AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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

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

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

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

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

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, APRIL 1, 2008 - 5:00 P.M.

5:00 P.M. SESSION CANCELLED – NO ITEMS OF BUSINESS

(REGULAR MEETING TO BE ADJOURNED TO 7:00 P.M.)
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.

CLOSED SESSION:
The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City’s Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City’s Labor Negotiators; as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov’t Code §54956.9(a)) – -0- matters

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.

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

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): -0- matter

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov’t Code §54956.8): -0- matter

SPECIAL MATTERS: -0- matter
AGENDA
EL SEGUNDO CITY COUNCIL
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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, APRIL 1, 2008 - 7:00 P.M.

Next Resolution # 1419
Next Ordinance # 4544

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Pastor Scott Tannehill, El Segundo Foursquare Church

PLEDGE OF ALLEGIANCE – Council Member Bill Fisher
PRESENTATIONS

a. Proclamation declaring April 23, 2008 as Denim Day in recognition of April 2008 being Sexual Assault Awareness Month.

ROLL CALL

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have received value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of $250. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.

A. PROCEDURAL MOTIONS

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

Recommendation – Approval.

B. SPECIAL ORDERS OF BUSINESS

C. UNFINISHED BUSINESS

1. Consideration and possible action regarding recommendations from the Recreation and Parks Commission pertaining to the use and operations of Campus El Segundo Athletic Fields located at 2201 East Mariposa. (Fiscal Impact: Unknown)

Recommendation – (1) Review recommendations from the Recreation and Parks Commission on use and operations of the Campus El Segundo Athletic Fields; (2) Provide direction to staff regarding Campus El Segundo Athletic Fields operations; (3) Alternatively, discuss and take other action related to this item.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS
E. CONSENT AGENDA
All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.

2. Warrant Numbers 2564792 to 2565072 on Register No. 12 in the total amount of $704,972.56 and Wire Transfers from 3/06/2008 through 3/20/2008 in the total amount of $1,801,273.70.
Recommendation – Approve Warrant Demand Register and authorize staff to release. Ratify: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

Recommendation – Approval.

4. Consideration and possible action to waive the formal bidding process per the El Segundo Municipal Code Section 1-7-10 and authorize the Fire Department to issue a purchase order enabling Valley Fire Service to perform a major engine overhaul for Truck 32. Fiscal Impact: $27,000 estimated
Recommendation – (1) The City Council waive the formal bidding process per the El Segundo Municipal Code Section 1-7-10, and authorize the Fire Department to issue a purchase order to Valley Fire Service to perform a major engine overhaul on Truck 32; (2) Alternatively, discuss and take other action related to this item.

5. Consideration and possible action regarding the award of a Standard Public Works Contract to Ardalan Construction Company, Inc. for the Urho Saari Swim Stadium Window Replacement (219 W. Mariposa Avenue) in the amount of $68,680. Project No.: PW 08-03 (Fiscal Impact: $68,680)
Recommendation – (1) Authorize the City Manager to execute a Standard Public Works Contract in a form as approved by the City Attorney with Ardalan Construction Company, Inc. in the amount of $68,680; (2) Alternatively discuss and take other action related to this item.

6. Consideration and possible action regarding a request from L.A. County Fire Department Lifeguard Operations for use of Urho Saari Swim Stadium (The Plunge) at 219 W. Mariposa Ave on April 15, 2008, and for a fee waiver per Municipal Code Section § 8-8-7 (D) (1). (Fiscal Impact: $290)
Recommendation – (1) Approve the use request and waiver of use fees per Municipal Code Section § 8-8-7 (D) (1); (2) Alternatively, discuss and take other action related to this item.

5 005
7. Consideration and possible action regarding a resolution establishing a monthly salary range and adopting a class specification for a new job classification entitled Senior Plan Check Engineer. (Fiscal Impact: $25,000 for FY 2007/2008; this cost is anticipated to be off-set by cost savings from consultant services expenditure)
Recommendation – (1) Adopt Resolution; (2) Approve the class specification; (3) Alternatively, discuss and take other action related to this item.

8. Consideration and possible action regarding adoption of a Resolution appointing the City Manager, Director of Finance, or Fiscal Service Manager, or designee to serve as board member, alternate board member, and substitute alternate board member on the Independent Cities Risk Management Association (ICRMA) governing board. (Fiscal Impact: None)
Recommendation – (1) Adopt Resolution appointing the City Manager as the ICRMA primary governing board member and Director of Finance as the alternate governing board member and Fiscal Services Manager as the substitute alternate; (2) Alternatively discuss and take other action related to this item.

9. Consideration and possible action regarding the second reading and adoption Ordinance No. 1418 to amend the El Segundo Municipal Code to conform Municipal Code with statutory provisions of the Digital Infrastructure and Video Competition Act (DIVCA), including establishing franchise and PEG fees at the current local franchise fee rates of 5% and 2% of gross revenues, respectively. (Fiscal Impact: None)
Recommendation – (1) Waive second reading and adopt Ordinance No. 1418; (2) Alternatively, discuss and take other action related to this item.

10. Consideration and possible action to authorize a Professional Services Agreement in a form as approved by the City Attorney with Stephanie Katsouleas to serve as Interim Director of Public Works. (Fiscal Impact: $70,000)
Recommendation – (1) Authorize the City Manager to execute a Professional Services Agreement in a form as approved by the City Attorney with Stephanie Katsouleas for a term not to exceed six months and an amount of $70,000; (2) Alternatively, discuss and take other action related to this item.

11. Consideration and possible action regarding the Fiscal Year 2007-2008 First Quarter Financial Review. (Fiscal impact: None)
Recommendation – (1) Receive and file FY 2007-2008 First Quarter Financial staff report; (2) Alternatively discuss and take other action related to this item.
12. Consideration and possible action regarding rejection of all bids for construction related to Group 27 (36 residences) of the Residential Sound Insulation (RSI) Program. (Fiscal Impact: none)
Recommendation – (1) Reject all bids received for construction related to Group 27 of the Residential Sound Insulation Program; (2) Authorize staff to re-advertise a Notice Inviting Sealed Bids for construction services; (3) Alternatively discuss and take other action related to this item.

