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SPECIAL/REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JULY 19, 2016 – 4:00 PM
(4PM SESSION WILL BEGIN AS A SPECIAL AND
CONTINUE TO THE REGULAR 5PM SESSION)

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:

Consideration and Possible action to interview candidates for the Recreation and Parks Commission, Planning Commission, Environmental Committee, Library Board of Trustees, Senior Citizen Housing Corporation Board and Community Cable Advisory Committee. (Fiscal Impact: None)
Recommendation – 1) Interview candidates; 2) Announce appointments at the 7:00 p.m., July 19, 2016 City Council meeting, if any; and/or 3) Alternatively, discuss and take other action related to this item.

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(d)(1): -1- matter

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): -3- matter.

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

1. Public Employee Performance Evaluation
   Title: City Manager

2. Public Employee Performance Evaluation
   Title: City Attorney

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

PUBLIC EMPLOYMENT (Gov't Code § 54957) -0- matter

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

1. Employee Organizations: Employee Organizations: Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; City Employee Association

   Agency Designated Representative: Steve Filarsky and City Manager

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

Consideration and Possible action to interview candidates for the Recreation and Parks Commission, Planning Commission, Environmental Committee, Library Board of Trustees, Senior Citizen Housing Corporation Board and Community Cable Advisory Committee. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Interview candidates.
2. Announce appointments at the 7:00 p.m., July 19, 2016 City Council meeting, if any
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Application of candidates

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $ None
Additional Appropriation: N/A
Account Number(s):

ORIGINATED BY: Mishia Jennings, Executive Assistant
REVIEWED BY:
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

Recreation and Parks Commission – One position
Planning Commission – Two positions
Library Board of Trustees – One position
Sr. Housing Corp. Board – Two positions
Environment Committee – Two positions
Community Cable Advisory Committee – Three positions

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Applying to: CCBs</th>
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</thead>
<tbody>
<tr>
<td>1. Bob Motta (4:00)</td>
<td>Recreation and Parks Commission – Incumbent</td>
</tr>
<tr>
<td>3. Ryan Baldino (4:20)</td>
<td>Planning Commission - Incumbent</td>
</tr>
<tr>
<td>4. Martin Stone (4:30)</td>
<td>Senior Citizen Housing Corp. – Incumbent</td>
</tr>
<tr>
<td>5. Patricia Gerber (4:45)</td>
<td>Senior Citizen Housing Corp. – 1st and only choice</td>
</tr>
<tr>
<td>6. Edi Santos (5:00)</td>
<td>Environmental Committee – 1st and only choice</td>
</tr>
<tr>
<td>7. Meisha Britton (5:15)</td>
<td>Environmental Committee – 1st and only choice</td>
</tr>
<tr>
<td>8. Caroline Hawks (5:30)</td>
<td>Environmental Committee – 1st and only choice</td>
</tr>
<tr>
<td>9. Rachel McPherson (5:45)</td>
<td>Environmental Committee – 1st and only choice</td>
</tr>
<tr>
<td>10. Paul Lany (6:00)</td>
<td>Environmental Committee – 1st and only choice</td>
</tr>
<tr>
<td>11. Kevin Maggay</td>
<td>Environmental Committee – 1st and only choice (Phone Interview)</td>
</tr>
<tr>
<td>12. Kristi Zeman (310) 469-1053</td>
<td>Environmental Committee – 1st and only choice (Phone Interview)</td>
</tr>
<tr>
<td>13. Alex Farfan</td>
<td>Recreation and Parks Commission 1st choice, Environmental Committee 2nd choice</td>
</tr>
</tbody>
</table>
INTERVIEWS of CANDIDATES

Recreation and Parks Commission, Planning Commission, Environmental Committee, Library Board of Trustees, Senior Citizen Housing Corp. Board and Community Cable Advisory Committee

Distribution:
- Mayor Suzanne Fuentes
- Mayor Pro Tem Drew Boyles
- Council Member Mike Dugan
- Council Member Carol Priszuk
- Council Member Don Brann
- City Clerk Tracy Weaver
- City Treasurer Crista Binder
- Greg Carpenter, City Manager
- Mark Hensley, City Attorney
- Joseph Lilio, Director of Finance
- Martha Dijkstra, Human Resources
- Chris Donovan, Fire Chief
- Mitch Tavera, Police Chief
- Debra Brighton, Director of Library Services
- Sam Lee, Director of Planning and Building Safety
- Stephanie Katsouelas, Director of Public Works
- Meredith Petit, Director of Recreation and Parks
- Mona Shilling, Deputy City Clerk
- Mishia Jennings, Executive Assistant
- Mickie Tagle, Executive Assistant
- Public Copy
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.

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JULY 19, 2016 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Father Robert, St. Anthony’s Catholic Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Boyles
PRESENTATIONS

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

1. Consideration and possible action to establish the El Segundo Technology Committee comprised of local business representatives, El Segundo residents, City Council and staff members to provide recommendations specific to the City’s technology systems.
   (Fiscal Impact: $0).
   Recommendation – 1) Authorize the establishment of the El Segundo Technology Committee to be comprised of three (3) to five (5) members from the El Segundo business and residential community, and two (2) members of City Council, all with the expertise to advise the City on its technology systems; 2) Add the Technology Committee to the City’s Local Appointment List pursuant to the California Government Code Section 54972; and/or 3) Alternatively, discuss and take other action related to this item.
D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

2. Consideration and possible action to announce the appointments to the Recreation and Parks Commission, Planning Commission, Environmental Committee, Library Board of Trustees, Senior Citizen Housing Corporation Board and Community Cable Advisory Committee.
(Fiscal Impact: None)
Recommendation – 1) Announce the appointees to the Recreation and Parks Commission, Planning Commission, Environmental Committee, Library Board of Trustees, Senior Citizen Housing Corporation Board and Community Cable Advisory Committee, if any; and/or 2) Alternatively, discuss and take other 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.

3. Warrant Numbers 3011678 through 3011928 on Register No. 18 in the total amount of $951,483.94 and Wire Transfers from 06/13/16 through 06/26/16 in the total amount of $1,586,134.50 and Warrant Numbers 3011929 through 3012102 on Register No. 19 in the total amount of $959,130.69 and Wire Transfers from 06/27/16 through 07/10/16 in the total amount of $1,364,844.14.
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.

Recommendation – Approval.
5. Consideration and possible action to approve an agreement, on a sole source basis, with Steve Koester dba Environmental Compliance Services to provide temporary consultant services for the Fire Department and its Certified Unified Program Agency (CUPA) program.  
(Fiscal Impact: $110,000).
Recommendation – 1) Authorize the City Manager to sign and enter into a Professional Services Agreement, in a form approved by the City Attorney, with Steve Koester dba Koester Environmental Compliance Services; 2) Authorize a blanket purchase order for Steve Koester dba Koester Environmental Compliance Services to enable the Fire Department to receive the services provided by Steve Koester dba Environmental Compliance Services, not to exceed $110,000; and/or 3) Alternatively, discuss and take other action related to this item.

6. Consideration and possible action to accept as complete the Water Main Improvement Project on Virginia St., Oak Ave. and Bayonne St., Project No. PW15-08.  
(Fiscal Impact: $1,355,863.88.)
Recommendation - 1) Accept the Water Main Improvement Project work for Project No.15-08 as complete; 2) Authorize the City Clerk to file Notice of Completion in the County Recorder’s office; and/or 3) Alternatively, discuss and take other possible actions related to this item.

7. Consideration and possible action to accept as complete the Sewer Main Improvement in western residential area, Project No. PW 13-24.  
(Fiscal Impact: $1,407,096.67)
Recommendation – 1) Accept the Sewer Main Improvement work for Project No.13-24 as complete; 2) Authorize the City Clerk to file Notice of Completion in the County Recorder’s office; and/or 3) Alternatively, discuss and take other possible action related to this item.

8. Consideration and possible action to adopt a Resolution approving plans and specifications for the Pump Station #1 & #7 Modification Improvement, Project No. PW 16-07. (Fiscal Impact: To be determined.)
Recommendation – 1) Adopt a resolution approving plans and specifications for the Pump Station #1 & #7 Modification Improvement, Project No. PW 16-07; 2) Authorize staff to advertise the project for receipt of construction bids; and/or 3) Alternatively, discuss and take other possible action related to this item.
9. Consideration and possible action to adopt a Resolution approving Plans and Specifications for the Water Valve Replacement Project at multiple locations on the following streets: Hillcrest St., Cedar St., Holly Ave., Walnut Ave., Mariposa Ave. and Eucalyptus St., Project No. PW16-24. (Fiscal Impact: To be determined)

Recommendation – 1) Adopt the attached Resolution approving Plans and Specifications for the Water Valve Replacement Project at multiple locations on the following streets: Hillcrest St., Cedar St., Holly Ave., Walnut Ave., Mariposa Ave. and Eucalyptus St. (Project No. PW16-24); and/or 2) Alternatively, discuss and take other possible actions related to this item.

10. Consideration and possible action regarding a thirty (30) day provisional appointment extension for the position of Information Systems Manager. (Fiscal Impact: $).

Recommendation - 1) Approve the thirty (30) day provisional appointment extension for the position of IS Manager; and/or 2) Alternatively, discuss and take other action related to this item.

F. NEW BUSINESS

11. Consideration and possible action regarding policy action for the Park Vista Senior Housing Facility, located at 615 E. Holly Ave., regarding the loan repayment agreement between the City of El Segundo and the El Segundo Senior Citizen Housing Corporation ("Corporation") and funding of the Voters' Trust Account. (Fiscal Impact: $882,544).

Recommendation – 1) City Council discuss the loan repayment agreement between the City of El Segundo and the Housing Corporation and provide staff direction; 2) City Council to approve an appropriation in the amount of $882,544 from the General Fund undesignated reserve fund balance to the Voter's Trust Account (Park Vista Fund); and/or 3) Alternatively discuss and take other 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 Brann –

Council Member Pirsztuk –

Council Member Dugan –

Mayor Pro Tem Boyles –

Mayor Fuentes –

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MEMORIALS –

CLOSED SESSION

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REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT
AGENDA DESCRIPTION:
Consideration and possible action to establish the El Segundo Technology Committee comprised of local business representatives, El Segundo residents, City Council and staff members to provide recommendations specific to the City's technology systems. (Fiscal Impact: $0).

RECOMMENDED COUNCIL ACTION:
1. Authorize the establishment of the El Segundo Technology Committee to be comprised of three (3) to five (5) members from the El Segundo business and residential community, and two (2) members of City Council, all with the expertise to advise the City on its technology systems.

2. Add the Technology Committee to the City’s Local Appointment List pursuant to the California Government Code Section 54972.

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

ATTACHED SUPPORTING DOCUMENTS:
1) None

FISCAL IMPACT: None

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<th>Amount Budgeted:</th>
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<td>Additional Appropriation:</td>
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ORIGINATED BY: Brian Evanski, Captain

REVIEWED BY: Greg Carpenter, City Manager

APPROVED BY: Drew Boyles, Mayor Pro Tem and Carol Pirsztuk, Council Member

BACKGROUND AND DISCUSSION:
The City is home to a highly-skilled workforce and sophisticated citizenry who develop and work with the most current systems, service deliveries and equipment. The City would like to benefit from this considerable knowledge base by recruiting qualified members who are willing to lend their assistance. At the regular meeting on June 21, 2016, the City Council directed Staff to develop a recommendation for expanding the Technology Subcommittee to become an advisory body consisting of representatives with the expertise to provide support to staff, and to advise the City on its technology systems. The Committee would be supported by the Information Systems Manager and additional staff as necessary.
The primary goals of the Technology Committee will be to better engage the community for idea sharing, develop long term strategies, and to vet systems, projects and ideas related to City technologies. Ideally, the Committee would assist in the development of long range plan and recommend annual priorities as part of the budget development process, similar to the Capital Improvement Project Advisory Committee.

Accordingly, this item has been placed on the agenda to accomplish the following:

1. Create the El Segundo Technology Committee and add it to the City’s Local Appointment List.

2. Specify four-year terms, without term limits, for the members who are appointed by the City Council to the Technology Committee and define meeting frequency details.

3. Authorize Staff to advertise the vacancies according to the City’s current policy on the appointments to Commissions, Committees and Boards.

RECOMMENDED ACTION:

Staff recommends that City Council establish the Technology Committee and solicit applications for appointment from interested El Segundo residents and members of the local business community. Additionally, two members from the City Council and Staff members with information systems backgrounds will serve with the committee.

