AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

The City Council, with certain statutory exceptions, can only take action upon properly posted and listed agenda items. Any writings or documents given to a majority of the City Council regarding any matter on this agenda that the City received after issuing the agenda packet are available for public inspection in the City Clerk's office during normal business hours. Such Documents may also be posted on the City's website at www.elsegundo.org and additional copies will be available at the City Council meeting.

Unless otherwise noted in the Agenda, the Public can only comment on City-related business that is within the jurisdiction of the City Council and/or items listed on the Agenda during the Public Communications portions of the Meeting. Additionally, the Public can comment on any Public Hearing item on the Agenda during the Public Hearing portion of such item. The time limit for comments is five (5) minutes per person.

Before speaking to the City Council, please come to the podium and state: Your name and residence and the organization you represent, if desired. Please respect the time limits.

Members of the Public may place items on the Agenda by submitting a Written Request to the City Clerk or City Manager’s Office at least six days prior to the City Council Meeting (by 2:00 p.m. the prior Tuesday). The request must include a brief general description of the business to be transacted or discussed at the meeting. Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the City Clerk two (2) working days prior to the meeting and they do not exceed five (5) minutes in length.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk, 524-2305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, October 16, 2012 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER

ROLL CALL

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 may move 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- matter

1. City of El Segundo vs. City of Los Angeles, et. al. LASC Case No. BS094279
2. Willmore vs. City of El Segundo, LASC Case No. YC067196

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- matter.

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

1. Represented Group: Supervisory and Professional Employees Association (SPEA)
   Negotiator: Greg Carpenter, City Manager

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov’t Code §54956.8): -0- matters
The City Council, with certain statutory exceptions, can only take action upon properly posted and listed agenda items. Any writings or documents given to a majority of the City Council regarding any matter on this agenda that the City received after issuing the agenda packet, are available for public inspection in the City Clerk's office during normal business hours. Such Documents may also be posted on the City's website at www.elsegundo.org and additional copies will be available at the City Council meeting.

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, OCTOBER 16, 2012 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Lee Carlile, Pastor – United Methodist Church

PLEDGE OF ALLEGIANCE – Council Member Fisher
PRESENTATIONS

a) Presentation by LAEDC to the Mayor and Council from the County Board of Supervisors.

ROLL CALL

PUBLIC COMMUNICATIONS – (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. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.

A. PROCEDURAL MOTIONS

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

Recommendation – Approval.

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. Warrant Numbers 2589412 - 2589673 on Register No. 1 in the total amount of $2,441,215.36 and Wire Transfers from 9/14/2012 through 10/04/2012 in the total amount of $2,338,443.82.

Recommendation – Approve Warrant Demand Register and authorize staff to release. Ratify Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.
2. Regular City Council City Council Meeting Minutes of October 2, 2012.

Recommendation – Approval.

3. Consideration and possible action regarding adoption of plans and specifications for installation of fiber optic cable to the city facilities West of Sepulveda Boulevard, Project No. PW 12-08 and authorizing the City Manager to solicit for bids. Approved Capital Improvement Project. (Fiscal Impact: $225,000.00)

Recommendation – 1) Adopt draft resolution; 2) Alternatively, discuss and take other action related to this item.

4. Consideration and possible action on the El Segundo Police Department’s acceptance and expenditure of one-time grand funds from the California Office of Traffic Safety (OTS) University of California, Berkley “Sobriety Checkpoint Grant.” (Fiscal Impact: $16,000.00 from OTS Grant Fund)

Recommendation – 1) Approve request for the El Segundo Police Department to accept and expend grant funds provided by the California Office of Traffic Safety; 2) Alternatively, discuss and take other action related to this item.

5. Consideration and possible action regarding authorization for the Public Works Department to remove traffic barriers on Holly Avenue at the intersections of Washington Street and Kansas Street. (Fiscal Impact: None)

Recommendation – 1) Approve the removal of directional traffic barriers on Holly Avenue at Washington Street and Kansas Street; 2) Alternatively, discuss and take other action related to this item.

6. Consideration and possible action to waive bid requirements per El Segundo Municipal Code (“ESMC”) § 1-7-10 and authorize the City Manager, or designee, to purchase Mobile Data Computers (MDC) and associated accessories from the South Bay Regional Public Communications Authority (SBRPCA). The total cost for this purchase will be $87,910.00 using equipment replacement funds. (Fiscal Impact: $87,910.00)

Recommendation – 1) Pursuant to ESMC § 1-7-10, waive bidding requirements and authorize the purchase of sixteen (16) Panasonic Toughbook MDC’s and related accessories from the SBRPCA using equipment replacement funds; 2) Alternatively, discuss and take other action related to this item.
7. Consideration and possible action to waive bidding requirements pursuant to El Segundo Municipal Code ("ESMC") § 1-7-11 and "piggy-back" onto the State of California contract for Fleet Fuel Cards with U.S. Bank/Voyager Fleet Card Systems Inc.  
(Fiscal Impact: Included in Adopted Budget)  
Recommendation – 1) Waive bidding requirements per ESMC § 1-7-11 and authorize the City Manager to execute such documentation, in a form approved by the City Attorney, needed to use State of California contract for Fleet Fuel Cards with U.S. Bank/Voyager Fleet Card Services Systems Inc. ("Voyager"); 2) Alternatively, discuss and take other action related to this item.

8. Consideration and possible action regarding awarding a contract to Karabuild Development, Inc. for construction of 30 homes related to Project No. RSI 12-09 (Group 46 of the City’s Residential Sound Installation Program).  
(Fiscal Impact: Estimated construction costs and retention $1,051,600.00)  
Recommendation – 1) Award Contract to Karabuild Development, Inc for project RSI 12-09 (Group 46); 2) Authorize the City Manager to execute a contract in a form approved by the City Attorney; 3) Alternatively, discuss and take other action related to this item.

9. Consideration and possible action to grant Omar Taha Construction’s request to withdraw its bid due to a mathematical error in accordance with Public Contract Code Section 5101.  
(Fiscal Impact: None)  
Recommendation – 1) Grant Omar Taha Construction’s request to withdraw its bid due to a mathematical error in accordance with Public Contract Code Section 5101; 2) Alternatively, discuss and take other action related to this item.

F. NEW BUSINESS

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER
K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fellhauer –

Council Member Atkinson –

Council Member Fisher –

Mayor Pro Tem Fuentes –

Mayor Jacobson –

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MEMORIALS –

CLOSED SESSION

The City Council may move 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.

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:

DATE: 10.10.12
TIME: 11:40 am
NAME: [Signature]
PRESENTATION BY LAEDC TO THE MAYOR AND COUNCIL FROM THE COUNTY BOARD OF SUPERVISORS.
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**TOTAL WARRANTS**: $ 2,441,215.36

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**STATE OF CALIFORNIA**
**COUNTY OF LOS ANGELES**

Information on actual expenditures is available in the Director of Administrative Services office in the City of El Segundo.

I certify as to the accuracy of the Demands and the availability of fund for payment thereof.

For Approval: Regular checks held for City council authorization to release.

**CODES:**

R = Computer generated checks for all non-emergency/urgency payments for materials, supplies and services in support of City Operations.

For Ratification:

A = Payroll and Employee Benefit checks.

B - F = Computer generated Early Release disbursements and/or adjustments approved by the City Manager. Such as: payments for utility services, petty cash and employee travel expense reimbursements, various refunds, contract employee services consistent with current contractual agreements, instances where payment discount can be obtained or late payment penalties can be avoided or when a situation arises that the City Manager approves.

H = Handwritten Early Release disbursements and/or adjustments approved by the City Manager.