13. Consideration and possible action regarding award of a contract to Professional Building Contractors, Inc. for construction related to Group 28 (30 residences) of the Residential Sound Insulation (RSI) Program. (Estimated construction cost and retention: $706,364)
Recommendation – (1) Reject the bids of Pardess Air, Inc. and Horizons Construction, Inc.; (2) Award contract to Professional Building Contractors, Inc. for Group 28; (3) Authorize the City Manager to execute a construction contract in a form approved by the City Attorney; and (4) Alternatively discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fisher –

Council Member Jacobson –
Council Member Boulgarides –

14. Consideration and possible action to review the Traffic Committee decision regarding the placement of stop signs at the intersection of Holly Avenue and Sierra Street. **(Fiscal Impact: $1,000)**  
Recommendation – (1) Review the Traffic Committee decision regarding the placement of stop signs at the intersection of Holly Avenue and Sierra Street; (2) Alternatively, discuss and take other action related to this item.

Mayor Pro Tem Busch –

Mayor McDowell –

15. Consideration and possible action to adopt a resolution supporting **AB2780** (Lieu), a consumer protection bill dealing with electric utility claims for damages incurred as a result of unscheduled electrical outages from an electric utility’s failure to reasonably provide service. **(Fiscal Impact: None)**  
Recommendation – (1) Adopt the attached resolution supporting **AB2780** and authorize appropriate legislative advocacy efforts to promote passage of the bill; 2) Alternatively, discuss and take other action related to this item.

16. Consideration and possible action to adopt a resolution opposing **AB2640** (Huffman), a bill concerning the management of green waste subject to landfill disposal which would tax green waste and eliminate waste diversion credit for use of green waste. **(Fiscal Impact: None)**  
Recommendation – (1) Adopt the attached resolution opposing **AB2640** and authorizing appropriate legislative advocacy efforts to oppose passage of the bill (2) Alternatively, discuss and take other action related to this item.

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MEMORIALS –

CLOSED SESSION

The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City’s Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City’s Labor Negotiators.

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:

DATE: March 27, 2008

TIME: 11:15 a.m.

NAME: [Signature]

Proclamation

City of El Segundo, California

WHEREAS, The United States Government has declared April as "Sexual Assault Awareness Month" and Peace Over Violence (formerly the Los Angeles Commission on Assaults Against Women) has declared April 23, 2008 as "Denim Day" in Los Angeles County; and

WHEREAS, both events are intended to draw attention to the fact that rape and sexual assault remains a serious issue in our society; and

WHEREAS, "Sexual Assault Awareness Month" and "Denim Day" were also instituted to call attention to misconceptions and misinformation about rape and sexual assault, and the problem that many in society remain disturbingly uninformed with respect to issues of assault and forcible rape; and

WHEREAS, every two minutes, someone in America, is sexually assaulted, approximately 1-in-6 women are raped during their lifetime and youths under 18 account for about 44% of all reported sexual assaults; and

WHEREAS, with proper education on the matter, there is compelling evidence that we can be successful in reducing incidents of this alarming and psychologically damaging crime.

NOW, THEREFORE, on this 1st day of April, 2008, the Mayor and the Members of the City Council of the City of El Segundo, California, do hereby proclaim the month of April 2008 as Sexual Assault Awareness Month, designate April 23, 2008 as Denim Day, and encourage our citizens to wear jeans on Wednesday, April 23rd, to help communicate the message that there is no excuse and never an invitation to rape.

[Signature]
Mayor Kelly McDeavitt

[Signature]
Council Member Jim Kendall

[Signature]
Council Member Carl Joseph

[Signature]
Council Member Bill Fisher
Consideration and possible action regarding recommendations from the Recreation and Parks Commission pertaining to the use and operations of Campus El Segundo Athletic Fields located at 2201 East Mariposa. (Fiscal Impact: Unknown)

RECOMMENDED COUNCIL ACTION:

1). Review recommendations from the Recreation and Parks Commission on use and operations of the Campus El Segundo Athletic Fields; 2). Provide direction to staff regarding Campus El Segundo Athletic Fields operations; 3). Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

At the October 2, 2007 City Council meeting, after review of recommendations received from the Recreation and Parks Commission, direction was provided by Council for the Campus El Segundo Athletic Fields to be open and supervised from 8 a.m. to 10 p.m., seven days a week.

Part-time Recreation staff supervision costs for the facility had been budgeted for 12 hours a day, 7 days a week, for the 2007-08 fiscal year. Staff costs to operate and supervise the facility from 8 a.m. to 10 p.m., 14 hours a day, 7 days a week, from mid-October through the end of the fiscal year were determined to be an additional $6,500.

(Continued on Next Page)

ATTACHED SUPPORTING DOCUMENTS:

1. Campus El Segundo Athletic Fields Attendance Summary for Nov. '07- Feb. '08
2. Campus El Segundo Athletic Field Rental Fee Revenues Oct. '07- Feb. '08

FISCAL IMPACT: Unknown

Operating Budget: ---
Account Number: ---
Amount Requested: ---
Project Phase: ---
Appropriation Required: Yes__ No_X

ORIGINATED: DATE: 3/25/08

Richard Brunette, Recreation and Parks Director

REVIEWS BY: DATE: 3/25/08

Jeff Stewart, City Manager
BACKGROUND & DISCUSSION: (continued from previous page...)

Directives from Council at the October 2, 2007 meeting regarding re-evaluating the Campus El Segundo Athletic Fields operations included: determine a use pattern for the fields; the possible establishment of a time during the week as necessary to ensure resident access to the fields; and to track and report revenues from field rental use. This data was to be evaluated and reported back to City Council within six months through the Recreation and Parks Commission.

At the February 20, 2008 meeting of the Recreation and Parks Commission, a Subcommittee was created to review and evaluate Campus El Segundo Athletic Fields use and attendance information in order to provide recommendations regarding facility use and operations to the Commission at their March 19, 2008 meeting. The Subcommittee met with Recreation and Parks Department staff, evaluated information pertaining to the use of the Campus El Segundo Athletic Fields, and made recommendations to the Commission at their March 19, 2008 meeting.