The Technology Committee appointments should be non-compensated and serve four-year terms, without term limits. The Technology Committee should meet not less than twice annually or on an “as needed” basis, at locations to be determined, to discuss and advise on technology systems, programs and projects to the City Council.
AGENDA DESCRIPTION:
Consideration and possible action to announce the appointments to the Recreation and Parks Commission, Planning Commission, Environmental Committee, Library Board of Trustees, Senior Citizen Housing Corporation Board and Community Cable Advisory Committee. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Announce the appointees to the Recreation and Parks Commission, Planning Commission, Environmental Committee, Library Board of Trustees, Senior Citizen Housing Corporation Board and Community Cable Advisory Committee, if any;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
None

FISCAL IMPACT: Included in Adopted Budget

<table>
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<th>Account Number(s):</th>
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</table>

ORIGINATED BY: Mishia Jennings, Executive Assistant
REVIEWED BY:     
APPROVED BY:      Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

<table>
<thead>
<tr>
<th>Committee/Commission and Board</th>
<th>Number of Openings</th>
<th>Appointee(s)</th>
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<td>Recreation and Parks Commission</td>
<td>1</td>
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<td>June 30, 2020 – Full Term</td>
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<tr>
<td>Planning Commission</td>
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<td></td>
<td>June 30, 2020 – Full Term</td>
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<tr>
<td>Library Board of Trustees</td>
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<td>June 30, 2019 – Full Term</td>
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<tr>
<td>Senior Citizen Housing Corp. Board</td>
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<tr>
<td>Environmental Committee</td>
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<td>June 30, 2018 – Partial Term</td>
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2
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<th>Community Cable Advisory Committee</th>
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<th>October 31, 2017 – Partial Term</th>
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<td>October 31, 2019 – Partial Term</td>
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## CITY OF EL SEGUNDO
### WARRANTS TOTALS BY FUND

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<th>Description</th>
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<td>104</td>
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<td>STATE GAS TAX FUND</td>
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<td>111</td>
<td>ASSET FORFEITURE FUND</td>
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<td>HOME SOUND INSTALLATION FUND</td>
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<td>L.A.W.A. FUND</td>
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<tr>
<td><strong>TOTAL WARRANTS</strong></td>
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<td><strong>$ 951,463.94</strong></td>
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</table>

## STATE OF CALIFORNIA
### COUNTY OF LOS ANGELES
Information on actual expenditures is available in the Director of Finance's 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 check held until City Council authorization to release.

### CODES:
- **R** = Computer generated checks for all non-emergency/urgent 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 prompt payment discounts 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**

**DATE:** 6-27-14

**CITY MANAGER**

**DATE:** 6-30-2016
CITY OF EL SEGUNDO  
PAYMENTS BY WIRE TRANSFER  
6/13/16 THROUGH 6/26/16 

<table>
<thead>
<tr>
<th>Date</th>
<th>Payee</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/16/2016</td>
<td>Nationwide NRS EFT</td>
<td>EFT 457 payment</td>
<td>34,023.69</td>
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<tr>
<td>6/16/2016</td>
<td>State of CA EFT</td>
<td>EFT Child support payment</td>
<td>1,006.91</td>
</tr>
<tr>
<td>6/17/2016</td>
<td>Manufacturers &amp; Traders</td>
<td>457 payment Vantagepoint</td>
<td>24,090.03</td>
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<tr>
<td>6/17/2016</td>
<td>Manufacturers &amp; Traders</td>
<td>IRA payment Vantagepoint</td>
<td>537.31</td>
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<tr>
<td>6/17/2016</td>
<td>Health Comp</td>
<td>Weekly claims</td>
<td>2,037.04</td>
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<tr>
<td>6/20/2016</td>
<td>IRS</td>
<td>Federal 941 Deposit</td>
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<td>6/20/2016</td>
<td>Employment Development</td>
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<td>6/20/2016</td>
<td>Employment Development</td>
<td>State PIT Withholding</td>
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<td>Cal Pers</td>
<td>Annual OPEB payment</td>
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<td>6/22/2016</td>
<td>Cal Pers</td>
<td>EFT Retirement Misc</td>
<td>97,291.38</td>
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<tr>
<td>6/22/2016</td>
<td>Cal Pers</td>
<td>EFT Retirement Safety</td>
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<td>6/22/2016</td>
<td>Cal Pers</td>
<td>EFT Retirement Safety-Police</td>
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<td>6/22/2016</td>
<td>Cal Pers</td>
<td>EFT Retirement Misc</td>
<td>25,574.65</td>
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<td>6/24/2016</td>
<td>Health Comp</td>
<td>Weekly claims</td>
<td>480.77</td>
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<td>6/23/2016</td>
<td>Lane Donovan Golf Ptr</td>
<td>Payroll Transfer</td>
<td>21,873.17</td>
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<tr>
<td>6/16/2016-6/12/16</td>
<td>Workers Comp Activity</td>
<td>SCRMA checks issued</td>
<td>25,112.02</td>
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<tr>
<td>6/13/2016-6/19/16</td>
<td>Workers Comp Activity</td>
<td>SCRMA checks issued</td>
<td>20,230.11</td>
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<tr>
<td>6/6/2016-6/12/16</td>
<td>Liability Trust - Claims</td>
<td>Claim checks issued</td>
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<td>Liability Trust - Claims</td>
<td>Claim checks issued</td>
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<td>Retiree Health Insurance</td>
<td>Health Reimbursement checks issued</td>
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<td>6/1/2016-6/19/16</td>
<td>Retiree Health Insurance</td>
<td>Health Reimbursement checks issued</td>
<td>0.00</td>
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1,586,134.50

DATE OF RATIFICATION: 6/23/16  
TOTAL PAYMENTS BY WIRE: 1,586,134.50

Certified as to the accuracy of the wire transfers by:

Deputy City Treasurer II  
Date 6/23/16

Director of Finance  
Date 6/27/16

City Manager  
Date G-30-16

Information on actual expenditures is available in the City Treasurer’s Office of the City of El Segundo.
<table>
<thead>
<tr>
<th>CODE</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
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<tr>
<td>001</td>
<td>GENERAL FUND</td>
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<tr>
<td>103</td>
<td>TRAFFIC SAFETY FUND</td>
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<tr>
<td>106</td>
<td>STATE GAS TAX FUND</td>
<td>-</td>
</tr>
<tr>
<td>108</td>
<td>ASSOCIATED RECREATION ACTIVITIES FUND</td>
<td>-</td>
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<tr>
<td>109</td>
<td>ASSET FORFEITURE FUND</td>
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<td>111</td>
<td>COMM DEVEL BLOCK GRANT</td>
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<td>PROP &quot;A&quot; TRANSPORTATION</td>
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<td>PROP &quot;C&quot; TRANSPORTATION</td>
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<td>115</td>
<td>AIR QUALITY INVESTMNT PROGRAM</td>
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<td>116</td>
<td>HOME SOUND INSTALLATION FUND</td>
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<td>117</td>
<td>HYPERSON MITIGATION FUND</td>
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<td>118</td>
<td>TDA ARTICLE 2 - SB 921 HIGHWAY FUND</td>
<td>-</td>
</tr>
<tr>
<td>119</td>
<td>MTA GRANT</td>
<td>-</td>
</tr>
<tr>
<td>121</td>
<td>FEMA</td>
<td>-</td>
</tr>
<tr>
<td>120</td>
<td>C.O.P.S. FUND</td>
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<tr>
<td>122</td>
<td>L.A.W.A. FUND</td>
<td>-</td>
</tr>
<tr>
<td>202</td>
<td>ASSESSMENT DISTRICT #3</td>
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<tr>
<td>301</td>
<td>CAPITAL IMPROVEMENT FUND</td>
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<td>302</td>
<td>INFRASTRUCTURE REPLACEMENT FUND</td>
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<td>408</td>
<td>FACILITIES MAINTENANCE</td>
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<tr>
<td>501</td>
<td>WATER UTILITY FUND</td>
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<td>502</td>
<td>WASTEWATER FUND</td>
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<td>503</td>
<td>GOLF COURSE FUND</td>
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<td>601</td>
<td>EQUIPMENT REPLACEMENT</td>
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<td>602</td>
<td>LIABILITY INSURANCE</td>
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<td>WORKERS COMP. RESERVE/INSURANCE</td>
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<td>702</td>
<td>EXPENDABLE TRUST FUND - DEVELOPER FEES</td>
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<td>703</td>
<td>EXPENDABLE TRUST FUND - OTHER</td>
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<tr>
<td>708</td>
<td>OUTSIDE SERVICES TRUST</td>
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**TOTAL WARRANTS:** $959,130.69

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

Information on actual expenditures is available in the Director of Finance's 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 prompt payment discounts 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**

**DATE:** 7-11-16

**CITY MANAGER**

**DATE:** 7-12-16
# CITY OF EL SEGUNDO
PAYMENTS BY WIRE TRANSFER
6/27/16 THROUGH 7/10/16

<table>
<thead>
<tr>
<th>Date</th>
<th>Payee</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/1/2016</td>
<td>Health Comp</td>
<td>1,719.52 Weekly claims</td>
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<tr>
<td>7/1/2016</td>
<td>Manufacturers &amp; Traders</td>
<td>23,914.17 457 payment Vantagepoint</td>
</tr>
<tr>
<td>7/1/2016</td>
<td>Manufacturers &amp; Traders</td>
<td>537.31 IRA payment Vantagepoint</td>
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<tr>
<td>7/1/2016</td>
<td>Employment Development</td>
<td>3,527.71 State SDI payment</td>
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<tr>
<td>7/1/2016</td>
<td>Employment Development</td>
<td>55,961.28 State PIT Withholding</td>
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<td>7/5/2016</td>
<td>IRS</td>
<td>259,976.91 Federal 941 Deposit</td>
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<tr>
<td>7/5/2016</td>
<td>State of CA EFT</td>
<td>1,006.91 EFT Child support payment</td>
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<tr>
<td>7/5/2016</td>
<td>Nationwide NRS EFT</td>
<td>31,259.57 EFT 457 payment</td>
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<td>7/5/2016</td>
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<td>193.50 Long Term Care Premium</td>
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<td>7/6/2016</td>
<td>Cal Pers</td>
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<td>Cal Pers</td>
<td>2,999.56 EFT Retirement Safety-Fire</td>
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<td>7/6/2016</td>
<td>Cal Pers</td>
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<td>7/6/2016</td>
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<td>7/7/2016</td>
<td>Cal Pers</td>
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<tr>
<td>7/8/2016</td>
<td>Health Comp</td>
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<tr>
<td>7/8/2016</td>
<td>Pitney Bowes</td>
<td>10,000.00 Postage for City Hall</td>
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<td>7/1/2016</td>
<td>Lane Donovan Golf PIn</td>
<td>22,498.26 Payroll Transfer</td>
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<td>6/20/16-6/26/16</td>
<td>Workers Comp Activity</td>
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<td>6/27/19-7/3/16</td>
<td>Workers Comp Activity</td>
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<td>Liability Trust - Claims</td>
<td>5,838.15 Claim checks issued</td>
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<td>6/27/19-7/3/16</td>
<td>Liability Trust - Claims</td>
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<td>0.00 Health Reimbursement checks issued</td>
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<td>6/27/19-7/3/16</td>
<td>Retiree Health Insurance</td>
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<tr>
<td>7/4/16-7/10/16</td>
<td>Retiree Health Insurance</td>
<td>0.00 Health Reimbursement checks issued</td>
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</tbody>
</table>

**DATE OF RATIFICATION:** 7/7/16  
**TOTAL PAYMENTS BY WIRE:** 1,364,844.14

Certified as to the accuracy of the wire transfers by:

Deputy City Treasurer II  
Date

Director of Finance  
Date

City Manager  
Date

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, JUNE 21, 2016 – 5:00 PM  
REVISED CLOSED SESSION

5:00 P.M. SESSION

CALL TO ORDER – Mayor Pro Tem Boyles at 5:00 PM

ROLL CALL

Mayor Fuentes - Present
Mayor Pro Tem Boyles - Present
Council Member Dugan - Present
Council Member Brann - Present
Council Member Pirsztuk - Present

PUBLIC COMMUNICATION – (Related to City Business Only – 5 minute limit per person, 30 minute limit total)

Mayor Pro Tem Boyles announced that Council would be meeting in closed session pursuant of the items listed on the agenda.

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(d)(1): -1- matter

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): -1- matter.


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

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

1
PUBLIC EMPLOYMENT (Gov't Code § 54957) -0- matter

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -8- matters

1. Employee Organizations: Employee Organizations: Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; Employees Association; Executive Management (unrepresented employees); Management/Confidential (unrepresented employees)

   Agency Designated Representative: Steve Filarsky and City Manager

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

Adjourned at 6:50 PM
REVISED REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JUNE 21, 2016 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 7:03 PM

INVOCATION – Tracy Weaver, City Clerk

PLEDGE OF ALLEGIANCE – Council Member Pirsztuk

PRESENTATIONS

a) Proclamation read by Mayor Fuentes, commending The Boeing Company on celebrating the 100th anniversary of its founding on July 15, 2016. Thor Kissman, Program Manager at Boeing, accepted the Proclamation.

b) Commendation read by Mayor Fuentes and presented to Colonel Donna Turner, Los Angeles Air Force Base. An honorary key to the City was given to Colonel Turner.

c) Proclamation read by Mayor Fuentes, proclaiming the Month of July 2016 as National Park and Recreation Month. Meredith Petit, Director of Recreation and Parks and Jesse Bobbett, Recreation Superintendent, accepted the Proclamation.