**FINANCE DIRECTOR**: [Signature]
**DATE**: 10-8-12

**CITY MANAGER**: [Signature]
**DATE**: 10-9-12
# CITY OF EL SEGUNDO
## PAYMENTS BY WIRE TRANSFER
### 9/14/12 THROUGH 10/04/12

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**DATE OF RATIFICATION: 10/16/12**

**TOTAL PAYMENTS BY WIRE:**

2,338,443.82

Certified as to the accuracy of the wire transfers by:

Deputy City Treasurer  
Date: 10/4/12

Director of Finance  
Date: 10/6/12

City Manager  
Date: 10/9/12

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, October 2, 2012 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER – Mayor Jacobson at 5:00 PM

ROLL CALL

Mayor Jacobson - Present
Mayor Pro Tem Fuentes - Present
Council Member Fisher - Present
Council Member Atkinson - Present
Council Member Fellhauer - Present

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

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- matter

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

So. Cal. Mobile Food Vendors Assn. vs. City of El Segundo, LASC Case No. YC067710

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- matter.

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

1. Represented Group: Supervisory and Professional Employees Association (SPEA)
   Negotiator: Greg Carpenter, City Manager

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -0- matters

ADJOURNMENT at 6:58 PM
7:00 P.M. SESSION

CALL TO ORDER – Mayor Jacobson at 7:03 PM

INVOCATION – City Clerk, Tracy Weaver

PLEDGE OF ALLEGIANCE – Council Member Fellhauer

PRESENTATIONS

a) Council Member Fisher presented Proclamation to the El Segundo Babe Ruth 13-15 year old All-Star team for placing 3rd in the Babe Ruth World Series.

b) Mayor Pro Tem Fuentes presented Proclamation to Jenny Davies, President of R.O.A.D., for Drug Awareness Month October 1-31, 2012.

ROLL CALL

Mayor Jacobson - Present
Mayor Pro Tem Fuentes - Present
Council Member Fisher - Present
Council Member Atkinson - Present
Council Member Fellhauer - Present

PUBLIC COMMUNICATIONS – (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. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed. None

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Fisher, SECONDED by Council Member Atkinson 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 2589230-2589411 on Register No. 24 in the total amount of $1,201,512.10 and Wire Transfers from 8/31/12 through 9/13/12 in the total amount of $2,942,593.65. 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. PULLED FOR DISCUSSION by Council Member Atkinson

4. Approved Federal Realty Investment Trust's request for temporary banner Announcement Signs for one year.
   (Fiscal Impact: None)

5. Received and filed this report regarding the emergency repair of the Fire Station 1 apparatus bay door.
   (Fiscal Impact: $440.99)

6. Authorized the City Manager to execute a standard Public Works Contract No. 4328 in a form as approved by the City Attorney with Shawnan in the amount of $559,223.54, for resurfacing of Aviation Boulevard from El Segundo Boulevard to 116th Street PW 12-02 and authorized the City Manager to execute a Professional Services Agreement 4329 in a form approved by the City Attorney with APA Engineering, Inc. for construction inspection services in the amount not to exceed $35,000.00. Project No. PW 12-02.
   (Fiscal Impact: $651,000.00 shared between the City of El Segundo and the Los Angeles County Department of Public Works; with reimbursement from LAC DPW to be determined based on actual quantities)

MOTION by Council Member Fellhauer, SECONDED by Mayor Pro Tem Fuentes to approve Consent Agenda items 1, 2, 4, 5, and 6. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0
CALL ITEMS FROM CONSENT AGENDA

3. Consideration and possible action to receive and file the evaluation report on the Downtown Dinner Shuttle Pilot Program. (Fiscal Impact: None)

Consensus from the Council for Recreation and Parks Department to continue to work with the local businesses on the Downtown Dinner Shuttle program.

F. NEW BUSINESS

REPORTS – CITY MANAGER – Stated October 15, 2012, Planning and Building Safety will launch their online program which was funded by an Edison Grant.

REPORTS – CITY ATTORNEY - None

REPORTS – CITY CLERK - None

REPORTS – CITY TREASURER - None

REPORTS – CITY COUNCIL MEMBERS

Council Member Fellhauer – Commented on the Space Shuttle Endeavour landing and stated that Parks and Recreation, along with the Police Department did a great job on the event. Attended the Richmond Street Fair held last weekend.

Council Member Atkinson – Commented on the Space Shuttle Endeavour landing.

Council Member Fisher – Commented on the Space Shuttle Endeavour landing.

Mayor Pro Tem Fuentes – Commented on the Space Shuttle Endeavour landing and thanked NASA for selecting LAX as the landing spot a and the California Science Center for a successful bid on the Endeavour staying Los Angeles.

Mayor Jacobson - Commented on the Space Shuttle Endeavour landing and stated the Plug In Day for the Automobile Driving Museum was a success.

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have receive 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. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed. NONE
MEMORIALS – None

CLOSED SESSION – None

ADJOURNMENT at 7:25 PM

______________________________
Tracy Weaver, City Clerk
EL SEGUNDO CITY COUNCIL

AGENDA STATEMENT

MEETING DATE: October 16, 2012
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:
Consideration and possible action to adopt a resolution approving plans and specifications for installation of fiber optic cable to city facilities west of Sepulveda Boulevard, Project No. PW 12-08 and authorizing the City Manager to solicit for bids. Approved Capital Improvement Project. (Fiscal Impact: $225,000.00)

RECOMMENDED COUNCIL ACTION:
1. Adopt draft Resolution.
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Draft Resolution

FISCAL IMPACT: Included in Adopted Budget
Amount Budgeted: $225,000.00
Additional Appropriation: No
Account Number(s): 601-400-8201-8497 (Capital Improvements – I-Net Fiber Optics Capital Project)

ORIGINATED BY: Brian Evanski, Captain
REVIEWED BY: Mitch Tavera, Chief of Police
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

Staff has been directed to implement a city-owned fiber optic network that will provide a higher quality of service while lowering recurring costs. Staff has finished the design for this project which includes fiber connectivity to city facilities both east and west of Sepulveda Boulevard, and connection into a data/Internet center located on Douglas Street (Equinix). The anticipated total project cost for this fiber optic network is estimated at $440,000.

As outlined in the project design, physical conduit has been installed to connect the city facilities located west of Sepulveda Boulevard. On January 17, 2012, Council approved project specifications and directed Staff to solicit bids to install the fiber optic cable in the conduit for an amount of $130,000. In response, Staff received one bid which quoted over $350,000 and on March 6, 2012, Council rejected this bid and gave direction for the project to be re-bid.

Subsequently, Staff made revisions to the project specifications as recommended by the cabling manufacturer and Staff is confident viable bids will be received from several vendors. Based on the current construction environment and the feedback received from the manufacturer, Staff
presented the revised fiber network project at Strategic Planning and requested $225,000 to fund the installation of fiber optic cable for the western section of the city.

At the Strategic Planning session on August 16, 2012, Staff was given direction to proceed with the installation of fiber cable into the existing conduit to connect the facilities west of Sepulveda Boulevard at a cost not to exceed $225,000.

Staff therefore recommends that the City Council adopt the draft Resolution which would approve the plans and specifications for the installation of fiber optic cabling to connect the facilities west of Sepulveda Boulevard and authorize the city manager to advertise the project for receipt of construction bids at a cost not to exceed $225,000.

Upon completion of this fiber cable installation, Staff estimates recurring yearly savings of approximately $105,000 to be realized from a reduction in telephone and Internet service costs. Further, Staff will return to Council for approval to proceed with the next phase of this fiber network project. This phase will include the installation of conduit and fiber cabling to connect the City buildings across Sepulveda Boulevard, and to connect into the data/Internet center at an estimated cost not to exceed $215,000, for a total project cost of $440,000.
RESOLUTION NO. __

A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE INSTALLATION OF FIBER OPTIC IMPROVEMENTS WITHIN CITY FACILITIES PURSUANT TO GOVERNMENT CODE § 830.6.

