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, July 16, 2013 - 7:00 P.M.

REVISED TO ADD CONSENT AGENDA ITEM 12A.

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Wes Harding, Associate Pastor, The Bridge

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Jacobson
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.

CITY COUNCIL COMMENTS – (Related to Public Communications)

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

   1. Consideration and possible action to announce the appointments to the Planning Commission, Library Board of Trustees and Senior Citizen Housing Corporation Board. (Fiscal Impact: None)
      Recommendation – 1) Announce the appointees to the Planning Commission, Library Board of Trustees and Senior Citizen Housing Corporation Board, if any; 2) Alternatively, discuss and take other possible action related to this item.

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. Warrant Numbers 2593081 - 2593328 on Register No. 18 in the total amount of $653,440.77 and Wire Transfers from 6/7/2013 through 6/20/2013 in the total amount of $2,217,443.54 and Warrant Numbers 2593329 – 2593532 on Register No. 19 in the total amount of $1,121,589.50 and Wire Transfers from 6/20/2013 through 7/03/2013 in the total amount of $777,279.37.
Recommendation – Approve Warrant Demand Registers 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.

3. Special City Council Meeting Minutes of June 12, 2013, Special City Council Meeting Minutes of June 18, 2013, Regular City Council Meeting Minutes of June 18, 2013 and Special City Council Minutes of June 27, 2013.
Recommendation – Approval.

4. Consideration and possible action to waive the bidding process per El Segundo Municipal Code §1-7-10 and authorize the purchase of two (2) Holmatro Rescue Equipment systems from Fire Service Specification & Supply.
(Fiscal Impact: $57,824.50)
Recommendation – 1) Authorize the purchase of two (2) Holmatro Rescue Equipment systems from Fire Service Specification & Supply; 2) Alternatively, discuss and take other possible action related to this item.

5. Consideration and possible action to approve a change order with Rojas Construction and accept as complete the City’s FY 2011-2012 Annual Sidewalk, Curb and Gutter Repair/Replacement Project. Project No.: PW 12-03 (Fiscal Impact: $105,047.28)
Recommendation – 1) Authorize City Manager to approve additional payment in the amount of $5,047.28 to Rojas Construction for the City’s FY 2011-2012 Annual Sidewalk, Curb and Gutter Repair/Replacement Project; 2) Authorize the transfer of $5,047.28 from General Fund Account 001-400-4202-6209 (Street Maintenance) to Account 106-400-8206-8604 (Gas Tax); 3) Authorize the City Clerk to file a Notice of Completion in the County Recorder’s Office; 4) Alternatively, discuss and take other possible action related to this item.

6. Consideration and possible action regarding the El Segundo Senior Housing Corporation 2013 Annual Budget for the Park Vista Apartments located at 615 East Holly Street. (Fiscal Impact: None)
Recommendation – 1) Approve the 2013 Park Vista Budget; 2) Alternatively, discuss and take other possible action related to this item.
7. Consideration and possible action regarding a request from El Segundo Girls' Softball to waive the $25 per hour field rental fee associated with a field reservation that took place on Wednesday, June 26, 2013, featuring the Australian U19 National Softball Team at the Recreation Park Softball Field. (Fiscal Impact: $200.00)

Recommendation – 1) Approve or deny the request from El Segundo Girls Softball to waive the field reservation fees associated with the field rental; 2) Alternatively, discuss and take other possible action related to this item.

8. Consideration and possible action to adopt a Resolution establishing policies regarding use of City cable broadcast facilities for the production and broadcast of local election candidate statements, statements regarding local ballot measures and third-party sponsored debates/forums. (Fiscal Impact: None for FY 12/13; $1,600.00 estimated per election year)

Recommendation – 1) Adopt the Resolution; 2) Alternatively, discuss and take other possible action related to this item.

9. Consideration and possible action regarding 1) Approval of changes to the Class Specifications for Recreation Coordinator and Recreation Supervisor; and 2) Approval of the proposed Examination Plans for Recreation Coordinator and Recreation Supervisor. (Fiscal Impact: None)

Recommendation – 1) Approve the proposed Classification Specifications; 2) Approve the proposed Examination Plans; 3) Alternatively, discuss and take other possible action related to this item.