ROLL CALL

Mayor Fuentes - Present
Mayor Pro Tem Boyles - Present
Council Member Dugan - Present
Council Member Brann - Present
Council Member Pirsztuk - Present

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total)
Mike Robbins, resident, commented on the defense industry and asked Council to vote against item #K16.
Sara Whelan, El Segundo Co-Op President and resident, spoke concerning item #F12. Robert Pullen-Miles, Assemblywoman Autumn Burke’s office, invited the public to a South Coast AQMD event on Saturday, June 25, 2016 “Replace Your Ride: Smog-Less Saturday” from 10:00 AM– 3:00 PM. Questions: asmdc.org/Burke or 310.412.6400.
Sam Pena, Consolidated Disposal, reminded the residents of the July 4th holiday, which will cause trash hauling/pick up to be off one day. Also reminded the residents of Shred Day to be held on Saturday, July 9

CITY COUNCIL COMMENTS – (Related to Public Communications)

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

MOTION by Council Member Dugan, SECONDED by Council Member Brann 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. Warrant Numbers 3011412 through 3011677 on Register No. 17 in the total amount of $1,205,923.23 and Wire Transfers from 05/23/16 through 06/12/16 in the total amount of $3,632,598.03. Authorize 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 BY COUNCIL MEMBER PIROSZTUK

4. PULLED BY MAYOR FUENTES

5. Adopt Resolution No. XXX, approving Final Vesting Map No. 73408, a two (2) lot residential subdivision located at 1435 East Maple Avenue and 1424 East Sycamore Avenue and authorize the Director of Planning and Building Safety to sign and record said Map (Fiscal Impact: N/A)

6. PULLED BY COUNCIL MEMBER BRANN

7. Authorize the City Manager to execute a standard Public Works Contract, in a form as approved by the City Attorney, with Sialic Contracting Corporation (d.b.a. Shawnan) in the amount of $842,545.00 and authorize a contingency of $157,455.00 for inspection services (to be determined based on schedule) and unforeseen conditions. (Fiscal Impact: $1,000,000.00)

8. Reject all bids for construction of the Police Department and Fire Department Roof Replacement Projects. Project No. PW 15-18. (Fiscal Impact: $450,000.00)
9. Authorize the City Manager to transfer $112,378 of funds budgeted in Fiscal Year 2015/16 for the “employee salaries and benefits” budget category to the “professional/technical service charges” budget category and authorize the City Manager to amend the existing agreements with the following consultants: Tina Gall amendment no 4989A, J Lee Engineering Inc. amendment no. 3790K, JAS Pacific, Inc. amendment no. 4695C, and Hayer Consultants, Inc amendment no. 4907B, to increase the respective contract amounts by a combined total amount not to exceed $112,378.  (Fiscal Impact: $0)

10. Authorize City Manager to execute an agreement amendment no. 4802C (Contract No. 4802) with Munitemp, in a form approved by the City Attorney, for temporary staffing in Finance Department / Accountant.  (Fiscal Impact $24,000.00)

MOTION by Council Member Dugan, SECONDED by Council Member Brann to approve Consent Agenda items 1, 2, 5, 7, 8, 9, and 10.  MOTION PASSED BY UNANIMOUS VOICE VOTE.  5/0.

PULLED ITEMS:

3. Consideration and possible action regarding approval of 1) an agreement to exchange Federal Surface Transportation Program (STP-L) funds with Los Angeles County Metropolitan Transportation Authority (LACMTA) local funds and 2) an agreement to exchange repurposed a federal earmark with LACTMA local funds.  (Fiscal Impact: $1,080,755.44 receipt of grant funding)

Greg Carpenter, City Manager, presented the item.

Council Discussion

MOTION by Council Member Pirsztuk, SECONDED by Mayor Pro Tem Boyles to approve and authorize the City Manager to sign two agreements numbers 5159 and 5160, in a form approved by the City Attorney; an agreement to exchange Federal Surface Transportation Program (STP-L) funds with Los Angeles County Metropolitan Transportation Authority (LACMTA) local funds and an agreement to exchange repurposed a federal earmark with LACTMA local funds.  MOTION PASSED BY UNANIMOUS VOICE VOTE.  5/0.

4. Consideration and possible action regarding the acceptance of $47,674.00 in grant funding from the Department of Alcoholic Beverage Control (ABC).  These funds will be utilized to conduct enforcement and educational operations between July 1, 2016 and June 30, 2017.  (Fiscal Impact: $0.00)

Mayor Fuentes introduced and commented on the item.
MOTION by Mayor Fuentes, SECONDED by Council Member Brann to authorize the acceptance of $47,674.00 in grant funding from the Department of Alcoholic Beverage Control (ABC), agreement no. 5161. These funds will be utilized to conduct enforcement and educational operations between July 1, 2016 and June 30, 2017. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

6. Consideration and possible action regarding an application for a special peddling permit to sell frozen pudding from a pushcart. (Applicant: Jason Kessler, Little Spoon Pudding, LLC).

Council Discussion

MOTION by Mayor Pro Tem Boyles, SECONDED by Council Member Dugan to approve an application for a special peddling permit to sell frozen pudding from a pushcart (Applicant: Jason Kessler, Little Spoon Pudding LLC). MOTION PASSED BY A VOICE VOTE. 3/2 YES: Boyles, Dugan, Pirsztuk NO: Brann, Fuentes.

F. NEW BUSINESS

11. Consideration and possible action regarding a recent request by Pacific Corporate Towers, LLC to install building identification signage at 100 North Sepulveda Boulevard; and direction to staff to prepare other necessary amendments to the El Segundo Municipal Code. Applicant: Pacific Corporate Towers, LLC. (Fiscal Impact: N/A)

Greg Carpenter, City Manager, introduced the item.

Sam Lee, Director of Planning and Building Safety gave a presentation.

Council Discussion

MOTION by Mayor Pro Tem Boyles, SECONDED by Council Member Dugan to approve Pacific Corporate Towers, LLC’s request to install building identification signage at 100 North Sepulveda Boulevard. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.

12. Consideration and possible action to amend License Agreement #4698 and reduce the reservation fee for FY 16/17 from $3,000 to $1,500 for The El Segundo Nursery School Group to operate a non-profit pre-school at the Clubhouse Building. (Fiscal Impact: Reduction of reservation revenues of $1,500.00 in Fiscal Year 2016/17 to $1.00, amendment no. 4698A)

Greg Carpenter, City Manager, introduced the item.

Meredith Petit, Director of Recreation and Parks, gave a presentation.
Council Discussion

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Boyles to amend License Agreement #4698 and reduce the reservation fee for FY 16/17 from $3,000 to $1.00 for The El Segundo Nursery School Group to operate a non-profit pre-school at the Clubhouse Building. MOTION PASSED BY A VOICE VOTE. 4/1. YES: Brann, Boyles, Dugan, Pirsztuk NO: Fuentes

13. ITEM HAS BEEN REMOVED

14. ITEM HAS BEEN REMOVED

G. REPORTS – CITY MANAGER – Congratulated Meredith Petit and her staff on National Park and Recreation Month July 2016. Gave an update on various projects throughout the City; Richmond Street rehabilitation is moving forward, water main on Center is in progress, sidewalk repairs throughout the City are wrapping up, sewer repairs on the eastside are taking place. In June the Library will be receiving new windows, in July the Joslyn Center elevator will be refurbished, in August catch basin work will begin and in September ADA ramps will be installed throughout the City.

H. REPORTS – CITY ATTORNEY - None

I. REPORTS – CITY CLERK - None

J. REPORTS – CITY TREASURER – Not present

K. REPORTS – CITY COUNCIL MEMBERS

Mayor Pro Tem Boyles and Council Member Pirsztuk –

15. Consideration and possible action to expand the Technology Subcommittee to include local industry representatives and residents as an advisory board to review and provide recommendations specific to the City’s technology systems. (Fiscal Impact: $0).

Council Discussion

MOTION by Mayor Pro Tem Boyles, SECONDED by Council Member Pirsztuk directing staff to develop a recommendation for expanding the Technology Subcommittee to become an advisory body consisting of industry representatives and residents with the expertise to advise the City on its technology systems. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.

Council Member Brann – Toured the Human Resources and Fire Department, up next the Police Department and the Engineering department of Public Works, had a ride along with Officer Atkinson. Attended the EDAC meeting, Friends of the Library meeting, Farmer’s Market, and the Art Walk. Dr. Brann gave a shout out to Sari Brann on their 49th Wedding Anniversary.
Council Member Pirsztuk – Thanked the Art Walk committee for a great event, thanked the ESTV on their recent efforts to publicize our town and congratulated the students of ESUSD who have graduated, promoted and culminated.

Council Member Dugan – Paid the $1.00 for the ES Co-Op lease fee. Attended a preview of the Metro Station upgrades taking place at the airport; one of the items is extending the green line down to Century Blvd. Mr. Dugan gave a report on what is coming in the next few years with this project and how it will possibly impact El Segundo.

Mayor Pro Tem Boyles – Attended the LAX Advisory meeting, thanked Debra Brighton and her staff for a great Author’s Fair and thanked the Gianusso’s, Bustom’s and Katskee families for their time in El Segundo, all three families are moving and will be missed.

16. Consideration and possible action to direct staff to develop a proposal to form an Arts and Culture Advisory Committee for City Council review Recommendation – 1) Direct staff to develop a proposal to form an Arts and Culture Advisory Committee for City Council review; and/or, 2) Alternatively, discuss and take other action related to this item.

Council Discussion

MOTION by Mayor Pro Tem Boyles, SECONDED by Council Member Pirsztuk directing staff to develop a proposal to form an Arts and Culture Advisory Committee for City Council review. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.

Mayor Fuentes – Attended the Shreiher Wall dedication at the Los Angeles Air Force Base, Salute to SMC awards, Author Fair, Sanitation District meeting, Art Walk, Kite-Pharma Grand Opening, Sunday’s Concert in the Park, Mayor Garcetti’s Convening of the Mayor’s in Burbank and lastly will be attending the Change of Command for Colonel Turner.

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total)
Mike Robbins, resident, commented on Assemblywoman Autumn Burke’s and AQMD’s event on June 25th.

MEMORIALS – None

ADJOURNMENT at 8:45 PM

Tracy Weaver, City Clerk
SPECIAL MEETING OF THE EL SEGUNDO CITY COUNCIL
THURSDAY, JUNE 23, 2016, 6:00 P.M.

CALL TO ORDER – Mayor Fuentes at 6:08 PM

ROLL CALL

Mayor Fuentes - Present
Mayor Pro Tem Boyles - Present
Council Member Dugan - Present
Council Member Brann - Present
Council Member Pirsztuk - Present

PUBLIC COMMUNICATION – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) None

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 CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): -6- matters

1. Employee Organizations: Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; City Employees Association; Executive Management Group (unrepresented group); Management/Confidential (unrepresented employees).

Agency Designated Representative: Steve Falarsky and City Manager

ADJOURNMENT at 8:55 PM

Tracy Weaver, City Clerk
AGENDA DESCRIPTION:
Consideration and possible action to approve an agreement, on a sole source basis, with Steve Koester dba Environmental Compliance Services to provide temporary consultant services for the Fire Department and its Certified Unified Program Agency (CUPA) program (Fiscal Impact: $110,000).

RECOMMENDED COUNCIL ACTION:
1. Authorize the City Manager to sign and enter into a Professional Services Agreement, in a form approved by the City Attorney, with Steve Koester dba Koester Environmental Compliance Services;
2. Authorize a blanket purchase order for Steve Koester dba Koester Environmental Compliance Services to enable the Fire Department to receive the services provided by Steve Koester dba Environmental Compliance Services, not to exceed $110,000;
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Proposed Agreement
2. Koester Environmental Compliance Services Quote
3. Non-Competitive (Sole Source) Procurement Request

FISCAL IMPACT: $110,000
- Amount Budgeted: $110,000
- Additional Appropriation: None
- Account Number(s): $110,000 (Fire: 001-400-3205-6214)

ORIGINATED BY: Carol Lynn Anderson, Senior Management Analyst
REVIEWED BY: Christopher Donovan, Fire Chief
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
The California Environmental Protection Agency (Cal-EPA) has certified the City of El Segundo to implement the Cal-EPA Unified Program elements for hazardous material storage handling and waste regulations as it relates to hazardous materials within the business community. Certified Unified Program Agencies (CUPA), as they are called, are given authority to require permits, inspect facilities, issue violations and perform enforcement to improve environmental quality and protect public safety. Businesses that fall under the CUPA program, based on type
and/or quantity of hazardous materials stored on site, pay annual special permit fees that are used to manage the program.

In 2014 the El Segundo Fire Department’s Environmental Safety Manager and CUPA program administrator retired. This position remains vacant due to unforeseen circumstances in relationship to a retirement benefit conflict. The resolution of this issue has delayed the filling of this position and the Department now needs temporary assistance for this program. Subsequently, in October 2015 a Cal-EPA audit of the program revealed deficiencies including the need to have qualified technical program staff to run the CUPA program. Existing fire department staff do not have the minimum qualifications to satisfy the requirements of this position. Thus, the Fire Department must enter into a temporary services agreement to perform the duties of the Environmental Safety Manager and perform CUPA program administration until the City can hire a permanent employee. Given permit fees are collected to manage the CUPA program, all costs for this temporary service agreement will be paid through CUPA funds with no impact to the general fund.