The City Council of the City of El Segundo does resolve as follows:

SECTION 1: The City Council finds and declares as follows:

A. City staff has prepared bid specifications for the Fiber Optic Improvements proposed for City facilities both east and west of Sepulveda Boulevard with connectivity to a data/Internet center located on Douglas Street ("Project");

B. The City Engineer reviewed the completed design and plans for the Project and agrees with staff that the plans are complete and the Project may be constructed;

C. The City Council wishes to obtain the immunities set forth in Government Code § 830.6 with regard to the plans and construction of the Project.

SECTION 2: Environmental Assessment. The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities); and § 15303 as a Class 3 categorical exemption (New Construction or Conversion of Small Structures). The project results in minor alterations to operations of existing public facilities involving no significant expansion of the existing use. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. There are adequate utilities and public services to serve the project.

SECTION 3: Design Immunity; Authorization.

A. The design and plans for the Project are determined to be consistent with the City’s standards and are approved.

B. The design approval set forth in this Resolution occurred before actual work on the Project construction commenced.

C. The approval granted by this Resolution conforms with the City’s General Plan.

D. The City Engineer, or designee, is authorized to act on the City’s behalf in approving any alterations or modifications of the design and plans approved by this Resolution.

E. The approval and authorization granted by this Resolution is intended to
avail the City of the immunities set forth in Government Code § 830.6.

F. The City Manager, or designee, may solicit bids for the Project in accordance with applicable law.

SECTION 4: Project Payment Account. For purposes of the Contract Documents administering the Project, the City Council directs the City Manager, or designee, to establish a fund containing sufficient monies from the current fiscal year budget to pay for the Project ("Project Payment Account"). The Project Payment Account is the sole source of funds available for the Contract Sum, as defined in the Contract Document administering the Project.

SECTION 5: The City Clerk is directed to certify the adoption of this Resolution.

SECTION 6: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ___ day of ______________, 20__.

______________________________
Carl Jacobson, Mayor

ATTEST:

______________________________
Tracy Weaver, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: ___________________________
Karl H. Berger, Assistant City Attorney
EL SEGUNDO CITY COUNCIL

AGENDA STATEMENT

MEETING DATE: October 16, 2012
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:

Consideration and possible action on the El Segundo Police Department’s acceptance and expenditure of one-time grant funds from the California Office of Traffic Safety (OTS) University of California, Berkley “Sobriety Checkpoint Grant.” (Fiscal Impact: $16,000.00 from OTS Grant Fund)

RECOMMENDED COUNCIL ACTION:

1. Approve request for the El Segundo Police Department to accept and expend grant funds provided by the California Office of Traffic Safety.
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

OTS, University of California, Berkley Grant Agreement

FISCAL IMPACT: None

Amount Budgeted: N/A
Additional Appropriation: Yes, $16,000.00
Account Number(s): 125-400-3616-XXXX (OTS Grant Revenue)

ORIGINATED BY: Carlos Mendoza, Lieutenant
REVIEWED BY: Mitch Tavera, Chief of Police
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

In January 2012, the El Segundo Police Department Special Operations Division applied for grant benefits from the California Office of Traffic Safety (OTS), University of California, Berkley, Sobriety Checkpoint Grant. In August 2012, the department received notification that approval had been given for the funding request of approximately $16,000.00 to fund two (2) sobriety checkpoints.

The department is to use the funds for accepted strategies aimed at reducing the number of deaths and injuries in alcohol involved crashes. Some of these strategies include DUI/Driver’s License checkpoints and DUI saturation patrols. The department has successfully participated in similar grants in the past. If approved, grant funds will reimburse the City for personnel costs associated with staffing two (2) sobriety checkpoints during the period of October 1, 2012 to September 30, 2013.
1. Title of Program
SOBRIETY CHECKPOINT GRANT PROGRAM FOR 2012-2013

2. Name of Applicant Agency
EL SEGUNDO, CITY OF

3. University of California Berkeley, Safe Transportation Research and Education Center
DAVID RAGLAND, PRINCIPAL INVESTIGATOR, UC BERKELEY SAFE TRANSPORTATION RESEARCH AND EDUCATION CENTER

4. Period of Grant
Month - Day - Year
From: 10/01/12
To: 09/30/13

5. Description of Program
The goal of the Sobriety Checkpoint Grant Program for 2012-2013 is to reduce the number of victims killed and injured in alcohol-involved crashes in participating cities. The period of this grant contract ("contract"), October 01, 2012 to September 30, 2013, encompasses two national mobilization periods: the Winter Holiday Mobilization period, December 14, 2012 - January 01, 2013, and the Labor Day Mobilization period, August 16, 2013 - September 02, 2013. The El Segundo Police Department will conduct sobriety checkpoints in El Segundo in accordance with this contract. The contract includes the attached Schedule A - Descriptions, Schedule B - Detailed Budget Estimate, Schedule B-1 - Budget Narrative, and Schedule C - Terms and Conditions.

6. Federal Funds Allocated Under This Grant Shall Not Exceed: $16,000.00

7. Approval Signatures (By signing this page, Agency agrees to the terms and conditions which follow and are attached)

<table>
<thead>
<tr>
<th>A. The Regents of the University of California Authorized Signature</th>
<th>B. Authorizing Official For Applicant Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Jyl Baldwin Phone: 510-542-8110</td>
<td>Name: Mitch Tavera Phone: (310) 524-2200</td>
</tr>
<tr>
<td>Title: Associate Director, SPO Fax: 510-542-8236</td>
<td>Title: Chief of Police Fax: (310) 640-7638</td>
</tr>
<tr>
<td>Address: UC Berkeley Sponsored Projects Office</td>
<td>Address: 348 Main Street</td>
</tr>
<tr>
<td>2150 Shattuck Avenue, Suite 300 Berkeley, CA 94704-5940</td>
<td>El Segundo, CA 90245</td>
</tr>
<tr>
<td>Email: <a href="mailto:jbaldwin@berkeley.edu">jbaldwin@berkeley.edu</a></td>
<td>Email: <a href="mailto:mttavera@elsegundo.org">mttavera@elsegundo.org</a></td>
</tr>
</tbody>
</table>

| (Signature)                                                     | (Signature) |
|                                                               | (Date)      |

<table>
<thead>
<tr>
<th>C. Agency Office Authorized to Receive Payments</th>
<th>D. Optional: Individuals Authorized to Sign Claims (in addition to the Authorizing Official For Applicant Agency)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency: El Segundo, City of</td>
<td>Name: Bob Turnbull</td>
</tr>
<tr>
<td></td>
<td>Title: Captain</td>
</tr>
<tr>
<td>Office: Finance Department</td>
<td></td>
</tr>
<tr>
<td>Address: 350 Main Street El Segundo, CA 90245</td>
<td></td>
</tr>
<tr>
<td>Tax ID #: 95-6000706</td>
<td></td>
</tr>
<tr>
<td>Contact Person: Deborah Cullen</td>
<td></td>
</tr>
<tr>
<td>Email: <a href="mailto:dculen@elsegundo.org">dculen@elsegundo.org</a></td>
<td></td>
</tr>
</tbody>
</table>

| (Signature)                                                     | (Signature) |
|                                                               | (Date)      |

| Name: Angie Garcia                                           |                                                   |
| Title: Fiscal Services Manager                               |

| (Signature)                                                     | (Signature) |
|                                                               | (Date)      |
GOALS

1. To reduce the number of victims killed in alcohol-involved crashes.
2. To reduce the number of victims injured in alcohol-involved crashes.
3. To reduce nighttime (2100 hours to 0259 hours) fatal crashes.
4. To reduce nighttime (2100 hours to 0259 hours) injury crashes.
5. To reduce hit and run fatal crashes.
6. To reduce hit and run injury crashes.

AGENCY OBJECTIVES

1. To conduct a total of 2 sobriety checkpoints by September 30, 2013 (should be a minimum of one checkpoint per mobilization).