Attachment #1 summarizes and averages daily attendance and use data collected by staff pertaining to the facility’s fields from November 2007 to January 2008. In evaluating the field use, the Subcommittee determined resident and group use needs were met with operational hours of Monday through Friday, 11 a.m. to 8 p.m., and Saturday and Sunday operational hours of 8 a.m. to 7 p.m.

Regarding establishment of a time during the week to ensure residents have access to the fields, at the present time, resident access to the fields during the week does not appear to be an issue. Field time has consistently been available during the day Monday through Friday and this is expected to continue. Staff will continue to monitor use and if resident access to field time becomes limited, an open-use resident time will be created at the facility.

Attachment #2 identifies revenues of $22,110 collected from October 2007 to February 2008. Additional reservations and rental revenues are expected this fiscal year.

Recommendations from the Recreation and Parks Commission to City Council approved at the March 19, 2008 meeting of the Commission:

1) Maintain staffed and supervised facility operational hours Monday through Friday from 11 a.m. to 8 p.m. Provide for availability and use of the fields from 8-11 a.m. and from 8-10 p.m. when the fields are reserved, and supply staff supervision when this occurs.
2) Maintain staffed and supervised facility operational hours on Saturday and Sunday from 8 a.m. to 7 p.m. Provide for availability and use of the fields from 7-10 p.m. when the fields are reserved, and supply staff supervision when this occurs.
3) The Commission felt strongly that additional staff supervision should be provided at the facility during evening use so staff are not working alone at the facility at night.
4) Create an adult soccer league to provide residents another adult athletic league opportunity and additional programmed use of the Campus El Segundo Athletic Fields.
5) The Campus El Segundo Athletic Fields is a new facility in its first year of operation. As such, its use and operations requires ongoing evaluation. This should be done annually or earlier as necessary.
ATTACHMENT #1

CAMPUS EL SEGUNDO ATHLETIC FIELDS
SUMMARY OF ATTENDANCE AND USE DATA
November 2007 through January 2008

The following information is summarized average daily attendance and facility use data for the Campus El Segundo Athletic Fields for November 2007 through January 2008.

MONDAY THROUGH FRIDAY ATTENDANCE AND USE DATA:

1. Between 8 a.m. to 10 a.m. the facility was used very sparsely. El Segundo High School soccer used the facility for 5 days over the winter school break. Approximate average daily attendance for this period of time was 0.14, increasing to 1.37 daily average use when including the high school. (9 total participants / 13 weeks / 5 days = 0.14 and with ES High School use of 5 days during Winter Break, 89 total participants / 13 weeks / 5 days = 1.37)

2. Between the hours of 10 a.m. to 2 p.m., the majority of users were individuals and local businesses, during their lunch hours, some of which were residents of El Segundo. The next significant user group was by non-El Segundo residents. One regular on-going use reservation was received by an El Segundo resident group. Approximate average daily attendance for this period of time was 18. (1167 total participants / 13 weeks / 5 days = 17.9)

3. Between the hours of 2-6 p.m. El Segundo High School teams were the major user group for both fields. Approximate average daily attendance for this period of time was 52. (3405 total participants / 13 weeks / 5 days = 52.4)

4. Between the hours of 6-8 p.m., El Segundo youth sports organizations were the major user group for both fields. Approximate average daily attendance for this period of time was 44. (2872 total participants / 13 weeks / 5 days = 44.2)

5. Between the hours of 8-10 p.m., non-residents were the major users. Recently the Recreation and Parks Department has received resident reservations and rental uses during this time use period. Approximate average daily attendance for this period of time was 30. (1960 total participants / 13 weeks / 5 days = 30.2)

SATURDAY ATTENDANCE AND USE DATA:

1. Between the hours of 7:30 a.m. - 8 p.m., El Segundo youth sports organizations were the major users of both fields. Approximate average daily attendance for this period of time was 214. (2787 total participants / 13 weeks / 1 day = 214.4)

2. Between the hours of 8-10 p.m., non-residents were the major users of both fields. Approximate average daily attendance for this period of time was 5. (70 total participants / 13 weeks / 1 day = 5.4)
SUNDAY ATTENDANCE AND USE DATA:

1. Between the hours of 8 a.m. to 1 p.m., one field has been consistently reserved and rented by the South Bay Peninsula Soccer League (an adult, non-resident group). The other field has been used by El Segundo High School, and non-residents. Approximate daily attendance for this period of time was 80. (1038 total participants / 13 weeks / 1 day = 79.9)

2. Between the hours of 1-7 p.m., El Segundo youth sports organizations have been the major users of both fields. Approximate daily attendance for this period of time was 97. (1269 total participants / 13 weeks / 1 day = 97.6)

3. Between the hours of 7-10 pm, non-residents have been the major users of both fields. Approximate daily attendance for this period of time was 13. (174 total participants / 13 weeks / 1 day = 13.4)

Issues affecting attendance and use of the facility from November ’07 to January ’08:

Multiple issues affected the attendance and use of the Campus El Segundo Athletic Fields during the time frame being reported on. These issues included:

- AYSO youth sports regular season league play ended December 9, 2007.
- Fall season youth sports league play is essentially on a winter break from field use from December 24, 2007 through January 4, 2008.
- Significant rain and inclement weather during this time frame presumably affected participation and use of the fields.
- The West Field was closed January 21-29, 2008 due to broken water line & subsequent turf repairs.
- Spring youth sports regular season league play essentially begins in February.
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<th>Amount</th>
<th>Description</th>
<th>Time</th>
<th>Day of the Week</th>
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<td>Hollywood United Soccer Club</td>
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<td>Wednesdays</td>
<td>February 5 - April 30, 2008</td>
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<td>Thursdays</td>
<td>January 24 - March 31, 2007</td>
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<td>Saturdays - Sundays</td>
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<td>Sundays</td>
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Revenue Report
Campus El Segundo Athletic Fields