Due to the specialized skill set required to run this program, City staff are recommending the City Council award this contract, on a sole source basis, to Koester Environmental Compliance Services. Koester meets the unique requirements of sole source, in that the consulting firm can meet the stringent work requirements of the Environmental Safety Manager, is the only local firm that has performed this same work in another Southern California department and understands the unique challenges found in El Segundo. The scope of work will include Koester Consulting managing the entire Environmental Safety Program including: Data collection through the California Environmental Reporting System (CERS) and Digital Health Department (DHD) inspection and permitting process; Maintenance of inspection schedules for all program businesses in order to meet the State’s inspection frequency requirements; Enforcement actions for businesses reluctant to meet the criteria for compliance; And revenue opportunities that may exist within the program. The Consultant will also conduct inspections of businesses that require a senior inspector (e.g. tiered permit facilities, Cal-ARP facilities, Underground Tanks, and APSA facilities) and provide additional training to the current inspector or any future hire on CUPA elements to enhance knowledge, skills and abilities: Finally, the consultant’s work will comply with all State mandates and as such the consultant will assist the department with any audits of the program. The department will monitor work progress on a monthly basis to ensure compliance with the scope for work identified and it is not anticipated that the contract will exceed 12 months.

The fire department is recommending the City Council approve an agreement for one year beginning July 19, 2016 through July 18, 2017. Staff request that the City Council authorize the City Manager to sign the agreement, in a form approved by the City Attorney. Likewise, the El Segundo Fire Department requests the City Council authorize a blanket purchase order to Koester Environmental Compliance Services not exceed $110,000 annually.
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE CITY OF EL SEGUNDO AND
STEVE KOESTER
dba
KOESTER ENVIRONMENTAL COMPLIANCE SERVICES

This AGREEMENT is entered into this 19th day of July, 2016, by and between the CITY OF EL SEGUNDO, a municipal corporation and general law city ("CITY") and STEVE KOESTER dba KOESTER ENVIRONMENTAL COMPLIANCE SERVICES ("CONSULTANT").

1. CONSIDERATION.

A. As partial consideration, CONSULTANT agrees to perform the work listed in the SCOPE OF SERVICES, below;

B. As additional consideration, CONSULTANT and CITY agree to abide by the terms and conditions contained in this Agreement;

C. As additional consideration, CITY agrees to pay CONSULTANT a sum not to exceed one hundred ten thousand dollars ($110,000.00) for CONSULTANT’s services. CITY may modify this amount as set forth below. Unless otherwise specified by written amendment to this Agreement, CITY will pay this sum as specified in the attached Exhibit “A,” which is incorporated by reference.

2. SCOPE OF SERVICES.

A. CONSULTANT will perform professional Consultant services listed in the attached Exhibit “A,” which is incorporated by reference.

B. CONSULTANT will, in a professional manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CITY, necessary or proper to perform and complete the work and provide the professional services required of CONSULTANT by this Agreement.

3. PERFORMANCE STANDARDS. While performing this Agreement, CONSULTANT will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CITY will continuously monitor CONSULTANT’s services. CITY will notify CONSULTANT of any deficiencies and CONSULTANT will have fifteen (15) days after such notification to cure any shortcomings to
CITY’s satisfaction. Costs associated with curing the deficiencies will be borne by CONSULTANT.

4. PAYMENTS. For CITY to pay CONSULTANT as specified by this Agreement, CONSULTANT must submit a detailed invoice to CITY which lists the hours worked and hourly rates for each personnel category and reimbursable costs (all as set forth in Exhibit “A”) the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date.

5. NON-APPROPRIATION OF FUNDS. Payments due and payable to CONSULTANT for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CITY. In the event the CITY has not appropriated sufficient funds for payment of CONSULTANT services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year.

6. ADDITIONAL WORK.

A. CITY’s city manager (“Manager”) may determine, at the Manager’s sole discretion, that CONSULTANT must perform additional work (“Additional Work”) to complete the Scope of Work. If Additional Work is needed, the Manager will give written authorization to CONSULTANT to perform such Additional Work.

B. If CONSULTANT believes Additional Work is needed to complete the Scope of Work, CONSULTANT will provide the Manager with written notification that contains a specific description of the proposed Additional Work, reasons for such Additional Work, and a detailed proposal regarding cost.

C. Payments over $110,000 for Additional Work must be approved by CITY’s city council. All Additional Work will be subject to all other terms and provisions of this Agreement.

7. FAMILIARITY WITH WORK.

A. By executing this Agreement, CONSULTANT agrees that it has:

i. Carefully investigated and considered the scope of services to be performed;

ii. Carefully considered how the services should be performed; and

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

B. If services involve work upon any site, CONSULTANT agrees that CONSULTANT has or will investigate the site and is or will be fully acquainted with the conditions there existing, before commencing the services hereunder.
Should CONSULTANT discover any latent or unknown conditions that may materially affect the performance of the services, CONSULTANT will immediately inform CITY of such fact and will not proceed except at CONSULTANT’s own risk until written instructions are received from CITY.

8. TERM. The term of this Agreement will be from July 19, 2016, to July 18, 2017. Unless otherwise determined by written amendment between the parties, this Agreement will terminate in the following instances:

A. Completion of the work specified in Exhibit “A”;

B. Termination as stated in Section 16.

9. TIME FOR PERFORMANCE.

A. CONSULTANT will not perform any work under this Agreement until:

i. CONSULTANT furnishes proof of insurance as required under Section 23 of this Agreement; and

ii. CITY gives CONSULTANT a written notice to proceed.

B. Should CONSULTANT begin work on any phase in advance of receiving written authorization to proceed, any such professional services are at CONSULTANT’s own risk.

10. TIME EXTENSIONS. Should CONSULTANT be delayed by causes beyond CONSULTANT’s control, CITY may grant a time extension for the completion of the contracted services. If delay occurs, CONSULTANT must notify the Manager within forty-eight (48) hours, in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement’s schedule. The Manager will extend the completion time, when appropriate, for the completion of the contracted services.

11. CONSISTENCY. In interpreting this Agreement and resolving any ambiguities, the main body of this Agreement takes precedence over the attached Exhibits; this Agreement supersedes any conflicting provisions. Any inconsistency between the Exhibits will be resolved in the order in which the Exhibits appear below:

A. Exhibit A: Scope of Work.

12. CHANGES. CITY may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by CONSULTANT and CITY. The cost or credit to CITY resulting from changes in the services will be determined in accordance with written agreement between the parties.
13. **TAXPAYER IDENTIFICATION NUMBER.** CONSULTANT will provide CITY with a Taxpayer Identification Number.

14. **PERMITS AND LICENSES.** CONSULTANT, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement.

15. **WAIVER.** CITY’s review or acceptance of, or payment for, work product prepared by CONSULTANT under this Agreement will not be construed to operate as a waiver of any rights CITY may have under this Agreement or of any cause of action arising from CONSULTANT’s performance. A waiver by CITY of any breach of any term, covenant, or condition contained in this Agreement will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

16. **TERMINATION.**

   A. Except as otherwise provided, CITY may terminate this Agreement at any time with or without cause.

   B. CONSULTANT may terminate this Agreement at any time with CITY’s mutual consent. Notice will be in writing at least thirty (30) days before the effective termination date.

   C. Upon receiving a termination notice, CONSULTANT will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by CONSULTANT after receiving a termination notice will be performed at CONSULTANT’s own cost; CITY will not be obligated to compensate CONSULTANT for such work.

   D. Should termination occur, all finished or unfinished documents, data, studies, surveys, drawings, maps, reports and other materials prepared by CONSULTANT will, at CITY’s option, become CITY’s property, and CONSULTANT will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 1(C).

   E. Should the Agreement be terminated pursuant to this Section, CITY may procure on its own terms services similar to those terminated.

   F. By executing this document, CONSULTANT waives any and all claims for damages that might otherwise arise from CITY’s termination under this Section.

17. **OWNERSHIP OF DOCUMENTS.** All documents, data, studies, drawings, maps, models, photographs and reports prepared by CONSULTANT under this Agreement are CITY’s property.
KOESTER ENVIRONMENTAL COMPLIANCE SERVICES

7 Glenn
Irvine, CA 92620

Phone: 949-517-8036

City of El Segundo Fire Department
314 Main Street
El Segundo, CA 90245

8 June 2016
KECS/ELSEGUNDODCT-01

Attention: Christopher Donovan, Fire Chief

SUBJECT: PROPOSAL FOR THE TEMPORARY OVERSITE OF THE EL SEGUNDO CUPA PROGRAM

Dear Chief Donovan:

Thank you again for giving me the opportunity to assist the City of El Segundo’s Fire Department with maintaining the environmental program for the City of El Segundo. This proposal outlines our proposed scope of work and estimated budget/costs, and is based on my discussions with you and James Carver, regarding your environmental program needs.

GENERAL SCOPE OF WORK

Project Understanding and Scope
To provide managerial services to the El Segundo Fire Department for the Certified Unified Program Agency (CUPA). The services would be temporary, until the position could be filled by a permanent appointment by the City. The purpose of this hiring is to ensure the City of El Segundo is meeting all CUPA program and reporting requirements.

These services would include the management of the program data being collected through CERS as well as the City’s DHD software system. To maintain the inspection schedules for all program businesses in order to meet the State’s inspection frequency requirements. To ensure all CUPA fees are billed and collected. Conduct any enforcement actions on businesses that have met the criteria for enforcement.

Work with the current inspector to ensure the inspections are being conducted on schedule and all reporting requirements are being met. To provide additional training to the inspector on the various elements of the CUPA program, and to improve the employee’s knowledge.

Conduct inspections of businesses in the City of El Segundo that require a senior inspector, such as Tiered Permit facilities, Cal ARP facilities, Underground Tank facilities and APSA facilities.

Maintain the budget for the CUPA program, giving regular updates to the Fire Chief. KECS to assist the department with any requirements for the CUPA program.
SCHEDULE

The workweek would be flexible, with three days a week being the optimal schedule. Due to scheduled travel, most months would consist of three weeks of work, with one week off. The work schedule would not exceed 90 hours per month.

BUDGET

The work would be performed at an hourly rate of $115 per hour with a limit not to exceed $10,350 per month. The hourly rate does not include travel time and no charges for mileage. KECS will supply the uniform for work, approved by the Chief. The terms of this agreement are good for one year from the start of the agreement.

Chief, I sincerely appreciate the opportunity to be of service to you, and the City of El Segundo. Please call me at 949-517-8036 should you have any questions regarding this proposal. On behalf of KECS, I look forward to working with you and the City.

Sincerely,
Koester Environmental Compliance Services

Steve Koester
President & Principal Environmental Scientist
PROJECT SPECIFIC CONDITIONS OF SERVICE

KECS will perform the Services in accordance with the following Conditions of Service, which are incorporated into the contract documents by this reference.

Note: KECS has and will continue to use all reasonable care to assure that assumptions used to prepare estimates of price and schedule are realistic, but schedule and cost will necessarily change if the assumptions prove to be inaccurate as a result of unforeseen or unpredictable events.

KECS' Services are based strictly on the Scope of Work, which was established after negotiation between the parties, taking into consideration the time, budgetary and practical constraints inherent in consulting work. KECS advises that it is not reasonable to expect that the Scope of Work includes evaluation of every issue or condition which could be claimed or construed to be a violation of a requirement or a noncompliance issue in the event of, for example, a regulatory audit or inspection, and no such representation is made by KECS.

KECS advises that regulatory requirements are often subject to interpretation, and that conditions and activities at a facility either after the time of a compliance review or during a regulatory inspection can affect regulatory agency conclusions regarding compliance issues. KECS shall not be alleged to negligent, nor will KECS be liable under this Agreement or otherwise for Services performed in accordance with standards of care and diligence utilized by those performing similar services at the time and in the vicinity in which the Services are performed.

1. The scope of work is restricted to that which is outlined in this proposal

2. KECS warrants that it and/or its subcontractors will prepare and/or update the plans and programs referenced in this proposal in general accordance with applicable regulatory guidelines and "standard of practice" usually employed for these types of plans and programs. CLIENT understands and agrees that KECS has no operational or supervisory authority or oversight of Client's employees or contractors, and that, due to the variability in the type and condition of materials and equipment which may be present at CLIENT facilities, and the inherent variability in the performance of individuals, KECS and/or its subcontractors shall be held harmless by CLIENT from any and all losses or damage that may arise, including, but not limited to subsequent employee or equipment performance shortfalls, releases of regulated materials from covered processes and equipment, or facility actions in implementing the subject plans or programs.

3. KECS has assumed that no scheduling or other unforeseen difficulties in obtaining necessary data, diagrams, data or other information or meeting with key personnel will be encountered. If this assumption proves incorrect, this change in conditions may impact the budget and schedule.

4. CLIENT will provide access to the facility and will make arrangements, including internal scheduling, for access to all necessary buildings, departments, areas, etc. by personnel of KECS. KECS has assumed that there will be clear, immediate and ready access to all necessary areas at the facility. Any delays in accessing or entering facility areas could result in disruption of the Services, and may impact the schedule or budget.