NOTE: If a department elects to combine a Driver License (DL) checkpoint with a sobriety checkpoint, the department should: 1) inform the public (via the press release) that driver licenses will be checked and 2) conduct DUI/DL checkpoint operations with signs reading, "DUI/Driver License Checkpoint Ahead".

To better identify and apprehend drug-impaired drivers in addition to alcohol-impaired drivers, it is highly recommended that all personnel assigned to staff the greeting lane of the checkpoint be Drug Recognition Experts (DRE's) and/or Advanced Roadside Impaired Driving Enforcement (ARIDE) trained sworn officers. At the very minimum, all officers contacting drivers in the greeting lane should be National Highway Traffic Safety Administration (NHTSA) Standardized Field Sobriety Test (SFST) trained and certified.

To maximize effectiveness, checkpoint operations may be conducted at more than one location on any evening. Each checkpoint should be highly publicized and visible. The Office of Traffic Safety (OTS) does not fund or support independent DL checkpoints.

Only on an exception basis and with OTS pre-approval will OTS fund checkpoint operations that begin prior to 1800 hours. When practicable it is recommended that checkpoint operations run until 0300 hours.

2. If appropriate, a supervisor(s) should attend OTS-sponsored "DUI Checkpoints - Planning and Management" eight-hour, POST-certified training by December 31, 2012. Officers are encouraged to attend this training as well.

3. To collect and report checkpoint statistics on-line for checkpoints conducted during the Winter and Labor Day mobilization periods and submit the data by the deadlines established by the Safe Transportation Research and Education Center (SafeTREC).

4. To collect and report checkpoint statistics on-line for checkpoints conducted outside the mobilization periods and to submit the data by the end of the applicable quarter(s).
MEDIA OBJECTIVES

1. After the statewide kick-off press event, issue a press release announcing the kick-off of this grant, using the OTS kick-off press release template provided by SafeTREC.

2. During the mobilization periods (December 14 - January 1 and August 16 - September 2), if an AVOID media campaign is active in the county, grantee should notify the AVOID Coordinator of checkpoint locations, dates and times at least fourteen (14) days in advance of all planned checkpoints. The AVOID Coordinator should issue press releases including checkpoints conducted during the mobilization periods to all major media outlets in the region.

3. For each checkpoint operation; grantee should distribute a separate press release using the OTS template provided by SafeTREC unless multiple checkpoints are to be conducted within a seven (7) day period, in which case one press release covering the seven (7) day period that covers all operations will suffice. When using the OTS press release template provided by SafeTREC, grantee should forward press releases, media advisories, alerts and other press materials to SafeTREC concurrently with distribution to the media. If any other press release format or copy is used, grantee should submit the press release to the OTS Public Information Officer at pio@ots.ca.gov for his review. Optimum lead-time would be 10 – 20 days prior to the operation. The approved press release should also be sent to the SafeTREC. For post-operational media communications that report the results of checkpoints, grantee does not need to have the release approved by OTS.

4. Grantee should use OTS’s Tagline “Report Drunk Drivers. Call 911” on all news releases and checkpoint publication materials.

5. To use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.

6. Grantee should issue to the media a post-operational news release reporting the results of the checkpoint (do not submit to OTS media communications reporting the results of checkpoints). Any drug-impaired driving arrests (23152(a)) and other drug arrests (possession, transportation, for sale) made as the result of the checkpoint operation should be incorporated into the post-operational media release.

METHOD OF PROCEDURE

Phase I: Program Preparation (October 1, 2012 – December 13, 2012)

1. Review the contract to ensure compliance with contract provisions.
2. Notify the SafeTREC of any changes in contact information. The contract, purchase order number and Fact Blasts are emailed to the contact person listed in the agency application.
4. Plan checkpoint staffing, e.g., supervisors, officers, clerical staff, or community service officers as needed to staff each sobriety checkpoint on an overtime basis.
5. Send a written request to the SafeTREC to seek approval of any changes to grant funded work or deliverables.
6. Order grant approved checkpoint supplies, if applicable.

7. After the statewide kick-off press event in December, grantee should issue a press release announcing the kick-off of this grant using the OTS kick-off press release template provided by SafeTREC.

8. If an AVOID media campaign is active in the county, grantee should notify the AVOID Coordinator of checkpoint locations, dates and times at least fourteen (14) days in advance of all planned checkpoints. The AVOID Coordinator should issue press releases including checkpoints conducted during the mobilization periods to all major media outlets in the region.

9. For each checkpoint operation, grantee should distribute a separate press release using the OTS template provided by SafeTREC unless multiple checkpoints are to be conducted within a seven (7) day period, in which case one press release covering the seven (7) day period that covers all operations will suffice. When using the OTS press release template provided by SafeTREC, grantee should forward press releases, media advisories, alerts, and other press materials to SafeTREC concurrently with distribution to the media. If any other press release format or copy is used, grantee should submit the press release to the OTS Public Information Officer at pio@ots.ca.gov for his review. Optimun lead-time would be 10 – 20 days prior to the operation. The approved press release should also be sent to the SafeTREC. For post-operational media communications that report the results of checkpoints, grantee does not need to have the release approved by OTS.

10. Use OTS's tagline, "Report Drunk Drivers. Call 911" on all news releases and checkpoint publication materials.

11. Conduct roll call training. Roll call training costs are not reimbursable.

12. To better identify and apprehend drug-impaired drivers in addition to alcohol-impaired drivers, it is highly recommended that all personnel assigned to staff the greeting lane of the checkpoint be Drug Recognition Experts (DRE's) and/or Advanced Roadside Impaired Driving Enforcement (ARIDE) trained sworn officers. At the very minimum, all officers contacting drivers in the greeting lane should be NHTSA Standardized Field Sobriety Test (SFST) trained and certified.

13. Begin the checkpoint no earlier than 1800 hours and if possible and practicable, operate the checkpoint until 0300 hours.


Phase III: Post Operational Data Reporting (at the end of each mobilization period and each applicable calendar quarter)

15. Submit post-operational data on-line for checkpoints conducted during the Winter Holiday and Labor Day mobilizations. Submit data by the SafeTREC deadlines.

16. Submit post-operational data on-line for checkpoints conducted outside the mobilization periods. Submit the data by the end of the applicable quarter. If multiple checkpoints are conducted during the quarter, summarize (total) the checkpoint statistics.

17. Issue to the media a post-operational news release reporting the results of the checkpoint. Any drug-impaired driving arrests (23152(a)) and other drug arrests (possession, transportation, for sale) made as the result of the checkpoint operation should be incorporated into the post-operational media release.

Phase IV: Claim Submission (at the end of the applicable calendar quarter)

18. Compile actual overtime and checkpoint supply costs incurred for operating the grant-funded checkpoints.

19. Download the claim form from the SafeTREC web site at: http://www.safetrec.berkeley.edu/checkpointgrants/2012-2013checkpoint.html

20. Complete the claim form for the applicable quarter in accordance with Schedule B – Detailed Budget Estimate and Schedule B-1 – Budget Narrative.

21. Mail the claim forms for the quarter, with the required supporting documentation (specified in Schedule B-1) to the SafeTREC following the end of the applicable calendar quarter.
The **El Segundo, City of** will conduct a total of 2 sobriety checkpoints in **El Segundo** as described in Table B below.

**Table B**

<table>
<thead>
<tr>
<th>Number of Checkpoints</th>
<th>Cost Per Checkpoint</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Winter Holiday Mobilization, December 14, 2012 – January 01, 2013 (should be a minimum of one checkpoint)</td>
<td>1</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>Labor Day Holiday Mobilization, August 16, 2013 – September 02, 2013 (should be a minimum of one checkpoint)</td>
<td>1</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>Number of checkpoints outside the mobilization periods</td>
<td>0</td>
<td>$8,000.00</td>
</tr>
</tbody>
</table>

**Total Number of Checkpoints** 2  
**Maximum Reimbursable Amount for Checkpoints** $16,000.00

The cost per checkpoint includes overtime benefits. Only actual benefits accrued from overtime hours will be covered (e.g., retirement, medical/dental/vision insurance, uniform allowances will not be covered). Allowable benefits include: Social Security (OASDI), Workers Compensation, Medicare, State-run disability, and unemployment insurance.