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<td>LIABILITY INSURANCE</td>
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<td>603</td>
<td>WORKERS COMP. RESERVE INSURANCE</td>
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<td>701</td>
<td>RETIRED EMP. INSURANCE</td>
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<td>702</td>
<td>EXPENDABLE TRUST FUND - DEVELOPER FEES</td>
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<tr>
<td>703</td>
<td>EXPENDABLE TRUST FUND - OTHER</td>
<td>12,120.43</td>
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<tr>
<td>708</td>
<td>OUTSIDE SERVICES TRUST</td>
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</tbody>
</table>

**Total Warrants: $704,972.56**

**State of California**
**County of Los Angeles**

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

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

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

**Codes:**

- **R =** Computer generated checks for all non-emergency/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:** [Signature]

**City Manager:** [Signature]

**Date:** 3/24/08

**Register #12**

**Date of Approval:** As of April 01, 2008

**Void Checks Due to Alignment:**

**N/A**

**Void Checks Due to Incorrect Check Date:**

**Void Checks Due to Computer Software Error:**

**Notes:** [Signature]
## CITY OF EL SEGUNDO
### PAYMENTS BY WIRE TRANSFER

<table>
<thead>
<tr>
<th>Date</th>
<th>Payee</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/25/2008</td>
<td>Health Comp</td>
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<td>Correction</td>
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<td>Employment Development</td>
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<td>Health Comp</td>
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<td>3/6-3/20/08</td>
<td>Workers Comp Activity</td>
<td>17,399.31</td>
<td>SCRMA checks issued</td>
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**1,801,273.70**

### DATE OF RATIFICATION: 4/1/08
### TOTAL PAYMENTS BY WIRE: 1,801,273.70

Certified as to the accuracy of the wire transfers by:

- **Deputy Treasurer**
  - **Mary M. Kobus** 3/20/08

- **Director of Finance**
  - **Deborah Hill** 3/24/08

- **City Manager**
  - **Bill Greene** 3/24/08

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, MARCH 18, 2008 - 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER – Mayor McDowell at 5:00 p.m.

ROLL CALL

Mayor McDowell - Present
Mayor Pro Tem Busch - Present
Council Member Boulgarides - Present
Council Member Fisher - Present
Council Member Jacobson - Present

PUBLIC COMMUNICATION – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have received value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of $250.

The City Attorney stated that Council would be meeting in closed session pursuant to items identified on the agenda and Government Code §54956.9(b) items were a threat of litigation regarding the Coleman Claim 07-62 and the Henry Radio Claim 07-48 and the Regional Water Quality Control Board Notice of Violation dated March 4, 2008.

CLOSED SESSION:
The City Council moved into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City’s Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City’s Labor Negotiators; as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov’t Code §54956.9(a)) – 2- matters

City of El Segundo vs. City of Los Angeles, et. al. LASC No. BS094279
Solomon vs. City of El Segundo, LASC Case No. BC372401.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): 3- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): 1- matter.
DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957): -0- matters

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -0- matter

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

SPECIAL MATTERS: -0- matter

Council recessed at 6:50 p.m.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MARCH 18, 2008 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Pastor Dino Tumbuan, Saint John’s Lutheran Church

PLEDGE OF ALLEGIANCE – Council Member Jim Boulgarides

PRESENTATIONS

a. Council Member Jacobson presented a Certificate of Appreciation for Police Officer of the Year to Vince Martinez.

b. Mayor Pro Tem Busch presented a Certificate of Appreciation for Firefighter of the Year to Mark Lees.

ROLL CALL

Mayor McDowell - Present
Mayor Pro Tem Busch - Present
Council Member Boulgarides - Present
Council Member Fisher - Present
Council Member Jacobson - Present

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have received value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of $250. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.

Mark Hensley, City Attorney, made a statement regarding political activity during public communications. Stated some examples of the types of statements that were not appropriate during Council Meetings included: introducing yourself as a council candidate, making statements that include any reference to the fact that you are running for council, making statements either in support of or against a candidate, or discussing in any manner city council candidates in the context of the election. However, members of the public do have the right under the Brown Act to discuss any matter that is within the subject matter jurisdiction of the City and have the right to express opinions regarding the City Council and its Members relating to City business. As the City is precluded under the law from using resources for political campaigns, such are by definition not within the subject matter jurisdiction of the City and cannot be discussed during Council Meetings.
Stated this admonition also held true for ballot measures and other local, state and federal offices that were the subject of the upcoming election.

Gail Church, Resident; Reported on the Arbor Day activities, Trees to the Sea.

Mike Briney, Resident; announced the "Run for Education" on March 29, 2008 beginning in front the High School.

Stan Myles, South Coast Air Quality Management District Representative, introduced himself and explained what the Air Quality Management District does.

Liz Garnholz, Resident; announced the Aviation Safety and Noise Abatement Committee would be demonstrating the Airport Camera on Tuesday, March 25, in the West Conference Room, in City Hall. She also questioned Consent Item number 8.

A. PROCEDURAL MOTIONS

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

MOTION by Mayor ProTem Busch, SECONDED by Council Member Boulgarides to read all ordinances and resolutions on the Agenda by title only. MOTION PASSED BY UNANIMOUS VOTE. 5/0

B. SPECIAL ORDERS OF BUSINESS

C. UNFINISHED BUSINESS

1. Consideration and possible action regarding award of contracts to Wyle, Inc. for Design and Testing services and Construction Monitoring and oversight services related to the Residential Sound Insulation (RSI) Program. (Fiscal impact: $1,613,720 for Design and Testing services and $493,380 for Construction Monitoring and Oversight services, included in the 2007-2008 budget)

Jeff Stewart, City Manager, gave a report.

MOTION by Council Member Jacobson, SECONDED by Mayor ProTem Busch to award Contract No. 3793 to Wyle, Inc. for Design and Testing Services, award Contract No. 3794 to Wyle, Inc. for Construction Monitoring and Oversight Services and authorize the City Manager to execute contracts in a form approved by the City Attorney. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS
2. Consideration and possible action regarding the adoption of an Ordinance to amend the El Segundo Municipal Code to conform Municipal Code with statutory provisions of the Digital Infrastructure and Video Competition Act (DIVCA) regarding cable and commercial video services, including establishing franchise and Public Education Government (PEG) fees at the current local franchise fee rates of 5% and 2% of gross revenues, respectively. (Fiscal Impact: None)

Jeff Stewart, City Manager, gave a report.