5. CLIENT will provide a designated project manager who will be available to respond to information requests by KECS personnel during performance of the scope of work.

6. CLIENT will prepare, organize and provide copies, where requested, of all documentation relevant to this project. Any delays in obtaining copies of materials, or access to the facility or personnel, could result in substantial disruption of the work schedule and may necessitate additional time and an increase in schedule and project budget.

7. Where key management, staff and other CLIENT personnel's input would be pertinent to the Services, those persons will be identified and made available for onsite facility or telephone and program information collection activities, including field interviews.

8. CLIENT will be responsible for scheduling arrangements for all personnel who will participate in
any requested training course(s).

9. For any training provided under this proposal, CLIENT will either provide the classroom facilities for the training, or will notify KECS at least one month in advance of the course schedule if KECS is to arrange outside facilities for training course(s). CLIENT will provide direct payment to the selected facility for services rendered.

10. CLIENT will be responsible for approving the final course curriculum for any training provided.

11. For any training provided under this proposal, participants will be expected to complete training course assignments and/or projects where requested, as part of the requirements of course completion and prior to receipt of completion certificates, if applicable. If training course(s) are to be a 'certificated' or 'qualification' course, CLIENT agrees that a post-training test or exam will be administered and that a minimum passing score is required for an attendee to be considered 'certified' or 'qualified'. It is the responsibility of CLIENT to determine the required minimum passing score to notify participants in advance of these requirements.

12. Unless stated and arranged otherwise for specific courses, for any training provided under this proposal, training course(s) are designed and will be presented in English. Students will be expected to be able read and understand English. As the information provided in training course(s) may have an impact on the health and safety of employees, as well as the regulatory compliance of CLIENT, CLIENT will be solely responsible for ensuring that all participants can understand the material presented. Should a translator be required, CLIENT shall make all arrangements for such services. KECS will provide Spanish language training and training materials as part of the Services upon request.

13. Training course content for any training provided under this proposal will be based on the following: current applicable regulatory guidelines as set forth in applicable sections of the California Code of Regulations, Code of Federal Regulations, applicable internal CLIENT plans and programs and "standard of practice" for course content typically included in such training; and, the experience and judgment of KECS and/or any of its subcontractors in conducting this type of training.

14. For any training provided under this proposal, KECS warrants that it and/or its subcontractors will prepare and teach training course(s) in general accordance with applicable regulatory guidelines and "standard of practice" usually employed for this type of training. CLIENT understands and agrees that KECS has no operational or supervisory authority or oversight of Client's employees, and that, due to the variability in the type and condition of materials which may be present or generated as wastes at CLIENT facilities, and the inherent variability in the performance of individuals, KECS and/or its subcontractors shall be held harmless by CLIENT from any and all losses or damage that may arise, including, but not limited to subsequent employee performance shortfalls or activities exceeding the scope of training delivered.
NON-COMPETITIVE PROCUREMENT REQUEST

Date: 06-27-2016
Vendor/Brand Name: Koester Environmental Compliance Services
Requisition #: 
Estimated Dollar Amount: $110,000.00

When a request is made for a non-competitive purchase and the specifications limit the bidding to one source and/or one brand or trade name, the requesting department must complete the following. The form should be authorized by the next highest signature authority for the dollar value of the purchase. Also, please include a description of the good(s) or service(s) requested.

I. Please check one of the following:

1. ☐ SOLE SOURCE: Goods or services are available from one source only.
   What are the unique performance features of the product/brand requested that are not available in any other product/brand? For services: What unique qualifications, rights, licenses, etc. does this vendor possess?

2. ☐ SOLE BRAND: Various sources can supply the specified model and brand and competitive bids will be solicited for the requested brand only.
   Why are the unique performance features REQUIRED (not merely preferred), and how would your requirement be inhibited without this particular good/service?

3. ☐ STANDARDIZATION REQUEST: The City requires the item(s) to standardize parts, design, quality, etc...
   If justification is based on matching with existing equipment, list the quantity, manufacturer, brand, and model of the existing equipment, and why the matching is required.

4. ☒ NON-COMPETITIVE RECOMMENDATION: Examples include time constraints, pre-qualified suppliers/contractors, and quality/reliable performance history.
   What are the special reasons, circumstances, or conditions that make a competitive purchase unfeasible and outside of the City's policies and procedures?

Koester meets the unique requirements of sole source, in that the consulting firm can meet the stringent work requirements of the Environmental Safety Manager, is the only local firm that has performed this same work in another southern California department and understands the unique challenges found in El Segundo. Since the department does not have qualified staff to run the CUPA it is imperative we hire a consultant to full-fill the responsibilities as soon as possible. Koester Consulting will manage the entire Environmental Safety Program including: Data collection through the California Environmental Reporting System (CERS) and Digital Health Department (DHD) inspection and permitting process; Maintenance of inspection schedules for all program businesses in order to meet the State's inspection frequency requirements; Enforcement actions for businesses reluctant to meet the criteria for compliance; And revenue opportunities that may exist within the program. The Consultant will conduct inspections of businesses that require a senior inspector (e.g. tiered permit facilities, Cal-ARP facilities, Underground Tanks, and APSA facilities) and provide additional training to the current inspector on CUPA elements to enhance knowledge, skills and abilities.

I am aware of City of El Segundo's policy for competitive bidding and the established criteria for a new Competitive Purchase Request.
EL SEGUNDO CITY COUNCIL
AGENDA STATEMENT

AGENDA DESCRIPTION:
Consideration and possible action to accept as complete the Water Main Improvement Project on Virginia St., Oak Ave. and Bayonne St., Project No. PW15-08 (Fiscal Impact: $1,355,863.88.)

RECOMMENDED COUNCIL ACTION:
1. Accept the Water Main Improvement Project work for Project No.15-08 as complete.
2. Authorize the City Clerk to file Notice of Completion in the County Recorder’s office.
3. Alternatively, discuss and take other possible actions related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Notice of Completion
Project Location Map

FISCAL IMPACT: Budget Adjustment Required

Amount Budgeted: $1,527,552.00
Additional Appropriation: N/A
Account Number(s): 501-400-7103-8207 (Water Enterprise Fund CIP)

ORIGINATED BY: Lifan Xu, Principal Civil Engineer
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

On April 21, 2015, City Council adopted plans and specifications for the Water Main Improvement Project on Virginia St., Oak Ave. and Bayonne St. (Project No. PW15-08) and authorized staff to advertise the project for receipt of construction bids. A total of approximately 3,600 ft. of water mains were scheduled for replacement in this project. Locations include:

- Virginia St., from Mariposa Ave. to Maple Ave.
- Oak Ave., from Main St. to Bayonne St.
- Bayonne St., from Maple Ave. to Palm Ave.

On June 15, 2015, City Council awarded a standard public works contract to the lowest responsible bidder, Ramona, Inc. for $1,221,566.00 and approved an additional $183,235.00 for construction-related contingencies. City Council also awarded a professional services agreement to AKM Consulting Engineers to provide construction inspection and geotechnical inspection for the project in the amount of $112,751.00 with an additional $10,000.00 for contingencies.
Construction began on September 8, 2015 and was successfully completed by Ramona, Inc. on April 20, 2016. Additional leaking water mains and valves were discovered during construction and subsequently repaired with construction contingency.

Staff recommends that City Council accept the work performed by Ramona, Inc. as complete and authorize the City Clerk to file a Notice of Completion with the County Recorder's office.

**Accounting Summary:**

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<th>Description</th>
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<td>Ramona, Inc. Contract Amount</td>
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<td>AKM Construction Inspection Funds Utilized</td>
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<td>Amount Budgeted for the project</td>
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<td>Total Funds Spent</td>
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<td><strong>Unspent Budgeted Amount Returned to the Water Fund</strong></td>
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NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Virginia, Oak and Bayonne Water Main Improvement

Project No.: PW 15-08 Contract No. 4870

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of the interest stated below in the property hereinafter described.

2. The full name of the owner is: City of El Segundo

3. The full address of the owner is: City Hall, 350 Main Street, El Segundo, CA, 90245

4. The nature of the interest of the owner is: Public Facilities

5. A work of improvement on the property hereinafter described was field reviewed by the City Engineer on April 20, 2016. The work done was: Water Main Improvement.

6. On July 19, 2016, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.

7. The name of the Contractor for such work of improvement was: Ramona, Inc.

8. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: Virginia St. from Maple Ave. to Mariposa Ave., Oak Ave. from Main St. to Bayonne St., and Bayonne St. from Maple Ave. to Palm Ave.

9. The street address of said property is: Virginia St., Oak Ave. and Bayonne St. in El Segundo, CA 90245

Dated: ____________________________

Stephanie Katsouleas
Public Works Director

VERIFICATION

I, the undersigned, say: I am the Director of Public Works/City Engineer of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on ______________________, 2016 at El Segundo, California. 90245

Stephanie Katsouleas
Public Works Director
PW15-08, Water Main Improvement at Virginia, Oak and Bayonne
Project Location
EL SEGUNDO CITY COUNCIL

AGENDA STATEMENT

MEETING DATE: July 19, 2016
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:
Consideration and possible action to accept as complete the Sewer Main Improvement in western residential area, Project No. PW 13-24 (Fiscal Impact: $1,407,096.67)

RECOMMENDED COUNCIL ACTION:
1. Accept the Sewer Main Improvement work for Project No. 13-24 as complete.
2. Authorize the City Clerk to file Notice of Completion in the County Recorder’s office.
3. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Notice of Completion
Project Location Map

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $1,533,728.25
Additional Appropriation: N/A
Account Number(s): 502-400-8204-8647 ($1,512,608.25, Sewer Enterprise Fund)
001-400-4302-6215 ($21,120.00, Storm Drain Repair)

ORIGINATED BY: Lifan Xu, Principal Civil Engineer
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

On September 16, 2014, City Council adopted plans and specifications for the Sewer Main Improvement (Project No. PW13-24) and authorized staff to advertise the project for receipt of construction bids. On April 21, 2015, the City Council awarded a standard public works contract to the lowest responsible bidder, Lucas Builders, Inc. in the amount of $1,221,555.00 with an additional $183,233.00 for construction-related contingencies. City Council also awarded a professional services agreement to AKM Consulting Engineers to provide construction inspection and geotechnical inspection for the Project in the amount of $118,940.00 with an additional $10,000.00 for contingencies.

The repairs were predominantly located in the western residential areas of El Segundo, with a total repaired length of approximately 4,000 ft (see attached map of project area.) The project also includes installation of a new, strategically located, storm drain catch basin and 40 ft of storm drain inlet connecting pipe on Holly Ave. just west of Richmond St., which will help alleviate storm water “flash flood” ponding problems occurring in the adjacent alleyway resulting from heavy rain falls over short durations.
Construction began on July 6, 2015 and was successfully completed by Lucas Builders, Inc. on April 22, 2016. Additional deficient sewer main locations were discovered during construction and subsequently repaired with construction contingency funds.

Staff recommends that City Council accept the work performed by Lucas Builders, Inc. as complete and authorize the City Clerk to file a Notice of Completion with the County Recorder's office.

**Accounting Summary:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lucas Builders, Inc. Contract Amount</td>
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</tr>
<tr>
<td>AKM Construction Inspection Funds Utilized</td>
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</tr>
<tr>
<td>Advertising for Bids in Newspaper</td>
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<tr>
<td>Change Order and Construction Contingency Utilized</td>
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</tr>
<tr>
<td><strong>Total Funding Spent</strong></td>
<td><strong>$1,407,096.67</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount Budgeted for the project</td>
<td>$1,533,728.25</td>
</tr>
<tr>
<td>Total Funding Spent</td>
<td>-$1,407,096.67</td>
</tr>
<tr>
<td><strong>Unspent Budgeted Amount Returned to the Sewer Fund</strong></td>
<td><strong>$126,631.58</strong></td>
</tr>
</tbody>
</table>
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Sewer Main Improvement in Western Residential Area

Project No.: PW 13-24 Contract No. 4841

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of the interest stated below in the property hereinafter described.

2. The full name of the owner is: City of El Segundo

3. The full address of the owner is: City Hall, 350 Main Street, El Segundo, CA, 90245

4. The nature of the interest of the owner is: Public Facilities

5. A work of improvement on the property hereinafter described was field reviewed by the City Engineer on April 22, 2016. The work done was: Sewer Main Improvement.

6. On July 19, 2016, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.

7. The name of the Contractor for such work of improvement was: Lucas Builders, Inc.

8. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: Various streets in the residential area of the City of El Segundo.

9. The street address of said property is: Virginia St., Oak Ave., Bayonne St., Palm Ave., Loma Vista St., Concord St., Center St., Acacia Ave., California St., and Oregon St. in El Segundo, CA 90245

Dated: ____________________________

Stephanie Katsouleas
Public Works Director

VERIFICATION

I, the undersigned, say: I am the Director of Public Works/City Engineer of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on _________________, 2016 at El Segundo, California. 90245

Stephanie Katsouleas
Public Works Director
EL SEGUNDO CITY COUNCIL

AGENDA STATEMENT

MEETING DATE: July 19, 2016

AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:

Consideration and possible action to adopt a Resolution approving plans and specifications for the Pump Station #1 & #7 Modification Improvement, Project No. PW 16-07. (Fiscal Impact: To be determined.)