10. Consideration and possible action regarding adopting a resolution in support of a grant application submitted by the City of Santa Monica, as the lead agency, to the California Coastal Commission to research trends and impacts of sea level rise in Southern California. (Fiscal Impact: None)

Recommendation – 1) Adopt the attached resolution supporting a grant application to research trends and impacts of sea level rise in Southern California; 2) Alternatively, discuss and take other possible action related to this item.

11. Consideration and possible action to award a five-year Public Works Maintenance Contract to Flo-Systems, Inc. for Pump Stations Maintenance and On-Call Repair Services. Project No.; PW13-12. (Fiscal Impact: $90,000.00 annually for five years)

Recommendation – 1) Authorize the City Manager to execute a five-year Public Works Maintenance Contract in a form approved by the City Attorney to Flo-Systems, Inc. for an annual amount of $90,000.00 for five years; 2) Alternatively, discuss and take other possible action related to this item.
12. Consideration and possible action regarding authorizing the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 30 homes related to the City’s Residential Sound Insulation Program’s Group 45 (Project No. RSI 12-04). (Fiscal Impact: $1,402,808.90, less liquidated damages)

Recommendation – 1) Authorize the City Clerk to file the City’s Planning and Building Safety Director’s Notice of Completion in the County Recorder’s Office; 2) Authorize the City Manager, or designee, to close out Project No. RSI 12-04; 3) Alternatively, discuss and take other possible action related to this item.

12A. Consideration and possible action to adopt a resolution pursuant to Public Contracts Code §20168 finding that an emergency exists within the City and authorizing the City Manager to execute a contract in a form approved by the City Attorney with John E. Phillips Plumbing & Heating, Inc. to replace 200 ft of 4-inch cast iron sewer conduit within the Park Vista Senior Housing Center without the need for bidding in accordance with Public Contracts Code § 22050. (Fiscal Impact: $11,750)

1) Adopt the attached Resolution finding that an emergency exists and waiving bidding requirements pursuant to Public Contracts Code §§ 20168 and 22050; 2) Authorize the City Manager to execute a standard Public Works contract with John E. Phillips Plumbing & Heating, Inc. in a form approved by the City Attorney to replace sewer conduit within the Park Vista Senior Housing Center; or 3) Alternatively, discuss and take other possible action related to this item.

F. NEW BUSINESS

13. Consideration and possible action regarding the purchase and installation of bicycle racks throughout the Downtown corridor. (Fiscal Impact: Not to exceed $9,723.00 from TDA Article 3 Fund)

Recommendation – 1) Receive and file this report; 2) Alternatively, discuss and take other possible action related to this item.

14. Consideration and possible action regarding the history of property tax for the City of El Segundo. (Fiscal Impact: None)

Recommendation – 1) Receive and file the history of property tax for the City of El Segundo; 2) Alternatively, discuss and take other possible action related to this item.

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 Fuentes –

Mayor Pro Tem Jacobson –

Mayor Fisher –

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.

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: 7.11.13
TIME: 5:35 pm
NAME: [Handwritten Name]
AGENDA DESCRIPTION:
Consideration and possible action to adopt a resolution pursuant to Public Contracts Code §20168 finding that an emergency exists within the City and authorizing the City Manager to execute a contract in a form approved by the City Attorney with John E. Phillips Plumbing & Heating, Inc. to replace 200 ft of 4-inch cast iron sewer conduit within the Park Vista Senior Housing Center without the need for bidding in accordance with Public Contracts Code § 22050. (Fiscal Impact: $11,750)

RECOMMENDED COUNCIL ACTION:
1. Adopt the attached Resolution finding that an emergency exists and waiving bidding requirements pursuant to Public Contracts Code §§ 20168 and 22050;
2. Authorize the City Manager to execute a standard Public Works contract with John E. Phillips Plumbing & Heating, Inc. in a form approved by the City Attorney to replace sewer conduit within the Park Vista Senior Housing Center; or
3. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Declaration of Emergency
Resolution

FISCAL IMPACT: Budget Adjustment Required
Amount Budgeted: $0
Additional Appropriation: Yes $11,750
Account Number(s): Park Vista Senior Housing Center Fund (to be determined)

ORIGINATED BY: Neil Cadman, Park Vista Senior Housing Center Management
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
On May 1, 1984, the City Council approved construction of a ninety-seven (97) unit project generally known as the Park Vista Apartments ("Park Vista") with projected costs of approximately $4 million. This cost was paid for with money approved for a Senior Citizen housing project by voters on November 8, 1983. Park Vista was open to residents on or about July 19, 1987.