MOTION by Council Member Jacobson, SECONDED by Council Member Fisher to approve the recommendation of the El Segundo Community Cable Advisory Committee to amend the El Segundo Municipal Code in order to conform Municipal Code with statutory provisions of the Digital Infrastructure and Video Competition Act (DIVCA) and set fees at the existing franchise rate of 5% and PEG rate of 2% of gross revenues. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1418

AN ORDINANCE OF AMENDING § 9-6-3 AND ADDING A NEW § 9-6-27 TO THE EL SEGUNDO MUNICIPAL CODE EstablishING VIDEO FRANCHISE FEES, PEG FEES, PENALTIES AND OTHER RELATED MATTERS FOR STATE VIDEO FRANCHISE AGREEMENTS.

Council Member Jacobson introduced of Ordinance.

Second reading and adoption of Ordinance scheduled for April 1, 2008.

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. Approved Warrant Numbers 2564542 to 2564791 on Register No. 11 in the total amount of $1,058,643.49 and Wire Transfers from 2/22/2008 through 3/6/2008 in the total amount of $756,484.43. Authorized staff to release. Ratified: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

5. Awarded Standard Public Works Contract No. 3795 to Best Contracting Services for the installation of a roof for City Hall above the Council Chambers and air conditioning modifications at 350 Main Street – Project No. PW 08-02 (Fiscal Impact = $64,590.00). Authorized the City Manager to execute the Contract in a form approved by the City Attorney. Appropriated funds in the amount of $64,590 from the Roof Replacement City Hall.

6. Awarded Standard Public Works Contract No. 3796 to Pacific Construction Co. for the installation of a Biological Wastewater Closed Loop System at 400 Sepulveda Blvd. – Project No. PW 08-01 (Fiscal Impact = $71,930.00). Authorized the City Manager to execute the Contract in a form approved by the City Attorney. Appropriated funds in the amount of $71,930 from the Golf Course Enterprise Fund.

7. Approved examination plan for the Personnel Merit System job classification of Equipment Mechanic I/II. (Fiscal Impact: None)

8. PULLED FOR DISCUSSION BY MAYOR PROTEM BUSCH

9. Authorized the Police Department to replace the Watch Commander’s Ford Crown Victoria, currently due for replacement in the equipment replacement fund, with a police package Chevrolet Tahoe Flex Fuel vehicle; Pursuant to El Segundo Municipal Code Sec. 1-7-10, waived the bidding process authorized staff to issue a purchase order piggybacking on an existing Los Angeles County Sheriff’s Department contract to purchase one police package- Chevrolet Tahoe Flex Fuel vehicle in an amount not to exceed $33,200, which does not include vehicle conversion.

10. PULLED FOR DISCUSSION BY COUNCIL MEMBER JACOBSON

11. Rejected bid submitted by C.A.S. General Contractor for Group 25 and award Contract No. 3798 to S&L Specialty Contracting, Inc. for construction related to Group 25 (31 residences) and Contract No. 3799 for Group 26 (25 residences) of the Residential Sound Insulation (RSI) Program. (Estimated construction cost and retention: $1,690,040) Authorized the City Manager to execute the contracts in a form approved by the City Attorney.

MOTION by Council Member Jacobson, SECONDED by Council Member Fisher to approve Consent Agenda Items 3, 4, 5, 6, 7, 9, and 11. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

8. Consideration and possible action regarding the status on staffing and workload issues in the Planning and Building Safety Department. (Fiscal Impact: None)

Sam Lee, Building Manager, gave a report.
Mayor ProTem Busch requested staff develop a strategy to bring the outstanding plan check waiting time down to a manageable level.

Council consensus to receive and file the status on staffing and workload issues in the Planning and Building Safety Department.

10. Consideration and possible action regarding award of a contract to Tron Construction, Inc. for construction related to Group 24 (25 residences) of the Residential Sound Insulation (RSI) Program. (Estimated construction costs and retention: $877,250)

Council Member Jacobson stated he had received complaints on the RSI program and most of the time the Contractor was Tron Construction. Requested that the contract have penalties included. He also requested the City Manager have a discussion with the contractor and share the Council and Staff concerns regarding complaints.

City Attorney, Mark Hensley, stated there was a process to disqualify a bidder and documentation was needed to state in what ways they were not qualified.

MOTION by Council Member Jacobson, SECONDED by Council Member Boulgarides to award Contract No. 3797 to Tron Construction, Inc. for construction related to Group 24 (25 residences) of the Residential Sound Insulation (RSI) Program. (Estimated construction costs and retention: $877,250) Authorized the City Manager to execute the contract in a form approved by the City Attorney. The City Manager to have a discussion with the contractor and share the Council and Staff concerns regarding performance issues. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY - Reported that the Council in closed session by unanimous vote authorized the City Attorney's Office to initiate administrative and other legal proceedings as necessary to protect the City's interest with regard to the March 4, 2008, Notice of Violation and Order issued by the Regional Water Quality Control Board.

I. REPORTS – CITY CLERK – Clerk Mortesen announced the last day to register to vote for the April 8, Municipal Election was March 24.

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fisher – Spoke regarding the “Trees to the Sea” project.

Council Member Jacobson – Spoke on the opening of Douglas Street to Rosecrans.
Council Member Boulgarides – Spoke regarding the air quality testing that will be done on Wednesday, March 19 at locations on the West side and the East side. Also stated that there would be a Blood Mobile at Farmers Market on March 27. Spoke regarding the ad hoc committee that was investigating film permits and noted that no action has been taken. Requested to agendize stop sign request at the intersection of Sierra Street and Holly Avenue for the next Council meeting.

Mayor Pro Tem Busch – Spoke on “Trees to the Sea” and the “Run for Education”. Encouraged the public to join in. Also wished his son Brendan a happy birthday on March 28.

Mayor McDowell – Spoke regarding the number of film permits that have been issued and the film ad hoc committee.