RECOMMENDED COUNCIL ACTION:

1. Adopt a resolution approving plans and specifications for the Pump Station #1 & #7 Modification Improvement, Project No. PW 16-07;
2. Authorize staff to advertise the project for receipt of construction bids; or
3. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Resolution
Map of Project Area

FISCAL IMPACT: To be determined.

Amount Budgeted: $4,200,000.00
Additional Appropriation: N/A
Account Number(s): 502-400-8204-8650 (Sewer Enterprise Fund, Pump Stations)
502-400-8204-8647 (Sewer Enterprise Fund, Sewer Main)

ORIGINATED BY: Lifan Xu, Principal Civil Engineer

REVIEWSED BY: Stephanie Katsouleas, Public Works Director

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

The City of El Segundo’s existing wastewater collection system consists of a combination of gravity sewer mains and nine sewer pump/lift stations. Peak performance of entire sewer network is critical given that any failure could have far-reaching ramifications. It must be reliable and provide for sufficient capacity, redundancy and a dependable telemetry system to notify appropriate personnel in the event of a potential or actual failure.

The City’s Sewer System Evaluation and Capacity Assurance Plan identified modification of pump station #1 and #7 as a priority project in replacing and upgrading the City’s aging sewer infrastructure. The plans and specifications for the consolidation of pump stations #1 and #7 were completed by AKM Consulting Engineers and reflect current codes and conditions (see attached map).

As part of the consolidation, pump station #1 will be upgraded to include additional storage capacity, new pumps and related equipment, a backup diesel powered generator, new electrical
control & telemetry systems, and a realigned force main pipe to convey the sewage flow fully within the street right-of-way instead of through city property and private property (via an easement) between Acacia and Imperial Ave. All flows from pump station #7 will be diverted to pump station #1, and ultimately pump station will no longer be needed. However, pump station #7 will be placed on stand-by for unforeseen circumstances until sufficient evidence proves that it is no longer needed. This project also includes replacement of the broken emergency generator for pump station # 4 at Kansas and Holly.

Therefore, staff recommend that City Council adopt the attached resolution approving the plans and specifications for the Pump Station #1 & #7 Modification Improvement, Project No. PW 16-07, and authorize staff to advertise the project for receipt of construction bids.

The anticipated timeline is as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>July, 2016</td>
<td>Advertise the Project</td>
</tr>
<tr>
<td>September, 2016</td>
<td>City Council awards the project</td>
</tr>
<tr>
<td>October, 2016</td>
<td>Start Construction</td>
</tr>
<tr>
<td>September, 2017</td>
<td>Complete Construction</td>
</tr>
</tbody>
</table>

This work was identified and approved in FY 2015/16 budget as part of our Capital Improvement Program project listing and will advance our ultimate goal to replace all of our aging infrastructure.
RESOLUTION NO. __

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF PUMP STATION #1 & #7 MODIFICATION, PW 16-07. PURSUANT TO GOVERNMENT CODE § 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT.

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

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

A. The City retained AKM Consulting Engineers ("Consultant") as the engineer to design and prepare the plans and specifications for Pump Station #1 & #7 Modification, PW 16-07 ("Project");

B. The Consultant informed the City Engineer that these plans and specifications are complete and that construction of the Project may begin;

C. The City Engineer reviewed the completed plans and specifications for the Project and agrees with the Consultant that the plans and specifications are complete and the Project may be constructed;

D. 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: 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.

SECTION 3: 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 4: The City Clerk is directed to certify the adoption of this Resolution.

SECTION 5: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ___ day of __________, 2016.

_____________________________
Suzanne Fuentes, Mayor

ATTEST:

_____________________________
Tracy Weaver, City Clerk

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

By: _______________________
Karl H. Berger, Assistant City Attorney
AGENDA DESCRIPTION:

Consideration and possible action to adopt a Resolution approving Plans and Specifications for the Water Valve Replacement Project at multiple locations on the following streets: Hillcrest St., Cedar St., Holly Ave., Walnut Ave., Mariposa Ave. and Eucalyptus St., Project No. PW16-24. (Fiscal Impact: To be determined)

RECOMMENDED COUNCIL ACTION:

1. Adopt the attached Resolution approving Plans and Specifications for the Water Valve Replacement Project at multiple locations on the following streets: Hillcrest St., Cedar St., Holly Ave., Walnut Ave., Mariposa Ave. and Eucalyptus St. (Project No. PW16-24).

2. Alternatively, discuss and take other possible actions related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Resolution
Location Map

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $2,000,000.00
Additional Appropriation: N/A
Account Number(s): 501-400-7103-8207 (Water Enterprise Fund)

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

BACKGROUND AND DISCUSSION:

The City is the owner of and responsible for maintaining its water transmission and distribution system. As part of regular annual maintenance, staff evaluates the conditions of the water pipes, valves, fire hydrants, and other water system components and prioritizes a replacement schedule each year.

There are roughly 2,000 valves in the City’s water system. Ensuring proper operation of these assets is critical to both public safety and water system reliability. Our water valve assessment and replacement program is a multi-year, preventative/predictive maintenance improvement project to upgrade’s the City’s water distribution system valves, as well as to minimize the potential for failure, which can ultimately cause water main breaks, additional damages and subsequent repairs.
As part of this year’s efforts, staff has identified 20 deteriorated and inoperable valves in need of replacement (see attached map). Their replacement will improve operational control and provide enhanced isolation capabilities.

The plans and specifications are now complete and ready for adoption by City Council. Staff recommends that City Council: 1) adopt the attached resolution approving the plans and specifications for Water Valve Replacement Project [Project No. PW16-24] and 2) authorize staff to advertise the project for receipt of construction bids.

Staff estimates the following timeline for the project:

<table>
<thead>
<tr>
<th>Month, Year</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>July, 2016</td>
<td>Advertise the Project</td>
</tr>
<tr>
<td>September, 2016</td>
<td>City Council awards project</td>
</tr>
<tr>
<td>October, 2016</td>
<td>Start Construction</td>
</tr>
<tr>
<td>November, 2016</td>
<td>Complete Construction</td>
</tr>
</tbody>
</table>

This work was identified and approved in FY 2015/16 budget as part of our Capital Improvement Program project listing and will advance our ultimate goal to replace all of our aging water infrastructure.
RESOLUTION NO. _____

A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF THE WATER VALVE REPLACEMENT PROJECT PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT.

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

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

A. The City Engineer prepared specifications and plans requesting Construction of the Water Valve Replacement Project (the "Project"). These plans are complete. Bidding for construction of the Project may begin;

B. 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: 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.

SECTION 3: 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") following receipt of construction bids. The Project Payment Account will be the sole source of funds available for the Contract Sum, as defined in the Contract Document administering the Project.

SECTION 4: The City Clerk is directed to certify the adoption of this Resolution.
Sec. 6.150.020. This Resolution will become effective immediately upon adoption.

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

Suzanne Fuentes, Mayor

ATTEST:

Tracy Weaver, City Clerk

APPROVED AS TO FORM:

By: MARK D. HENSLEY, City Attorney
AGENDA DESCRIPTION:

Consideration and possible action regarding a thirty (30) day provisional appointment extension for the position of Information Systems Manager (Fiscal Impact: $).

RECOMMENDED COUNCIL ACTION:

(1) Approve the thirty (30) day provisional appointment extension for the position of IS Manager;

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

ATTACHED SUPPORTING DOCUMENTS:

1) El Segundo Municipal Code Section 1-6-13(c)

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: None
Additional Appropriation: N/A
Account Number(s):

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

BACKGROUND AND DISCUSSION:

The Police Department is requesting another thirty (30) day extension for the interim position of Information Systems Manager in accordance with El Segundo Municipal Code Section 1-6-13(c). Scott Kim has been Acting Information Systems Manager since November 14, 2015, due to the resignation of Larry Klingaman, who held the full time manager position.

Since Mr. Kim was appointed to the Acting IS Manager position, he has been managing various projects including the ongoing fiber plan and the Laserfiche install in addition to coordinating multiple service contracts. Staff is currently researching the various options available to fill this vacancy on a full-time permanent basis. Until such time, we are requesting extending Mr. Kim’s Interim assignment in order to maintain continuity of services.

In accordance with El Segundo Municipal Code Section 1-6-13(c), no person shall be employed by the City under provisional appointment for more than six (6) months in any fiscal year. The Code further states the provisional appointment may be extended for not more than thirty (30) days with Council approval. Staff is requesting a thirty (30) day extension through August 21, 2016. It is the Police Department’s intent to request additional thirty (30) day extensions through the remainder of the fiscal year to comply with ESCC Section 1-6-13(c).
C. Provisional Appointment: In the absence of appropriate employment lists, a provisional appointment may be made of a person meeting the qualifications established for the classification. Any employment list shall be established within six (6) months, for any permanent position filled by provisional appointment. No person shall be employed by the City under provisional appointment for a total of more than six (6) months in any fiscal year except that the City Manager may, with approval of the City Council, extend the period of any provisional appointment for not more than thirty (30) days by any one action.
AGENDA DESCRIPTION:
Consideration and possible action regarding policy action for the Park Vista Senior Housing Facility, located at 615 E. Holly Ave., regarding the loan repayment agreement between the City of El Segundo and the El Segundo Senior Citizen Housing Corporation ("Corporation") and funding of the Voters’ Trust Account (Fiscal Impact: $882,544).

RECOMMENDED COUNCIL ACTION:
1) City Council discuss the loan repayment agreement between the City of El Segundo and the Housing Corporation and provide staff direction.
2) City Council to approve an appropriation in the amount of $882,544 from the General Fund undesignated reserve fund balance to the Voter’s Trust Account (Park Vista Fund)
3) Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1) Park Vista Loan Timeline
2) Ordinance No. 1041A
3) Ordinance No. 1056
4) Resolution No. 3425
5) Loan Agreement No. 1937
6) Amendment #1 to Loan Agreement No. 1937
7) Amendment #2 to Loan Agreement No. 1937

FISCAL IMPACT: $882,544

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<tr>
<th>Amount Budgeted:</th>
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<td>Additional Appropriation:</td>
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</tr>
<tr>
<td>Account Number(s):</td>
<td>from 001-400-0000-9504 to 504-300-0000-9501</td>
</tr>
</tbody>
</table>

ORIGINATED BY: Joseph Lillio, Director of Finance
REVIEWED BY: Mark Hensley, City Attorney & Greg Carpenter, City Manager
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
On November 2, 1982, the voters of the City of El Segundo adopted Ordinance 1041A, changing the appropriations limit for fiscal year (FY) 1980-81 set pursuant to Article XIII B of the California Constitution and granted authority to the City to appropriate excess tax revenues collected in FY 80-81 to be set aside as reserves for capital needs. Ordinance 1041A established
a special account entitled “Voters’ Trust Account” and transferred $2,345,538 of undesignated funds from the General Fund into the Trust account. Pursuant to the terms of the Ordinance, funds in the Voters’ Trust Account could only be spent by the direction of the voters of the City at an election.

The Voters’ Trust funds of $2,345,538 originated from the City exceeding their GANN limit. The Gann limit was set by Proposition 4 passed by California voters in 1979. The Gann limit establishes and defines annual appropriation limits made by the state and individual local governments. It also requires state and local governments to return any funds to taxpayers in excess of the amount appropriated for a given fiscal year, unless otherwise approved by voters. In Fiscal Year 1980-81 the City of El Segundo exceeded their Gann limit by $2,345,538.

On November 8, 1983, the voters approved Proposition D (Ordinance No. 1056) authorizing $2,345,538 plus interest, be expended for the purposes of constructing, operating, and purchasing of property for a Senior Citizens’ Housing project in the City of El Segundo.

The site of Park Vista (land acquisition) was purchased by the City in March 1984 for approximately $500,000. Shortly after the property was acquired, the City Council approved construction of a 97-unit project with a projected cost of about $4 million. Park Vista opened in 1986 with the cost of the project being funded from two sources:

1) By a loan from the City of El Segundo of $1,780,000 at 8% interest for 20 years, monthly payments in the amount of $14,889 began on April 5, 1988, the final payment was due in March 2008. Total due: principal $1,780,000 + 20 years interest $1,793,273 = $3,573,273

2) The voters approved to utilize Gann Initiative Funds that were returned to the City by the State of California to construct Park Vista. Referred to here as the “Voters’ Trust Account” in the amount of $2,345,538. Additionally, there is construction loan interest in the amount of $882,544 that is associated with the principal of $2,345,538.

On October 7, 1986, The City Council adopted Resolution No. 3425 which established a schedule of payments and interest for the two loans; the General Loan of $1,780,000 and the Voters’ Trust Account in the amount of $2,345,538.