**Maximum Reimbursable Amount for Checkpoint Supplies** $0.00

Only OTS-approved supplies will be reimbursed. The prices of supplies will be reimbursed in accordance with policies established by the OTS.

**Grant Total Amount**  
(Maximum Reimbursable Amount for Checkpoints + Maximum Reimbursable Amount for Checkpoint Supplies) $16,000.00
El Segundo, City of

Schedule B-1 - Budget Narrative
Sobriety Checkpoint Grant Program for 2012-2013

El Segundo, City of will be reimbursed for overtime personnel costs and checkpoint supplies to conduct the checkpoints.

Overtime reimbursement will reflect actual costs (overtime hourly rate and overtime benefit rates) of the personnel conducting the appropriate operation(s) up to the amount of the approved cost per checkpoint and the grant total stated in Schedule B - Detailed Budget Estimate. Only actual benefits accrued from overtime hours will be covered (e.g., retirement, medical/dental/vision insurance, uniform allowances will not be covered). Allowable benefits include: Social Security (OASDI), Workers Compensation, Medicare, State-run disability, and unemployment insurance.

Budgeted grant activities will be conducted by personnel on an overtime basis. The grant covers only the costs of police department personnel. Grants do not cover contractual services (with the exception of contract cities). Grant-funded operations may be conducted by personnel such as an officer, sergeant, corporal, deputy, community service officer, dispatcher clerical/administrative, etc. depending on the titles used by the agency. Personnel will be deployed as needed to accomplish the grant goals and objectives. Administrative/clerical personnel are allowable only if they worked on the checkpoint operation, e.g., to process the larger than normal volume of citations, towing records, and arrest/incident reports. These reports must be a result of the operation and required to be processed quickly for distribution to the courts and the District Attorney’s Office, or to meet statutory time limits. Clerical overtime incurred before the checkpoint or more than one business day after the last day of the checkpoint is not allowable. Costs for preparing claims are not reimbursable.

OTS-approved checkpoint supplies (cones, signage, vests, PAS devices/supplies and lighting equipment) are reimbursable provided that the total cost of supplies, including tax and shipping, does not exceed the awarded amount specified in Schedule B. The prices of supplies will be reimbursed at unit costs not to exceed OTS-established unit costs. Other direct costs are not reimbursable, except for OTS-approved checkpoint supplies.

Indirect costs are not reimbursable.

Reimbursements are contingent upon the following (exceptions must be approved by the SafeTREC):

i. The applicable post-operational data have been submitted using the SafeTREC's on-line reporting system.
ii. The claim form is correctly filled out, using the SafeTREC Excel-based form.
iii. The claim amounts do not exceed the limits set forth in Schedule B - Detailed Budget Estimate.
iv. The information in the overtime slips and the ledger report are consistent and fully support the claim.
v. A ledger report(s) supporting the claim amount is attached to the claim. Only source documents are accepted to support the claim amount. Explanatory documentation such as spreadsheets may be submitted to provide additional information but cannot be accepted in lieu of a ledger report(s).
vi. Contract cities only: A contract city must also provide the sheriff’s department’s invoice to the contract city for the checkpoint overtime costs described in the contract city’s claim. The invoice (or an attachment to the invoice) must contain the contract rates that are the basis for the sheriff’s department’s invoiced amount. The contract city must provide a ledger report showing payment of the invoice amount. If a sheriff’s department or police department is administering the grant for a contract city, then that administering agency must provide the ledger report only.

vii. An invoice(s) for the amount of checkpoint supplies is attached to the claim. The invoice must contain a sufficient description of the purchased item(s), quantity, and unit cost.

viii. The claim is signed by the Authorizing Official (Box B of the grant cover page) or Individuals Authorized to Sign Claims (Box D) as designated in the grant cover page.

ix. Changes in the Authorizing Official For the Applicant Agency or the designation of any other additional individual(s) to sign claims are documented in accordance with SafeTREC documentation requirements.

x. The final claim is submitted no later than October 31, 2013.
A. INDEMNIFICATION

Applicant Agency agrees to indemnify, defend, and save harmless the State of California, its officers, agents, and employees, the Regents of the University of California, its officers, agents, and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm, or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this contract, and from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by Applicant Agency in the performance of this contract.

B. GOVERNING LAW

This Contract shall be governed by and construed in accordance with the laws of the State of California.

C. NON-ASSIGNABILITY

The obligations of the applicant agency under this Contract are not assignable to any third party.

D. USE OF UNIVERSITY NAME/TRADemarks

Applicant Agency shall not use the name of the University of California, or any abbreviation thereof, or any name of which "University of California" is a part, or any trademarks of the University, in any commercial context, such as may appear on products, in media (including web sites) and print advertisements in cases when such use may imply an endorsement or sponsorship of the Applicant Agency, its products, or services. All uses of the University's name and trademarks, therefore, must first receive prior written consent of The Regents of the University of California through the Office of Marketing & Business Outreach. This policy is in compliance with the State of California Education Code Section 92000.

E. TERMINATION

Each party has the right to suspend, terminate or abandon the execution of any work by the Applicant Agency without cause at any time upon giving prior written notice. In the event that this contract is suspended, terminated, or abandoned, the Regents of the University of California shall pay the Applicant Agency for services provided hereunder prior to the effective date of said suspension, termination, or abandonment. Said payment shall be computed in accordance with Schedules B and B-1, provided that the maximum amount payable to the Applicant Agency for its services shall not exceed the Grant Total Amount on Schedule B for services provided hereunder prior to the effective date of suspension, termination, or abandonment.

F. STATE OF CALIFORNIA TERMS, CONDITIONS, AND CERTIFICATIONS

Applicant Agency agrees to abide by the General Terms, Conditions, and Certifications contained in OTS Grant Program Manual, Chapter 8, Exhibit D, Federal Certifications and Assurances.
AGENDA DESCRIPTION:
Consideration and possible action regarding authorization for the Public Works Department to remove traffic barriers on Holly Avenue at the intersections of Washington Street and Kansas Street. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Approve the removal of directional traffic barriers on Holly Avenue at Washington Street and Kansas Street.
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS: None

FISCAL IMPACT: None

ORIGINATED BY: Rex Fowler, Sergeant
REVIEWED BY: Mitch Tavera, Chief of Police
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
The Police Department recently examined the need for existing traffic restrictions on Holly Avenue at Washington Street and Kansas Street. These restrictions do not allow vehicles to legally proceed northbound past Holly Avenue on Washington Street and Kansas Street.

The traffic restriction signs were implemented in 1983 to address heavy business commuter and industrial traffic through the residential neighborhood. The project was referred to as the "Traffic Channelization Project at Holly Avenue." In February of 1984, the Channelization Project was revisited at a Council Meeting for evaluation and received mostly positive reviews from area residents.

At the March 6, 1984 Council Meeting, Mr. Glickman stated he received testimony from numerous citizens that the "Traffic Channelization" plan was apparently working. The diversions were meeting their intended goal of limiting the flow of industrial traffic through the residential neighborhoods.