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have receive value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of $250. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.

MEMORIALS – PETER BOWMAN, who died on February 26, 2008, at the age of 82.

ADJOURNMENT at 8:05 p.m.

Cindy Mortesen, City Clerk
Consideration and possible action to waive the formal bidding process per the El Segundo Municipal Code Section 1-7-10 and authorize the Fire Department to issue a purchase order enabling Valley Fire Service to perform a major engine overhaul for Truck 32.

(Fiscal Impact: $27,000 estimated)

RECOMMENDED COUNCIL ACTION:

1) Recommend that the City Council waive the formal bidding process per the El Segundo Municipal Code Section 1-7-10, and authorize the Fire Department to issue a purchase order to Valley Fire Service to perform a major engine overhaul on Truck 32; 2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

The Fire Department’s Truck 32 experienced a catastrophic engine failure while being driven on the freeway returning from another repair. During an initial inspection of the damage conducted by Valley Fire Service, coolant was found in the air box and oil was found to be pumping from the cylinder kits indicating that the engine had a cracked head or head gasket failure. A major in-frame engine overhaul was recommended to repair the damage. Truck 32 is the only aerial ladder truck within the Fire Department’s apparatus fleet, and vital to its emergency response capabilities. As such, the City Manager authorized an emergency purchase per Municipal Code Section 1-7-12 to allow this repair to be made expeditiously. These repairs are underway and were estimated to be completed within two weeks of the receipt of the purchase order. The total cost of the repairs to the engine is estimated and will not be known until the full extent of the damages can be assessed during the overhaul.

ATTACHED SUPPORTING DOCUMENTS:

Cost estimate provided by Valley Fire Service

FISCAL IMPACT: $27,000 estimated

Operating Budget: $209,850
Amount Requested: $27,000 estimated
Account Number: 001-400-4601-5204
Project Phase: N/A
Appropriation Required: ___Yes ___No

ORIGINATED BY: Kevin S. Smith, Fire Chief
DATE: March 24, 2008

REVIEWED BY: Jeff Stewart, City Manager
DATE: 3/24/08
This is an estimate for performing an In-Frame overhaul on the Pierce Sable E8390. During the initial inspection we found, coolant in the air box, indicating cracked head, or head gasket failure, oil pumping from cylinder kits, scoring on cylinder walls and pistons, blower drive train loose, and end play in turbocharger. Therefore we recommend replacing the following:

- 8 cylinder kits
- 2 cylinder heads
- blower
- turbocharger
- main and rod bearings
- 8 injectors
- fuel pump
- all top side fuel lines and fittings

Turn around time depends on parts availability and shop workload at the time of arrival. If we find anything that will go over the quoted price we will notify you for approval. This does not include tax or freight charges. Price does not include core charges, if cores are not redeemable, then price could change. This estimate is good for 30 days.

Total Labor: $9,300.00

Parts total: $14,639.03

TOTAL PRICE: $23,939.03

THANK YOU.

[Signature]
EL SEGUNDO CITY COUNCIL
AGENDA ITEM STATEMENT

MEETING DATE: April 1, 2008
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:

Consideration and possible action regarding the award of a Standard Public Works Contract to Ardalan Construction Company, Inc. for the Urho Saari Swim Stadium Window Replacement (219 W. Mariposa Avenue) in the amount of $68,680. Project No.: PW 08-03 (Fiscal Impact: $68,680.00).

RECOMMENDED COUNCIL ACTION:

Recommendation – (1) Authorize the City Manager to execute a Standard Public Works Contract in a form as approved by the City Attorney with Ardalan Construction Company, Inc., in the amount of $68,680; (2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

On February 6, 2008, the City Council adopted the plans and specifications and authorized staff to advertise the project for competitive bids.

(Continued on the next page)

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT: $68,680

Capital Improvement Program: $ 70,000.00
Amount Requested: $ 68,680.00
Account Number: 301-400-8202-8989
Project Phase: Award of Contract
Appropriation Required: No

ORIGINATED BY: DATE:

Dan Garcia, Assistant City Engineer 3-25-08

REVIEWED BY: DATE:

Jeff Stewart, City Manager 3/25/08
On March 18, 2008, the City Clerk received and opened the following three (3) bids:

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>AMOUNT</th>
</tr>
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<tbody>
<tr>
<td>Ardalan Construction Company, Inc.</td>
<td>$68,680.00</td>
</tr>
<tr>
<td>Sierra Engineering and Construction, Inc.</td>
<td>$99,960.00</td>
</tr>
<tr>
<td>Norse Corporation</td>
<td>$119,618.00</td>
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</table>

The lowest bid from Ardalan Construction Company, Inc. is responsive. Ardalan Construction has successfully completed a similar project for the City in the past. Staff recommends award of a Public Works Contract to Ardalan Construction, Inc. for $68,680.

The proposed windows are Low-E dual glazed clear glass vinyl windows which will look similar to the original windows of 1940’s.
AGENDA DESCRIPTION:

Consideration and possible action regarding a request from L.A. County Fire Department Lifeguard Operations for use of Urho Saari Swim Stadium (The Plunge) at 219 W. Mariposa Ave on April 15, 2008, and for a fee waiver per Municipal Code Section § 8-8-7 (D) (1). (Fiscal Impact: $290)

RECOMMENDED COUNCIL ACTION:

(1) Approve the use request and waiver of use fees per Municipal Code Section § 8-8-7 (D) (1); (2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

The Los Angeles County Fire Department Lifeguard Division has requested the use of the City of El Segundo's Urho Saari Swim Stadium (The Plunge) to hold a Beach Captain swim exam on Thursday, April 15, 2008, from 7-9 a.m. Thirty-seven participants including swimmers and exam staff are expected to attend. The County is also requesting the City of El Segundo waive established applicable user fees of $290.

The County uses various local agency facilities for testing purposes several times throughout the year. The Plunge is a desired facility by the County due to it being an indoor pool, the proximity of The Plunge to County guard offices, and past positive training experiences County staff has had at The Plunge. City Council last granted the County's request for use of The Plunge and a fee waiver in December 2007.