On January 5, 1988, the City and the Housing Corporation entered into a “Repayment Agreement”, Loan Agreement No. 1937. Pursuant to this Agreement, the El Segundo Senior Citizens Housing Corporation (“Housing Corporation”) was to repay the $1,780,000 General Fund Loan plus interest at 8% in equal monthly installments of $14,889 over a twenty year period, commencing on April 1988 and ending on May 2008. In addition, the Agreement required the Housing Corporation to pay the City the $2,345,538 expended from the Voters’ Trust Account for construction of the senior housing project with interest in the amount of $882,544. Loan Agreement No. 1937 was amended twice: once in April 1997 and a second time in December 2004. Amendment #1 changed the loan end date for the $1,780,000 loan from June 2007 to June 2008. Amendment #2 refinanced the remaining principal balance of $521,234 on the original $1,780,000 loan from the City to the Housing Corporation from 8% to 4.75% for 3.75 years or 45 months. This reduced the payment from $14,889 to $12,644 per month.
Reduction of the payment impacted General Fund by $2,245 per month or a total of $101,000 for 45 months.

The General Fund Loan of $1,780,000, plus interest, was completely repaid by April 2009. At this time the repayment of the Voters’ Trust Fund loan began. As per the Repayment Agreement, the Housing Corporation first began paying down the $882,544 of fixed interest. This amount was paid in full by September 2014, with all payments going into the City’s General Fund in accordance with the 1988 Repayment Agreement. In January 2015, the Housing Corporation began making monthly principal payments of $13,000 to the Voter’s Trust Fund. Based on the payment of $13,000 per month, the loan will take fifteen years to be paid in full, which will be in the year 2030. The total of all principal payments received through May 31, 2016, amount to $221,000.

The Housing Corporation contracts with a third party to provide property management services to Park Vista senior housing facility. The management services firm ensures a high quality, cost-effective, safe, and livable Facility which serves both the residents of the Facility, the Housing Corporation and the City of El Segundo at large.

The property management firm has oversight and maintains reserves, operations, repairs and maintenance, as well as the capital improvement plan and procurement of those related services. Annual reserve studies are performed by a third-party specialist each year. The 2016 Reserve Study recommended reserves of $1,343,871. As of June 2, 2016, the Housing Corporation has approximately $525,000 on deposit across several accounts. Approximately $50,000 of those funds is required for a reasonable operating account balance, leaving approximately $475,000 as the current reserve balance.

**POLICY DISCUSSION**

The Voters’ Trust Fund was originally set up as a catalyst to receive funds the City collected that exceeded the Gann limit by $2,345,538 in FY 1980-81. These funds as approved by voters, were never intended to function as a loan from the General Fund to Park Vista. The intent was to utilize this one-time source of funds for the purposes of constructing, operating and purchasing property for a senior citizen housing project. Any additional funds required for the initial project would be approved by City Council in the form of a loan, which is what Council did in 1986 with the approval of a General Fund loan in the amount of $1,780,000.

The General Fund loan agreement of $1,780,000 plus interest of approximately $1.7 million, was paid in full by 2009. This loan was within the full authority of the City to execute and enter into such an agreement. The policy discussion will be addressing the funds advanced from the Voters’ Trust Account that ultimately took the form of a loan ($2,345,538 plus interest of $882,544).

The voters did not authorize a loan in the language of the voter approved ordinances (No. 1041A and No. 1056). The voters of the City of El Segundo approved the use of these funds for the sole purpose of constructing a senior living facility.

The City can dissolve (forgive) the remaining loan balance (~$2.1 million) and the associated Repayment Agreement No.1937, as well as refund the interest of $882,544 received into the
General Fund back to the Voter’s Trust Account (Park Vista Fund). The $882,544 would go towards the reserves used for any capital needs and maintenance of the Park Vista senior housing complex, along with the $221k already in the Park Vista fund reserve. This would bring the total City controlled reserve funds to ~$1.1 million, while the Housing Corporation has reserve accounts totaling $525,000. The facility has a need for $1.3 million in capital improvement and operating reserves as identified by a reserve study conducted by an independent third-party specialist.

With the proposed dissolution of the loan, the City will no longer receive the monthly rent payments of $13,000. All rents paid by tenants would be collected and managed by the Housing Corporation. The Housing Corporation currently collects and manages all other rents and fees associated with the tenants. The Housing Corporation was formed by the City for the purpose of oversight and managing Park Vista senior housing. There are reporting requirements and checks and balances the Housing Corporation is obligated to follow. They receive monthly financial reports from the property management firm, as well as undergo an annual audit by an independent CPA firm. The annual financials are reported to the City Council. The Housing Corporation Board reports periodically to City Council and City Council retains ultimate control over Housing Corporation business.

CONCLUSION AND RECOMMENDATION

The intent of the Voters’ Trust Account was never to enter into a loan agreement, rather it was to expend the funds for the purposes of constructing, operating and purchasing property for a senior citizen housing project. Once expended, the City had no authority to require repayment. The dissolution of the 1988 Repayment Agreement will comply with the Voters’ intent.

Also, the repayment of interest back to the Voters’ Trust Fund in the amount of $882,544 will provide needed capital funding for the Park Vista Senior Housing Facility.
PARK VISTA LOAN TIMELINE JANUARY 2016

November 2, 1982 – Election
- Special Municipal Election for the purposes of constructing, operating and purchasing of property for a Senior Citizens Housing project
- Total Voters: 2,289
- Yes Votes: 1,679
- No Votes: 530

November 8, 1983 – Ordinance # 1056
- Authorized expenditure of $2,345,538 from Voters’ Trust Account for the construction of Park Vista

October 7, 1986 – Resolution # 3425
- Original Resolution including details of:
  - $2,345,538 from Voters Trust Account
  - Additional $1,750,000 with 8% interest loan from City repaid General Contingency Account to increase the project from 57 units to 97 units.
- First, pay $1,750,000 plus 8% interest to General Contingency Reserve Fund
- Second, pay $2,345,537 plus $882,545 of interest to the Voters’ Trust Account

January 5, 1988 - Agreement #1937
- Parties memorialized their understanding of Resolution #3425 and repayment terms
- $1,750,000 changed to $1,780,000 – Final loan amount increased?
- Monthly payment set to $14,889

April 18, 1997 – Amendment #1 for Agreement 1937
- Changed loan end date for $1,780,000 payment from June 5, 2007 to June 5, 2008
November 9, 2004 – Amendment #2 for Agreement 1937
- Subcommittee agreed to refinance remaining balance of $521,234 on original $1,780,000 loan
- Loan refinanced from 8% to 4.75% for 3.75 years or 45 months
- Payment reduced from $14,889 to $12,644 per month

December 7, 2004 – Council Meeting
- City Council approved Amendment #2 from November 9, 2004 meeting

Loan Repayment
- The General Fund Loan of $1,780,000, plus interest, was completely repaid by April 2009.
  - $1,780,000 at 8% interest for 20 years, monthly payments in the amount of $14,889 began on April 5, 1988, the final payment was paid in April 2009. Total due: principal $1,780,000 + 20 years interest $1,793,273 = $3,573,273

- At this time the repayment of the Voters’ Trust Fund loan began. As per the Repayment Agreement, the Housing Corporation first began paying down the $882,544 of fixed interest. This amount was paid in full by September 2014, with all payments going into the City’s General Fund.
- In January 2015, the Housing Corporation began making monthly principal payments of $13,000 to the Voter’s Trust Fund. Based on the payment of $13,000 per month, the loan will take fifteen years to be paid in full, which will be in the year 2030.
  - The total of all principal payments received through May 31, 2016, amount to $221,000
ORDINANCE NO. 1041A

AN ORDINANCE OF THE PEOPLE OF THE CITY OF EL SEGUNDO
CHANGING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR
1980-1981 AND DIRECTING THAT TAX REVENUE ALREADY
COLLECTED IN THAT YEAR BE EXPENDED ONLY AS DIRECTED
BY THE VOTERS.

THE PEOPLE OF THE CITY OF EL SEGUNDO, CALIFORNIA, DO ORDAIN
AS FOLLOWS:

SECTION 1. Change of appropriations limit. The appropriations
limit for fiscal year 1980-1981 set pursuant to Article XIII B of the
California Constitution is hereby changed to the extent set forth in
Section 2 of this ordinance.

SECTION 2. Authority to appropriate tax revenues collected in
the 1980-1981 fiscal year to reserves for capital needs. The El Segundo
fiscal year 1980-1981 appropriations limit provided for in Article XIII B
of the California Constitution shall be changed to permit the appropriation
to a Voters' Trust Account of up to $2,345,538 from the unexpended fiscal

SECTION 3. Voters' Trust Account. The City Treasurer is directed
to establish a special account entitled, "Voters' Trust Account" and shall
transfer to said Voters' Trust Account the sum of $2,345,538. Said Voters' Trust Account may be expended only by direction of the voters of the city
at an election to be held at a future date.

SECTION 4. Saving clause. The intent of this initiative is to
comply with California Constitution Article XIII B. If any section, part,
clause, form, word or phrase hereof is for any reason held to be invalid,
the remaining provisions of this act shall remain in full force and effect
and shall be interpreted to serve the intent of this ballot proposition.

SECTION 5. This ordinance shall become effective immediately upon
receipt of the Certification of Election, from the Los Angeles County
Registrar Recorders Office, showing the results of said election held
November 2, 1982.
SECTION 6. The City Clerk shall certify to the passage and 
adoption of this ordinance and shall cause the same to be entered in the 
book of original ordinances of said city. 

PASSED, APPROVED and ADOPTED this 7th day of December, 1982.

[Signature]
Mayor of the City of El Segundo, California

ATTEST:

[Signature]
Valerie A. Burrowes
City Clerk

(SEAL)
STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF EL SEGUNDO  

I, Valerie A. Burrows, City Clerk of the City of El Segundo, California, do hereby certify that the foregoing ordinance, being Ordinance No. 1041A, is a full, true and correct original of Ordinance No. 1041A of the said City of El Segundo, California, entitled:


which was duly adopted by the Electorate of the City of El Segundo at a Special Municipal Election held November 2, 1982 by the following vote:

YES 4,780 votes   NO 863 votes

which was duly signed by the Mayor of said City and attested by the City Clerk of said City.

I do hereby further certify that pursuant to the provisions of the California Elections Code, foregoing Ordinance No. 1041A was duly published according to law in the Voters Pamphlet issued for said election, said pamphlet mailed to each elected voter in the City of El Segundo.

[Signature]
City Clerk of the City of El Segundo, California

(SEAL)
ORDINANCE NO. 1056

AN ORDINANCE OF THE PEOPLE OF THE CITY OF EL SEGUNDO, CALIFORNIA, AUTHORIZING THE CITY TO EXPEND FUNDS IN THE VOTERS' TRUST ACCOUNT (CREATED BY ORDINANCE NO. 1041-A) FOR A SENIOR CITIZENS' HOUSING PROJECT WITHIN THE CITY OF EL SEGUNDO, AND APPROVING THE DEVELOPMENT, CONSTRUCTION AND ACQUISITION OF PROPERTY FOR THE SAME UNDER ARTICLE XXXIV OF THE CONSTITUTION OF THE STATE OF CALIFORNIA.

THE PEOPLE OF THE CITY OF EL SEGUNDO, CALIFORNIA, DO

ORDAIN AS FOLLOWS:

SECTION 1. Authority to Expend Monies from Voters’ Trust Account. Those certain monies, in the sum of $2,345,538 plus interest, set aside by Ordinance No. 1041-A adopted by the voters of the City of El Segundo at a special municipal election held November 2, 1982, may be expended for the purposes of constructing, operating, and purchasing of property for a Senior Citizens' housing project in the City of El Segundo.

SECTION 2. Compliance with State Constitution. This measure is intended to constitute compliance with Article XXXIV, Section 1, of the Constitution of the State of California.

SECTION 3. Compliance with Ordinance No. 1041-A. This ordinance is intended to constitute compliance with the limitation on the expenditure of funds adopted by the people of the City of El Segundo, California, on November 2, 1982, by Ordinance No. 1041-A.

SECTION 4. Saving Clause. If any section, part, clause, form, word or phrase hereof is for any reason held to be invalid, the remaining provisions of this act shall remain in full force and effect and shall be interpreted to serve the intent of this ballot proposition.

SECTION 5. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be entered in the book of original ordinances of said city.
THIS ORDINANCE ADOPTED BY the voters of the City of
El Segundo, California, at a municipal election held on
the 8th day of November, 1983.

Mayor of the City of El Segundo,
California

ATTEST:

Valerie A. Bursaw
City Clerk

(SEAL)
COUNTY OF LOS ANGELES.

I, LEONARD PANISH, Registrar-Recorder of the County of Los Angeles, State of California, do hereby certify that the attached is a true and correct Canvass of the Votes Cast For and Against Proposition D for the City of El Segundo Special Municipal Election held on November 8, 1983.