Over the years, many industrial properties immediately adjacent to this area were converted to residential dwellings. These properties are known as Ellin Pointe, The Grand Tropez and the Grand/Kansas HOA. Now, the area bordered by Holly Avenue on the north, Grand Avenue on the south, Kansas Street on the east, and Oregon Street on the west consists of single-family dwellings.
To evaluate the current traffic flow in the area, Police Department personnel conducted a survey of area residents, directly observed traffic flow during peak hours, and temporarily removed the signage to ascertain data. Of the identified 277 residences in the affected area, 101 responses were received indicating the following:

- 63 responses were for the removal of the restriction barriers (62.2%)
- 34 responses were opposed to the removal of the restriction barriers (33.7%)
- 4 responses had no opinion about the removal of the restriction barriers (3.1%)

Following the survey, the Street Department removed the existing signage restricting northbound traffic flow on a trial basis. The Police Department conducted peak-flow traffic surveys from 1615 hours through 1720 hours at the affected areas that revealed the following data:

- 40 vehicles traveled north on Kansas Street from Grand Avenue and continued north on Kansas Street from the intersection at Holly Avenue
- 35 vehicles traveled north on Kansas Street from Grand Avenue, but turned west onto Holly Avenue towards California Street.
- 16 vehicles traveled north on Kansas Street from Grand Avenue, but turned east onto Holly Avenue

At the August 7, 2012 Council Meeting, Chief of Police Mitch Tavera provided Council with an oral report regarding this traffic restriction data and recommendation. Council directed staff to return at a future meeting with this item on the agenda. To date the Police Department has not received any complaints regarding the removal of the signs.

Based upon our observations, questionnaire surveys, and peak flow analysis, the Police Department recommends the current traffic flow restrictions at Holly Avenue be removed. The restrictions were originally installed to relieve northbound traffic flow caused by high-density business traffic in the area. The businesses are now gone and have been replaced by residential neighborhoods. Now, the restrictions unnecessarily increase the flow of traffic to other streets and inconvenience residents south of Holly Avenue, who are attempting to travel to Mariposa Avenue.
AGENDA DESCRIPTION:

Consideration and possible action to waive bid requirements per El Segundo Municipal Code ("ESMC") § 1-7-10 and authorize the City Manager, or designee, to purchase Mobile Data Computers (MDC) and associated accessories from the South Bay Regional Public Communications Authority (SBRPCA). The total cost for this purchase will be $87,910 using equipment replacement funds. (Fiscal Impact: $ 87,910)

RECOMMENDED COUNCIL ACTION:

(1) Pursuant to ESMC § 1-7-10, waive bidding requirements and authorize the purchase of sixteen (16) Panasonic Toughbook MDCs and related accessories from the SBRPCA using equipment replacement funds.

(2) Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

SBRPCA quote
Panasonic letter & Commline Inc. letter outlining pricing agreement with SBRPCA

FISCAL IMPACT: Included in Adopted Budget

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<thead>
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<th>Amount Budgeted:</th>
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<tr>
<td>Account Number(s):</td>
<td>601-400-3101-8104 (Equipment Replacement)</td>
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ORIGINATED BY: Brian Evanski, Captain

REVIEWED BY: Mitch Tavera, Chief of Police

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

The Police Department Patrol Division and Animal Control/Parking vehicles are currently equipped with Data911 MDC systems. The MDC system is an intrinsic tool in modern day police work. Using the MDC, police officers can receive and close calls for service, use mapping and GPS programs, run individuals and vehicles for wants or warrants, retrieve vital information regarding specific locations via a premise history log, research DMV and licensing compliance, and many other important communication functions. The current MDC equipment has been deployed since 2008 and is due for replacement. Staff recommends replacing the MDCs with Toughbook computers from Panasonic.

Staff researched several different computer options and identified the Panasonic Toughbook as the best quality product and most cost effective MDC solution for the Police Department. The Panasonic Toughbook is a military grade computer product that has been proven to work in
military and police environments. This system is currently being used and/or installed into police and fire units for Hawthorne PD, Gardena PD, Palos Verdes PD, Hermosa PD, and Manhattan Fire.

On September 18, 2012, the City Council authorized the El Segundo Fire Department to purchase ten (10) Panasonic Toughbook computers to be installed on its emergency response vehicles.

The Panasonic Toughbook computer system will be purchased through by the South Bay Regional Public Communications Authority (SBRPCA) which negotiated special pricing that was established between Panasonic and Commline Inc. at a discounted purchase price. The SBRPCA will install all equipment and accessories into the police vehicles as outlined in our current contract.

To ensure uniformity among all of the City’s public safety vehicles, and enhance regional public safety intercommunication and interoperability, the Police Department recommends that the City Council waive bidding requirements as to these MDCs and authorize the City Manager, or designee, to purchase these devices.
S. B. R. P. C. A.
South Bay Regional Public Communications Authority
4440 W. Broadway
Hawthorne, CA 90250-3857
(310) 973-1802    Fax: (310) 978-0892
Fed ID: 95-3142825

To:    EL SEGUNDO POLICE DEPT
348 MAIN STREET
EL SEGUNDO CA 90245

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Subtotal: 80,836.64
Sales Tax: 7,073.21
Shipping & Handling: 0.00

TOTAL: 87,909.85
June 25, 2012

To whom it may concern.

This letter has been written to confirm that Commline, Inc., a Panasonic Toughbook reseller, has provided South Bay Regional Public Communications Authority special pricing that was established between Panasonic and Commline. Attached is the said pricing.

If you have any questions, please feel free to contact me.

Thank you.

[Signature]

James Jun
President/CEO of Commline, Inc.
Mr. Christopher E. Cox  
South Bay Regional Public Communications Authority  
4440 W Broadway Ave  
Hawthorne Ca. 90250

Dear Mr. Cox,

This letter is to confirm that Commline Inc. is an authorized “Panasonic Preferred Partner” (TP3). Panasonic only sells the Toughbook line of computer products through authorized resellers within the TP3 program. In recognizing South Bay Regional Public Communications Authority as the central communication backbone for multiple cities, Panasonic has provided a special purchase price discount to Commline Inc.. This Discount allows Commline, Inc. to provide the best competitive pricing to the cities within the South Bay Regional Public Communications Authority.

Should you or anyone within the associated cities or your organization have any questions, please feel free to contact me at anytime. Thank you for your time and being a Panasonic Toughbook valued customer.

Best Regards,

Keith Wm. McCoy  
Panasonic Area Sales Manager  
California & Hawaii  
916-451-7699 Desk  
973-303-7751 Cell
AGENDA DESCRIPTION:

Consideration and possible action to waive bidding requirements pursuant to El Segundo Municipal Code ("ESMC") § 1-7-11 and "piggy-back" onto the State of California contract for Fleet Fuel Cards with U.S. Bank/Voyager Fleet Card Systems Inc. (Fiscal Impact: Included in Adopted Budget)

RECOMMENDED COUNCIL ACTION:

1) Waive bidding requirements per ESMC § 1-7-11 and authorize the City Manager to execute such documentation, in a form approved by the City Attorney, needed to use State of California contract for Fleet Fuel Cards with U.S. Bank/Voyager Fleet Card Services Systems Inc ("Voyager").

2) Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

U.S. Bank/Voyager Fleet Card Program Agreement Participating Entity Addendum

FISCAL IMPACT: Included in Adopted Budget

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<td>109-400-3105-5215 Asset Forfeiture – Vehicle Gasoline Charge</td>
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ORIGINATED BY: J. Richard Hogate, Purchasing Agent

REVIEWED BY: Deborah Cullen, Director of Finance and Human Resources

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

The primary use of the Voyager Fleet Fuel Card is to fuel Police Department motorcycles, Police Detective and Motor Pool vehicles. Police Motorcycles require premium grade fuel, which is not provided at the City Yard. The Voyager Fleet Fuel Card allows City motorcycles to be fueled at most retail fuel vendors who accept credit cards. Police Detective and Motor Pool vehicle operators utilize the Voyager Card Program as these vehicle operators frequently require fueling outside of El Segundo city limits.

