the amount of \$150,000. The grant funds will be allocated for improvement and rehabilitation of Recreation Park. (Fiscal Impact: FY 10-11: None; FY 11-12: \$150,000 of Intergovernmental Grant Revenue)
5. PULLED FOR DISCUSSION BY COUNCIL MEMBER FUENTES
6. Approved Change Order No. 1 for \$7,178.94. Accepted the work as complete for the project for the City's 2010-2011 annual sidewalk, curb and gutter repair/replacement program and other minor improvements at various locations citywide. Approved Capital Improvement Project. Project No. PW 11-01. (Fiscal Impact: \$78,476.80) Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office.
7. Waived second reading and adopted Ordinance No. 1462 approving Environmental Assessment EA 924, to modify Condition of Approval No. 12(A) in Ordinance No. 1345 to allow alcohol sales in hotels between the hours of 7:00 a.m. and 2:00 a.m. in the Corporate Campus Specific Plan. (Fiscal Impact: N/A)
8. Waived second reading and adopted Ordinance No. 1463 approving Environmental Assessment EA 921 and Precise Plan Amendment No. 11-01, to remove the 2,500 square-foot limit on the maximum permitted outdoor dining area in the Beach Cities Plaza Precise Plan. (Fiscal Impact: N/A)
9. Received and filed report without objecting to a new Alcoholic Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 47 Alcoholic Beverage Control License) at Jackson's Food and Drink located at 2041 Rosecrans Avenue # 190. (Fiscal Impact: N/A)
10. Approved the delegation of authority to assign unrestricted/undesigned general fund balance at year-end for financial reporting purposes to the Director of Finance. (Fiscal Impact: None)
11. Approved and accepted Final Tract Map No. 71261, a six (6) lots residential subdivision located at 710 Sycamore Avenue. (Fiscal Impact: None) Authorized the appropriate City Official to sign and record said Map.

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Fisher to approve Consent Agenda Items 2, 3, 4, 6, 7, 8, 9, 10, and 11. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

5. Consideration and possible action regarding a request from the El Segundo Education Foundation to waive City fees and costs in the amount of \$3,129.62 in accordance with ESMC Section 8-8-7 D 1 for the El Segundo Education Foundation's event celebrating the El Segundo Unified School District's 75th Anniversary and the reopening of The El Segundo Community Theatre. In addition, the El Segundo Education Foundation is requesting approval for the El Segundo Kiwanis Club to operate a "Beer and Wine Garden" at the event. (Fiscal Impact: Approximately \$3,129.62)

MOTION by Council Member Fuentes, SECONDED by Council Member Brann to approve a request from the El Segundo Education Foundation to waive City fees and costs in the amount of \$3,129.62 in accordance with ESMC Section 8-8-7 D 1 for the El Segundo Education Foundation's event celebrating the El Segundo Unified School District's 75th Anniversary and the reopening of The El Segundo Community Theatre. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

MOTION by Mayor Pro Tem Fisher, SECONDED by Mayor Busch to approve the El Segundo Education Foundation's request for the El Segundo Kiwanis Club to operate a "Beer and Wine Garden" at the event. MOTION PASSED BY THE FOLLOWING VOICE VOTE. AYES: BUSCH, FISHER, BRANN, JACOBSON; NOES: FUENTES. 4/1

F. NEW BUSINESS

REPORTS – CITY MANAGER - Spoke on the development of an economic development strategy for the City.

REPORTS – CITY ATTORNEY - None

REPORTS – CITY CLERK - None

REPORTS – CITY TREASURER - None

REPORTS – CITY COUNCIL MEMBERS

Council Member Fuentes – Spoke regarding the Drama Presentation "Bye-Bye Birdie" at the park, the Soccer Team victory, and the LA County Board of Supervisors meeting and redistricting.

Council Member Brann – spoke about his "walk streak" and noted that 1500 days had been reached. He also spoke regarding the memorial service for Eric Middleton who worked for the company that did El Segundo's search for a City Manager.

Council Member Jacobson – He spoke about the Congressional re-districting and an agreement signed with the Los Angeles International Airport for 40 new homes to be sound insulated.

Mayor Pro Tem Fisher – Thanked Mayor Busch and Council Member Jacobson for their work with LAWA and the funding for sound insulation.

Mayor Busch – Announced that the next Strategic Planning session would be held August 31, 2011 at 7:30 a.m. at the Friends of the Library Room; the upcoming Blood Drive; and the Remembrance Service to be held Sunday, September 11th at Freedom Park.

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Liz Garnholz, Resident; spoke about the funding for the EIR from the Aquatics Fund and Congressional re-districting.

Ron Swanson, Resident; spoke regarding the upcoming Education Foundation event for the opening of the new Auditorium.

Mike Robbins, Resident; spoke regarding school bonds. He also requested that negotiations with the employee groups be open to the public.

MEMORIALS – None

RECESSED TO CLOSED SESSION AT 9:02 P.M.

CLOSED SESSION –

Mayor Busch announced that Council would be moving to closed session pursuant to the items listed 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.

Council moved to open session at 10:00 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required) - None

ADJOURNMENT at 10:00 p.m.


Cindy Mortesen, City Clerk