I further certify that the total Ballots Cast at the City of El Segundo Special Municipal Election are as follows:

<table>
<thead>
<tr>
<th>PRECINCT</th>
<th>ABSENTEE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>BALLOTS CAST</td>
<td>BALLOTS CAST</td>
<td>BALLOTS CAST</td>
</tr>
<tr>
<td>2,120</td>
<td>169</td>
<td>2,289</td>
</tr>
</tbody>
</table>

I further certify that the total votes cast on said Proposition D are as follows:

<table>
<thead>
<tr>
<th>PROPOSITION D ORDINANCE</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Precinct Vote</td>
<td>1,553</td>
<td>499</td>
</tr>
<tr>
<td>Absentee Vote</td>
<td>126</td>
<td>31</td>
</tr>
<tr>
<td>TOTAL VOTE</td>
<td>1,679</td>
<td>530</td>
</tr>
</tbody>
</table>

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 21st day of November, 1983.

Leonard Panish
Registrar-Recorder
County of Los Angeles
RESOLUTION NO. 3425

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, ESTABLISHING A SCHEDULE OF PAYMENTS AND INTEREST TO THE GENERAL CONTINGENCY RESERVE FUND AND THE VOTERS' TRUST ACCOUNT IN CONNECTION WITH EXPENDITURES FOR CONSTRUCTION OF THE EL SEGUNDO SENIOR CITIZENS' HOUSING PROJECT.

WHEREAS, the El Segundo City Council has determined there is a need for subsidized housing for the elderly and handicapped in El Segundo and has sponsored the construction of the El Segundo Senior Citizens' Housing Project to meet that need; and

WHEREAS, voters of the City of El Segundo, on November 8, 1983, approved Ordinance No. 1056 authorizing expenditure of $2,345,538 from the Voters' Trust Account plus interest accrued thereto, for construction of the Senior Citizens' Housing Project; and

WHEREAS, the City Council's ballot argument favoring expenditure of the money from the Voters' Trust Account contemplated construction, initially, of a 57-unit project expandable to 97 units, with reimbursement of the Voters' Trust Account for the cost of construction within seventeen (17) years; and

WHEREAS, analysis subsequent to November 8, 1983, revealed a need for more than 57 units and that ultimate costs of the project would be reduced by constructing all 97 units at one time; and

WHEREAS, the City Council approved a loan of $1,750,000 from the General Emergency Contingency Reserve Fund to supplement the Voters' Trust Account funds in order to construct the 97-unit project; and

WHEREAS, the City Council and the Senior Housing Board have agreed that rents in the Project should be maintained at a level approximately 50 to 60 percent (50-60%) of market rates in El Segundo for comparable units in order to assist financially needy seniors in meeting their housing needs; and

WHEREAS, after analysis and study of alternative plans for repayment of the loan from the General Emergency Contingency Reserve Fund and reimbursement of the Voters' Trust Account, the City Council finds the goals of low-cost housing for seniors and fiscal integrity can be met by adoption of a phased repayment plan;
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL SEGUNDO DOES RESOLVE AS FOLLOWS:

SECTION 1. The Senior Housing Board will repay the $1,750,000 loan (or such lesser amount of the loan that is ultimately used for construction of the Project) to the General Emergency Contingency Reserve Fund over twenty (20) years at eight percent (8%) interest. Advance payments of principal may be made without penalty. Should the City's average interest income to its General Fund in any Fiscal Year fall below eight percent (8%), the difference in the interest income computed at eight percent (8%) and the actual average interest rate shall be applied to the principal of the loan.

SECTION 2. Reimbursement of the $2,345,536 from the Voters' Trust Account shall be made after the loan from the General Emergency Contingency Reserve Fund is repaid. Such reimbursement shall be on terms mutually agreeable to the City Council and the Senior Housing Board at that time.

SECTION 3. The Senior Housing Board shall enter into an agreement in writing with the City which obligates the Senior Housing Board to perform the requirements of Sections 1 and 2 above. The Mayor is hereby authorized to sign the agreement on behalf of the City and the City Clerk is hereby authorized to attest the agreement.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution; shall enter the same in the book of original resolutions of said city; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said city, in the minutes of the meeting at which the same is passed and adopted.

PASSED, APPROVED and ADOPTED this 7th day of October, 1986.

[Signature]
Mayor of the City of El Segundo, California

[Signature]
City Clerk

(SEAL)

-2- Res. #3425
STATE OF CALIFORNIA  )
COUNTY OF LOS ANGELES  )  SS
CITY OF EL SEGUNDO  )

I, Ronald L. Hart, City Clerk of the City of El Segundo, California, DO HEREBY CERTIFY that the whole number of members of the City Council of the said City is five; that the foregoing resolution, being Resolution No. 3425 was duly passed and adopted by the said City Council, approved and signed by the Mayor of said City, and attested by the City Clerk of said City, all at a regular meeting of the said Council held on the 7th day of October, 1986, and that the same was so passed and adopted by the following vote:

AYES:   Councilmembers Anderson, Jacobson, Schuldt, West, and Mayor Siadek

NOES:   None

ABSENT: None

WITNESS MY HAND AND THE OFFICIAL SEAL OF SAID CITY
this 21st day of October, 1986.

[Signature]

RONALD L. HART,
City Clerk of the
City of El Segundo, California
(SEAL)
REPAYMENT AGREEMENT

THIS AGREEMENT is entered into this 5th day of January, 1988 by and between the CITY OF EL SEGUNDO, CALIFORNIA, a Municipal Corporation (hereinafter "CITY") and the EL SEGUNDO SENIOR CITIZEN HOUSING CORPORATION, a California Nonprofit Public Benefit Corporation (hereinafter "CORPORATION").

WITNESSETH:

A. City is the owner of real property located at 615 East Holly Avenue in the City of El Segundo, California, which property is developed as a 97-unit senior and handicapped housing project (the "Project"); and

B. City and Corporation have entered into an Operating Agreement dated May 6, 1986 (the "Operating Agreement") setting forth terms and conditions under which Corporation will operate the housing project; and

C. City has loaned to the project for purposes of acquiring land and funding construction the sum of $1,780,000 from the General Emergency Contingency Reserve Fund; and

D. In addition to the $1,780,000 loan, voters of the City on November 8, 1983 approved Ordinance No. 1056 authorizing expenditure of $2,345,538, plus interest accrued thereon, from the Voters' Trust Account for the Senior Housing Project; and

E. The parties desire to memorialize their understanding concerning the obligation of the Project to replenish the City's funds from the Project's revenues and that the satisfaction of that obligation be established by contemporaneous records; and

F. Corporation acknowledges the obligation of the Project revenues to replenish the City's funds as above set forth; and

G. Corporation agrees that during the term of the Operating Agreement to make the payments hereinafter set forth.
NOW, THEREFORE, for and in consideration of the above premises, City and Corporation agree that the funds advanced for construction of the Senior Housing Project shall be repaid under the following terms and conditions:

1. Repayment of $1,780,000 Loan. Corporation agrees to repay the loan sum of $1,780,000 from the General Emergency Contingency Reserve Fund from revenues of the Project over a period of twenty (20) years at the rate of eight percent (8%) interest per annum from April 5, 1988. Payments shall be made in equal monthly installments of $14,889.00 or more and shall be due on the fifth day of each month beginning May 5, 1988. Advance payments of principal may be made without penalty. Each payment shall first be credited to accrued interest and the balance shall be applied to principal. The entire balance of principal and accrued interest, if any, shall be due on May 5, 2008.

2. Late Payment. If Corporation fails to perform any of the payment provisions of this agreement, City may give Corporation ten (10) days written notice to cure the failure to perform. In the event Corporation does not cure said failure within said ten (10) days, Corporation shall be in default of its obligation under this agreement. In the event of default, the City Council, after a noticed hearing, may declare this agreement, as well as the May 6, 1986 Operating Agreement, null and void and thereafter assume operation of the Project, or enter into a contract or contracts with third parties to operate the Project.

3. In addition to repaying the foregoing advance, Corporation agrees to pay to the City for deposit in the General Fund or such other fund as the City may determine a sum equal to the $2,345,538 expended from the Voters' Trust Account for construction of the Project together with interest accrued through July 30, 1987 in the amount of $882,544. Such payment shall not be subject to additional periodic interest payments. Repayment shall begin when all principal and interest payments on the $1,780,000 loan from the General Emergency Contingency
Reserve Fund have been made, but not later than June 5, 2007.

The parties agree to meet at the call of the Mayor of the City to work out in a timely manner the terms and conditions of such payment.

4. Payments Made To. All payments due hereunder shall be made to the City Treasurer, City of El Segundo, 350 Main Street, El Segundo, California 90245, and shall be credited to the City General Fund.

5. Notices. All notices, reports, and statements which either party desires or is required to give to the other under this Agreement shall be in writing and shall be delivered by registered or certified mail, postage prepaid, return receipt requested, or shall be delivered by personal delivery, addressed as shown below. Notices shall be deemed effectively communicated as of the date of the receipt. Either party may change its address for purposes of notices under this Agreement by means of written notice given in accordance with the provisions of this section.

As to City: City of El Segundo
350 Main Street
El Segundo, California 90245
Attention: City Manager

As to Corporation: El Segundo Senior Citizen Housing Corporation
350 Main Street
El Segundo, California 90245
Attention: Chairman

6. Governing Law. Validity of this Agreement and any of its terms and conditions shall be interpreted and construed pursuant to the laws of the State of California.

7. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be void or unenforceable, the remaining provisions shall nevertheless continue in full force and effect.
IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

CITY OF EL SEGUNDO

ATTEST:

City Clerk

(SEAL)

EL SEGUNDO SENIOR CITIZEN HOUSING CORPORATION

ATTEST:

Christine Sherrico
Secretary

APPROVED AS TO FORM:

City Attorney
AMENDMENT NO. 1 TO REPAYMENT AGREEMENT

THIS AMENDMENT NO. 1 TO REPAYMENT AGREEMENT ("AMENDMENT") is entered into this 18 day of April, 1997 by and between the City of El Segundo, a California Municipal Corporation, ("CITY") and the El Segundo Senior Citizen Housing Corporation, a California Nonprofit Public Benefit Corporation ("CORPORATION").

WHEREAS the CITY and CORPORATION entered into a Repayment Agreement on or about January 5, 1988 ("AGREEMENT");

WHEREAS the CITY and CORPORATION are desirous of amending paragraph 3. of the AGREEMENT pursuant to this AMENDMENT;

NOW THEREFORE the CITY and CORPORATION do hereby agree to amend paragraph 3. of the AGREEMENT as follows:

1. In addition to repaying the foregoing advance, CORPORATION agrees to pay to the City for deposit in the General Fund, or such other fund as the City may determine, a sum equal to the $2,345,538 expended from the Voters' Trust Account for construction of the Project together with interest accrued through July 1987 in the amount of $882,544. Such payment shall not be subject to additional periodic interest payments. Repayment shall begin when all principal and interest payments on the $1,780,00 loan from the General Emergency Contingency Reserve Fund have been made, but not later than June 5, 2008. Payments shall be made in equal monthly installments of $14,889.00 or more and shall be due and payable on the fifth day of each month beginning June 5, 2008. However, the last payment shall be in the amount of $12,058.00 and shall be due and payable April 5, 2026.

Other than the above amendment to paragraph 3. all other terms and conditions of the AGREEMENT shall remain unchanged and in full force and effect.

CITY OF EL SEGUNDO

Sandra Jacobs
Sandra Jacobs, Mayor

ATTEST:

Sandra Jacobs
City Clerk

EL SEGUNDO SENIOR CITIZEN HOUSING CORPORATION

Peter C. Stephen
President

ATTEST:

Secretary

APPROVED AS TO FORM:

City Attorney
SECOND AMENDMENT TO
REPAYMENT AGREEMENT NO. 1937 BETWEEN
THE CITY OF EL SEGUNDO AND THE EL SEGUNDO SENIOR CITIZEN
HOUSING CORPORATION

THIS SECOND AMENDMENT ("Amendment") is made and entered into this 7th day of December 2004 by and between the CITY OF EL SEGUNDO, a general law city and municipal corporation existing under the laws of California ("CITY"), and El Segundo Senior Citizen Housing Corporation, a California Nonprofit Public Benefit Corporation ("CORPORATION").

A. The CITY and CORPORATION entered into a Repayment Agreement on or about January 5, 1988 ("AGREEMENT").

B. The CITY and CORPORATION do hereby agree to amend paragraph 1 of the AGREEMENT as follows:

1. The remaining balance of $521,234 on the original $1,780,000 loan shall be paid back to CITY by the CORPORATION on the following terms: As of January 5, 2005 the interest rate on the remaining balance shall be reduced to 4.75%; and based thereon payments due on and after February 1, 2005, shall be made by the Corporation to the City in equal monthly installments of $12,644.00 and for a total of 45 payments. Payments shall be due no later than the fifth day of each month. Each payment shall first be credited to first to accrued interest and the balance shall be applied to principal.

C. This Amendment may be executed in any number or counterparts, each of which will be an original, but all of which together constitutes one instrument executed on the same date.

D. Except as modified by this Amendment, all other terms and conditions of Agreement No. 1937 remain the same.

[SIGNATURES ON NEXT PAGE]
CITY OF EL SEGUNDO
Kelly McDowell, Mayor

EL SEGUNDO SENIOR CITIZEN HOUSING CORPORATION
Peter C. Freeman, President

ATTEST:
City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney
By:
Karl H. Berger, Assistant City Attorney