Voyager sends a consolidated monthly invoice, which identifies the City staff who authorized the respective fuel purchase along with purchase date, time, location, gallons and amount purchased. The primary advantage of the Voyager Fleet Fuel Card is that respective purchase amounts are invoiced net of the Federal Excise Tax, from which the City is exempt, thereby eliminating the
requirement to file a quarterly tax return to recover Federal Excise Tax paid at a retail fuel vendor.

Funds for the requested contract will come from General Fund. Fuel costs for Detective vehicles assigned to narcotics operations are funded by the Asset Forfeiture Fund. By utilizing the State contract, the City will save the costs and time associated with the bid process. Under these circumstances, the bid requirements may be waived pursuant to ESMC § 1-7-11.
U.S. BANK
VOYAGER FLEET CARD PROGRAM AGREEMENT
PARTICIPATING ENTITY ADDENDUM

This Participating Entity Addendum ("Participating Entity Addendum") is entered into by and between U.S. Bank National Association ND ("U.S. Bank") and the entity identified herein and executing this Participating Entity Addendum as "Entity" and constitutes an addendum to and modification of the U.S. Bank Voyager Fleet Card Program Agreement ("Fleet Card Agreement") which is part of Exhibit D Master Program Terms which is part of the Standard Agreement No. DGS-OFA-OFFS-06 dated October 16, 2006 and as amended ("Agreement") between the State of California (the "State"), U.S. Bank National Association ND by and on behalf of its wholly owned subsidiary, Voyager Fleet Systems Inc. ("U.S. Bank") and American Express Corporate Services. This Participating Entity Addendum shall become effective upon signing by or on the behalf of U.S. Bank ("Effective Date") and supersedes any previous and like addenda with Entity.

RECITALS

A. The State has entered into the Agreement for the purpose of making a fleet card program ("Fleet Card Program") as described in the Agreement available for use by the State, Participants and Participating Entities;

B. The State is willing to permit Entity to participate in the Fleet Card Program provided that Entity assumes all responsibility and liability for Entity's performance of the terms and conditions of the Agreement as if Entity was the entity signing the Agreement as the State. The State shall not bear liability or responsibility for Entity under the Agreement or this Participating Entity Addendum; and

C. Entity has received a copy of the Agreement from the State, and after a thorough review of the Agreement, desires to become a Participating Entity; provided that Entity assumes all responsibility and liability for Entity's performance of the terms and conditions of this Participating Entity Addendum as well as the Agreement as if Entity was the entity signing the Agreement as the State, but Entity shall not be liable for the acts and omissions of the State under the Agreement or this Participating Entity Addendum.

AGREEMENT

Now therefore, in consideration of the foregoing Recitals, which are incorporated herein by reference, the mutual promises and covenants set forth in the Agreement, which are incorporated herein by reference, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, all parties agree as follows:

1. Capitalized terms used in this Participating Entity Addendum and not otherwise defined in this Participating Entity Addendum are used with the same respective meanings attributed thereto in the Agreement.

2. Entity agrees to accept and perform all duties, responsibilities and obligations required of the State as set forth in the Agreement. Cards shall be issued to designated employees of Entity upon execution of this Participating Entity Addendum by Entity and U.S. Bank.

3. In order to determine credit qualifications for the Entity, the Entity shall provide U.S. Bank with the last three (3) years of audited financial statements with this signed Participating Entity Addendum. The Entity shall provide to U.S. Bank annual financial statements thereafter. U.S. Bank will review the financial statements and notify the Entity of the approval or decline of its credit qualification. If such financial statements can be independently obtained by U.S. Bank, the Entity will not be required to provide such financial statements.

4. Entity shall make payment to U.S. Bank for all Debt incurred by Entity, its Cardholders and Accountholders as provided in the Agreement. "Debt" means all amounts charged to a card and/or account including without limitation all amounts related to purchases, fees and other Charges that are owed to U.S. Bank by Entity, its Cardholders and Accountholders.
5. Entity declares that cards shall be used for official Entity purchases only, and shall not be used for individual, consumer purchases or to incur consumer debt. Entity warrants that it possesses the financial capacity to perform all of its obligations under the Agreement and this Participating Entity Addendum.

6. The representations, warranties and recitals of Entity set forth in this Participating Entity Addendum and the Agreement constitute valid, binding and enforceable agreements of Entity. All extensions of credit made to Entity pursuant to this Participating Entity Addendum and the Agreement will be valid and enforceable obligations of Entity and Entity shall pay to U.S. Bank all Debts incurred by Entity in accordance with the terms of the Agreement and this Participating Entity Addendum. The execution of this Participating Entity Addendum and the performance of the obligations hereunder and under the Agreement are within the power of Entity, have been authorized by all necessary action and do not constitute a breach of any agreement to which Entity is a party or is bound.

7. The notice address for Entity is:

Entity:
City of El Segundo
350 Main Street, El Segundo, CA 90245

Attn: Accounts Payable

8. Authorization and Execution. Entity represents and warrants that this transaction is within the scope of the normal course of business and does not require further authorization for the Entity to be bound by this Participating Entity Addendum. This Participating Entity Addendum requires approval as to form by the Attorney for the Entity. If this Participating Entity Addendum is not approved as to form by the Attorney for the Entity, the completion of a Certificate of Authority is required and must accompany this Participating Entity Addendum.

In witness whereof, the parties have, by their authorized representatives, executed this Participating Entity Addendum.

Dated this ___ day of __________, 20___ by:

City of El Segundo
Legal Name of Entity

(Signature of Authorized Individual)
Deborah Cullen
(Printed Name of Authorized Individual)
Director of Finance and Human Resources
(Printed Title of Authorized Individual)

Approved as to form:

(Signature of Attorney for Entity)

Dated this ___ day of __________, 20___ by:

U.S. Bank National Association ND
By and on behalf of its wholly owned subsidiary
Voyager Fleet Systems Inc.

(Signature of Authorized Individual)
Jeffrey A. Rankin
(Printed Name of Authorized Individual)
Senior Vice President
(Printed Title of Authorized Individual)
AGENDA DESCRIPTION:

Consideration and possible action regarding awarding a contract to Karabuild Development, Inc. for construction at 30 homes related to Project No. RSI 12-09 (Group 46 of the City’s Residential Sound Insulation Program).

(Estimated construction costs and retention $1,051,600.00)

RECOMMENDED COUNCIL ACTION:

1. Award Contract to Karabuild Development, Inc for project RSI 12-09 (Group 46)
2. Authorize the City Manager to execute a contract in a form approved by the City Attorney; and/or
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Bid Log
2. Bid comparison spreadsheet
4. Letter from Karabuild Development, Inc. dated October 5, 2012 regarding Bid price
5. Letter from Karabuild Development, Inc. dated October 5, 2012 regarding schedule

FISCAL IMPACT: Included in Adopted Budget

| Amount Budgeted: | $12,000,000.00 |
| Additional Appropriation: | N/A |
| Account Number(s): | 116-400-0000-8960 (RSI Program Construction) |

PREPARED BY: James O’Neill, Program Manager
REVIEWED BY: Sam Lee, Director of Planning and Building Safety
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND & DISCUSSION:

On September 18, 2012 the City Clerk’s office opened bids for Project RSI 12-09 (Group 46 of the City’s Residential Sound Insulation (RSI) Program). Two bids were submitted, and the results were as follows:

- Karabuild Development, Inc.  $ 956,000.00
- Big West Construction Corporation  $1,027,730.00

The Bid submitted by Karabuild Development, Inc. appears responsive. However, the total of the pricing for each home does not equal the total amount of the Bid listed by Karabuild Development, Inc. The “Total Bid” listed is $956,000.00, yet the sum of the Property Sub-Totals is $956,050. The discrepancy appears to be in the amounts listed for RSI ID 47.15, where $32,500 is listed for the “Bid Amount” and $32,550 is listed as the “Property Sub-Total.” As the bid form states that “In case of discrepancy between the words and figures, the words must prevail,” the amount of the bid is $956,000.00 and the Property Sub-Total for home 47.15 is revised to be $32,500 in order to total
the $956,000.00 identified as the “Total Bid.”