The Plunge aquatic programs will not be impacted during the time requested by the County and maintenance scheduled during this use time can be rescheduled to accommodate the use.

ATTACHED SUPPORTING DOCUMENTS:
1. Request from LA County Fire Dept. Lifeguard Div. for use of the Urho Saari Swim Stadium and a waiver of fees

FISCAL IMPACT: $290

Operating Budget: ---
Account Number: 001-400-5202-4102
Amount Requested: ---
Project Phase: ---
 Appropriation Required: ___Yes   X  No

ORIGINATED:          DATE: 3/20/08

Richard Brunette, Recreation and Parks Director

REVIEWED BY:        DATE: 3/25/08

Jeff Stewart, City Manager
March 11, 2008

TO: JEFF STEWART, CITY MANAGER
    RICHARD BURNETTE, PARKS & RECREATION DIRECTOR

FROM: ASSISTANT LIFEGUARD CHIEF PHILIP J TOPAR
      CENTRAL REGIONAL OPERATIONS
      LOS ANGELES COUNTY LIFEGUARDS

SWIM TEST AT THE EL SEGUNDO PLUNGE

The Los Angeles County Lifeguards respectfully request the reservation of the El Segundo Plunge for our Beach Captain exam on April 15, 2008. The Captain's exam is designed for permanent employee promotion, and is broken into three parts:

1. A written exam on March 18, 2008 at our Fire Department Headquarters in Los Angeles.
2. A swim exam on April 15, 2008 at the El Segundo Plunge from 0700 to 0900 hours.
3. An Appraisal of Promotability and review of records on April 14-16.

The swim exam is a 500 meter (550 yards) timed event that is graded. All applicants must swim under 10 minutes to qualify and under 7 minutes for a perfect score.

We expect approximately 25 swimmers for that day, with heats of 5 or more every 15 minutes. We will also have an exam staff of approximately 12 lifeguards that will help time the 500 meter event and process the applicants.

As you are aware, your City Council approved the Los Angeles County Fire Departments' usage of the El Segundo Plunge for promotional exams, without fees, on December 18, 2008. We appreciate your assistance, thanks, Phil.
Consideration and possible action regarding a resolution establishing a monthly salary range and adopting a class specification for a new job classification entitled Senior Plan Check Engineer. (Fiscal Impact: $25,000 for FY 2007/2008; this cost is anticipated to be off-set by cost savings from consultant services expenditure)

RECOMMENDED COUNCIL ACTION:
1) Adopt Resolution;
2) Approve the class specification; and
3) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:
At the City Council meeting on March 18, 2008, staff submitted an updated status report regarding staffing and workload issues in the Planning and Building Safety Department. During that meeting, staff was directed to study options regarding the need to provide additional “over the counter” plan check services to the public in order to reduce the plan check review period and to enhance the customer service efforts in the department. In order to accomplish this, staff is proposing at this time to consider the creation of a new position entitled Senior Plan Check Engineer. The proposed senior position would replace and eliminate the currently vacant, entry level, Plans Examiner position.

There are a number of logistical, service effectiveness, and workload reasons to consider a Senior Plan Check Engineer position. From a workload perspective, the department is currently staffed with one (1) full-time Plan Check Engineer and one (1) vacant Plans Examiner position. The remainder of the plan check workload is distributed to either existing staff or to consultants.

ATTACHED SUPPORTING DOCUMENTS:
1) Resolution establishing basic monthly salary range.
2) Proposed class specification.

FISCAL IMPACT: $25,000
Operating Budget: $664,600
Amount Requested: $25,000
Account Number: 001 – 400 – 2403 – 4101
Project Phase: N/A
Appropriation Required: X Yes ___ NO

ORIGINATED BY: Gary Chicots, Director of Planning and Building Safety

REVIEWED BY: Jeff Stewart, City Manager
The Plans Examiner position approved for the FY2007/2008 budget has not been filled. Moreover, previous attempts to fill the position have not been successful. Primarily, this is because of the non-competitive nature of the salary compared to current industry standards. The Planning and Building Safety Department has determined that the Department's difficulty in maintaining a consistent high level of customer service is affected by the plan check workload of the department coupled with the current staffing and the reliance mostly on outside consultants. The ability to coordinate schedules to arrange appointments between the customers and the City's consultants is often a critical factor in the City's ability to maximize efficiency and streamline the process on the City's part in order to achieve consistent and acceptable results. Therefore, the Planning and Building Safety Department believes that a full time Senior Plan Check Engineer position is needed to return to a consistent high level of customer service.

The Senior Plan Check Engineer would be responsible for a coordinated and efficient plan check process. This individual would monitor and assess the number and complexity of the plan checks being submitted and assign plan check work to the Building Division staff accordingly. The goal of this position would be to quickly assess and “trouble-shoot” plan check submittals and provide plan check services “over the Counter” whenever possible. All other submittals would be submitted for plan review and would be assigned as needed. Staff believes that a seasoned and knowledgeable person who has considerable plan check experience and who is motivated to obtain results in a timely fashion would be highly desirable.

In order to accomplish this staff is proposing to replace the vacant Plans Examiner position with the newly created Senior Plan Check Engineer position. In order to implement this action, a request to fund the difference in the salaries of the position for the remainder of FY2007/2008 year is attached.

The Senior Plan Check Engineer position will be partially funded through cost savings from consultant services expenditure. Savings will occur in two areas. First, fewer plans will be sent to consultants and more plans will be checked by City staff. Second, consultants will no longer be used to provide office hours. This service will be provided by in-house plan check personnel. In addition, staff anticipates increased revenue enhancements from permit and plan check fees through the remainder of the fiscal year. Therefore, the funding off-set and revenue enhancements identified should be sufficient to fund the position.