On June 27, the Cadman group became aware that the overhead sewer conduit within the parking garage was leaking, and that the conduit itself was soft to the touch, indicating strong potential for failure.
Park Vista is a senior citizen housing project and provides a home for a number of the City’s senior citizens, many of whom have parking and garage access. Exposure to untreated sewage from leaks the overhead sewer conduit within the garage poses a clear health threat to Park Vista residents.

The Cadman group called on John E. Phillips Plumbing & Heating, Inc., a local sewer repair company, to assess and diagnose the condition of the pipes. They recommended immediate repair to the sewer conduit due to the nature of the leaks and condition of the conduit itself, which is soft to the touch and indicative of imminent failure.

Ordinarily, the Public Contracts Code ("PCC") requires formal bidding for all public works projects. PCC § 20168, however, allows the City Council to adopt a resolution by four-fifths vote "declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property." Pursuant to this section and PCC § 22050, the City Council may by-pass bidding requirements ordinarily required under the PCC. An "emergency" is defined as "a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services."

Here, there is an imminent danger to public health and safety of Park Vista residents due to potential exposure to untreated sewage. Adopting the proposed resolution will allow the swift repair of the failing sewer conduit and provide a long-term solution to the issue.
DECLARATION OF EMERGENCY

The City Manager finds:

That conditions of extreme peril to the safety of persons and property have arisen within the City of El Segundo, caused by failing building sewer conduit within the Park Vista Senior Housing Center. These conditions require an immediate response for the protection of public health and welfare.

These conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency with regard to repair of the failing sewer conduit within the Park Vista Senior Housing Center.

Accordingly, pursuant to § 1-7A-4 of the El Segundo Municipal Code, a local emergency is proclaimed to exist within the City of El Segundo. This action will be taken to the City Council for confirmation within seven days.

City Manager

7-11-13
Date/Time
RESOLUTION NO. ________

A RESOLUTION ADOPTED PURSUANT TO PUBLIC CONTRACTS CODE § 20168 FINDING THAT AN EMERGENCY EXISTS WITHIN THE CITY AND AUTHORIZING CONTRACTING WITHOUT THE NEED FOR BIDDING PURSUANT TO § 22050.

The City Council does resolve as follows:

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

A. Pursuant to Public Contracts Code ("PCC") § 20168, the City Council may, upon a four-fifths vote, declare that public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property because of an emergency.

B. In accordance with PCC §§ 20168 and 22050, the City Council may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

C. On June 27, 2013 Park Vista Senior Housing Center Management noticed leaks from two sections of cast iron drain lines the garage area. The situation was reported to the El Segundo Senior Citizen Housing Corporation and the Management was instructed to move forward with repairs. Upon subsequent inspection by licensed plumbers, it was determined that 200 feet of 4 inch cast iron pipe needs to be replaced immediately. The Management obtained a bid from John E. Phillips Plumbing & Heating, Inc. for $11,750.00.

D. In compliance with applicable law, and to protect public, health, safety and welfare, the City will take immediate emergency action to repair the sewer lateral in accordance with El Segundo Municipal Code ("ESMC") § 1-7-12.

E. The failing sewer conduit within the Park Vista Senior Housing Center constitute a sudden, unexpected occurrence that poses a clear and imminent danger to the City property, its citizens, and employees. This threat requires immediate action to prevent or mitigate the loss or impairment of essential public services.

F. Under such emergency conditions, the City Council finds that the delay resulting from public bidding would imperil essential public services.
SECTION 2: In light of the emergency described above, the City Council directs the City Manager, or designee, to take all steps necessary to protect public health, safety and welfare including, without limitation, awarding contracts in accordance with PCC § 22050.

SECTION 3: This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

SECTION 4: The City Council will review this emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the work described above is completed. The Council must determine by a four-fifths vote that there is a need to continue the work at each meeting.

PASSED AND ADOPTED this 16th day of July, 2013.

Bill Fisher, Mayor

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By:
Karl H. Berger, Assistant City Attorney