Furthermore, the dates listed in the preliminary construction schedule for construction activities were based on bids submitted on August 28th and an award date of September 18th. As the due date for bids had to be extended to September 18th, the construction schedule must be adjusted. The necessary adjustment results in construction starting on February 11, 2013 instead of the originally anticipated January 7th.

As City Council is aware, this is the third time the City has received bids for the work at the majority of these homes, and a bid comparison sheet has been attached to this staff report for comparison of the current bids to past bids. Furthermore, as Los Angeles World Airports (LAWA) staff has expressed concerns over the limited number of bids the City of El Segundo has received for projects in the past few years, as well as the average cost of construction per home, City of El Segundo staff sent the recent bids to LAWA staff for their review. On Tuesday, October 2nd, City staff was informed that LAWA did not have any issues with the bid results for Group 46.

The amount requested for the contract is $1,051,600.00 which represents the amount of Karabuild Development, Inc.’s bid and an additional 10% for potential change orders related to unforeseen conditions.

Construction is expected to start in February 2013.

City Council is reminded that eighty percent (80%) of the costs associated with the Residential Sound Insulation Program are covered by the federal grant funding from the Federal Aviation Administration (FAA). This remains a funding source until those funds identified in the Grant Implementation Plan to the City of Los Angeles are exhausted. Remaining expenses, except for elective “Owner Upgrades” selected by property owners, are paid for by funding received as part of the settlement agreement with Los Angeles World Airports (LAWA).
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<thead>
<tr>
<th>COMPANY NAME/ADDRESS</th>
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<tbody>
<tr>
<td>1 Karabuild Development, Inc. 17337 Ventura Blvd, #215 Encino, CA 91316</td>
<td>$956,000.00</td>
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<tr>
<td>2 Big West Construction 15331 Normandie Ave. Irvine, CA 92604</td>
<td>$1,027,780.00</td>
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Staff Present: [Signatures]
- Cathy [Last Name], City Clerk's Office
- [Signatures], City Clerk's Office
- [Signatures], RSI, Representative
## Group 46 Bid Comparison

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<tr>
<th>Address</th>
<th>Staff Estimate</th>
<th>1st round of Bidding</th>
<th>2nd round of Bidding</th>
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$274,815 $506,945 $422,740 $603,475 $495,305 $559,985

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<th>Address</th>
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$236,156 $521,093 $561,436 $772,300 $461,245 $467,745

Total $510,971 $1,028,038 $984,176 $1,375,775 $956,550 $1,027,730

* Amount highlighted in yellow is addressed in the staff report
To the Mayor and City Council
City of El Segundo
350 Main St.
El Segundo, CA 90245

I declare, under penalty of perjury, that I have carefully examined, become familiar with, and understand all of the requirements of the Contract Documents and conditions under which the Work must be performed, including the City of El Segundo’s current Municipal Code, and am fully informed as to all conditions and matters which can in any way affect the Work or its cost, and agree to the following:

To perform all Work in strict conformity with the requirements of the Contract Documents for

Project Number RSI 12-09
“Residential Sound Insulation Program - Group 46”

at the following lump sum price:

<table>
<thead>
<tr>
<th>RSI ID</th>
<th>Property Address</th>
<th>Description</th>
<th>Staff Estimate</th>
<th>Bid Amount</th>
<th>Property Sub-Total</th>
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**Total Bid (Contract Sum)**

*Nine Hundred Fifty Six Thousand Only*

$956,000.00

In case of discrepancy between the words and figures, the words must prevail.

Contractor Representative: [Signature]  
09/18/2012  
Ara Karajerjian

Bidding Form  
Bidder's Proposal and Statement: [Signature]  
Last Modified: July 19, 2012  
45
City of El Segundo  
Residential Sound Insulation Program  

Title: CEO  
Contractor's State License Number: B837099  
Name of Firm: Karabuild Development, Inc.  
License Expiration Date: April 30, 2014  
Address: 17337 Ventura Blvd., #215  
Encino, CA 91316  
Telephone Number: 818-817-9300  

Type of Entity: ☑ Corporation*  
☐ Sole Proprietorship  ☐ Partnership  ☐ Other  

* If Corporation, evidence of authority to sign must be attached  

Bidding Form  
Appendix B-01  
Bidder's Proposal and Statement  

September 18, 2012
October 5, 2012

Mr. James S. O'Neill
Program Manager
City of El Segundo
Residential Sound Insulation Program
333 Main Street, Unit A
El Segundo, CA 90245
310-524-2352

Re: City of El Segundo RSI 12-09, Group 46

Karabuild Development, Inc. agrees to perform the work on the City of El Segundo RSI 12-09 Group 46 for the lump sum bid price of $956,000.00 (nine hundred fifty six thousand dollars only) as submitted in the bid of Project Number RSI 12-09 “Residential Sound Insulation Program – Group 46” dated September 18, 2012.

Thank you,
Ara Karajerjian

Karabuild Development, Inc.
October 5, 2012

Mr. James S. O’Neill
Program Manager
City of El Segundo
Residential Sound Insulation Program
333 Main Street, Unit A
El Segundo, CA 90245
310-524-2352

Re: City of El Segundo RSI 12-09, Group 46

Karabuild Development, Inc. agrees to the revised schedule provided by the City of El Segundo dated 10/04/12 attached.

Thank you,
Ara Karajerjian

Karabuild Development, Inc.
### City of El Segundo
### Residential Sound Insulation Program

**Documents available**
- Pre-Bid Meeting: Thursday, August 2, 2012 at 2:00 p.m.
- Bids due: Tuesday, August 28, 2012 at 11:00 a.m.
- Submittals due (from apparent low bidder): Wednesday, August 29, 2012 at 11:00 a.m. (24 hours after Bid Opening)
- Expected City Council action: Tuesday, October 16, 2012
- Pre-Construction Meeting: Thursday, November 8, 2012 at 10:00 a.m.

**Site Evaluation Inspections**
- Tuesday November 13 - Friday, November 16, 2012

---

### Punch List Inspection vs. Final Inspection

<table>
<thead>
<tr>
<th>RSI Number</th>
<th>Homeowner(s)</th>
<th>Address</th>
<th>Start</th>
<th>Complete</th>
<th>Duration</th>
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<tr>
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**BreakWeek (No New Start)**

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<th>RSI Number</th>
<th>Homeowner(s)</th>
<th>Address</th>
<th>Start</th>
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<th>Duration</th>
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AGENDA DESCRIPTION:

Consideration and possible action to grant Omar Taha Construction's request to withdraw its bid due to a mathematical error in accordance with Public Contract Code Section 5101. (Fiscal Impact: $0)

RECOMMENDED COUNCIL ACTION:

1. Grant Omar Taha Construction's request to withdraw its bid due to a mathematical error in accordance with Public Contract Code Section 5101.
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT: None
Amount Budgeted: $  
Additional Appropriation: No  
Account Number(s):

ORIGINATED BY: Arianne Bola, Associate Engineer  
REviewed BY: Stephanie Katsouleas, Public Works Director  
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

On September 4, 2012, the City Council authorized staff to advertise for a project to install three new apparatus bay doors at Fire Station #1. On October 2, 2012, the City Clerk received and opened only one (1) bid from Omar Taha Construction for $42,150.00. Shortly after the bid opening, staff found out that the individual bid items listed by the contractor did not match the total bid amount listed. Staff contacted the contractor and discussed the mathematical mistake. The contractor stated that he had added in his overhead rate to the total rather than incorporating the them into individual bid items. However, this is not allowed because the overall total must be the exactly the sum of the individual bid items. Shortly after, the contractor requested to be relieved from the bid due to its mathematical error.

Staff will explore other bid options so that the project can move forward. We will return to Council with an update when a new installer can be secured.