If approved, staff anticipates the following cost and benefits:
<table>
<thead>
<tr>
<th>Cost</th>
<th>Benefits</th>
</tr>
</thead>
</table>
| $25,000 for FY 2007/2008 | Improved Customer Service to Residents  
  - More home remodels and additions will be checked over-the-counter (same day). |
| N/A | Improved Customer Service to Businesses  
  - More tenant improvements will be completed over-the-counter (same day). |
| N/A | Cost savings  
  - Fewer plans will be shipped to consultants. More plans will be checked in-house.  
  - Consultants will no longer be used to provide office hours. In-house staff will be utilized to provide this service. |

Lastly, if approved, the Senior Plan Check Engineer position will join the supervisory and professional employee bargaining group.
RESOLUTION NO. ______

A RESOLUTION ESTABLISHING A SALARY RANGE FOR
THE JOB CLASSIFICATION OF SENIOR PLAN CHECK ENGINEER.

BE IT RESOLVED by the Council of the City of El Segundo as follows:

Section 1: The City Council approves the following basic monthly salary range:

<table>
<thead>
<tr>
<th></th>
<th>STEP A</th>
<th>STEP B</th>
<th>STEP C</th>
<th>STEP D</th>
<th>STEP E</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Plan Check Engineer Range 52s</td>
<td>7196.59</td>
<td>7550.91</td>
<td>7943.69</td>
<td>8345.83</td>
<td>8768.34</td>
</tr>
</tbody>
</table>

Section 2: The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the City's original resolutions; and make a minute of the adoption of the Resolution in the City Council's records and the minutes of this meeting.

PASSED, APPROVED AND ADOPTED this 18th day of March, 2008.

______________________________
Kelly McDowell, Mayor

ATTEST:

______________________________
Cindy Mortesen, City Clerk

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

______________________________
Mark Hensley, City Attorney
City of El Segundo, CA

SENIOR PLAN CHECK ENGINEER
PLANS EXAMINER

Definition: Under general supervision of the Building Official, the Senior Plan Check Engineer is responsible for managing, organizing and directing the activities of the Building Safety plan check process. The incumbent will also review structural calculations, specifications and construction plans for residential, commercial and industrial building projects, performs the checking of routine and complex construction plans for residential, commercial and industrial structures.

Essential Functions: Essential functions, as defined under the Americans with Disabilities Act, may include the following duties and responsibilities, knowledge, skills and other characteristics. This list of duties and responsibilities is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by positions in this class.

Characteristic Duties and Responsibilities:

Responsible for managing, monitoring, directing, coordinating, and “trouble-shooting” the overall plan check process so that it is operating efficiently.

Examines plans and specifications for the construction, alteration and repair of residential, commercial and industrial buildings and structures; ensures plans conformance with building safety and other codes, ordinances, laws, regulations and restrictions.

Compiles and reviews comprehensive correction lists; reviews structural and energy design calculations; maintains files and records of specifications, calculations and other pertinent information related to submitted plans; recommends modifications to ordinances and policies.

Confers with architects, engineers, developers and contractors regarding plan check requirements before plans are submitted to the Department; consults about problems with initial plans and required changes; reviews work of outside plan check engineers and consultants.

Provides technical assistance to engineers, architects, contractors, other City personnel and the public; interprets and explains requirements and restrictions relative to building codes, ordinances, regulations, policies and procedures.

Coordinates plan check activities with other projects, programs, departments or staff to ensure program delivery according to appropriate policies, procedures and specifications; resolves discrepancies or procedural problems.
Knowledge, Skills and Other Characteristics:

Knowledge of the California Building Standards Code Uniform Building Codes and related laws, ordinances, rules, regulations, policies and procedures, including disabled access requirements, energy and environmental standards.
Knowledge of principles and practices of structural and civil engineering.
Knowledge of construction methods and materials.

Skill in reading and interpreting plans, blueprints and specifications.
Skill in interpreting and applying building-related laws, ordinances, rules, regulations, policies and procedures.
Skill in conducting field investigations.
Skill in developing and implementing policies and procedures.
Skill in managing special projects and activities.
Skill in conducting research and preparing clear, concise and comprehensive reports.
Skill in communicating effectively orally and in writing.
Skill assessing and interpreting data and making appropriate recommendations.
Skill writing and speaking effectively to non-technical audiences.
Skill dealing constructively with conflict and developing effective solutions.
Skill operating typical office equipment, including personal computer and standard office programs.
Skill establishing and maintaining effective working relationships with staff, other City employees and the public.

Licensing/Certification Requirements:
Registration as a Professional Engineer in the State of California. Civil Engineer is desirable.
Certification by the International Code Council (ICC) and California Building Officials (CALBO) as a Building Plans Examiner within twelve months of hire.
Due to the performance of field duties that may require operation of a City vehicle, must possess and maintain a valid California driver’s license along with an acceptable driving record
Plan Examiner Certificate issued by ICBO within 12 months after employment begins.

Qualifications:

A Bachelors degree from an accredited college or university in Civil Engineering or a related field and five (5)-two years of progressively responsible experience in building safety, zoning and/or plan checking activities, preferably involving substantial public contact; or an equivalent combination of education and experience.
AGENDA DESCRIPTION:
Consideration and possible action regarding adoption of a Resolution appointing the City Manager, Director of Finance, or Fiscal Service Manager, or designee to serve as board member, alternate board member, and substitute alternate board member on the Independent Cities Risk Management Association (ICRMA) governing board.

RECOMMENDED COUNCIL ACTION:
(1) Adopt Resolution appointing the City Manager as the ICRMA primary governing board member and Director of Finance as the alternate governing board member and Fiscal Services Manager as the substitute alternate; (2) Alternatively discuss and take other action related to this item.

BACKGROUND & DISCUSSION:
The bylaws of ICRMA require that the Governing Board shall be comprised of one representative from each member. In addition to the delegate representative, who may be a legislative member, an alternate and substitute alternate may be appointed either of whom may vote in the absence of the delegate representative. If the member chooses to designate an alternate or substitute alternate, other than a legislative member, the person(s) designated shall have one of the following positions, or their equivalent, City Attorney, Assistant City Attorney, Financial Officer, City Administrator/Manager, Assistant/Deputy City Administrator/Manager, Assistant to City Manager, Risk Manager, Human Resources Director/Manager, or Administrative Services Director. This resolution will reappoint the City Manager as the governing board member, Director of Finance as alternate governing board member and Fiscal Services Manager as the substitute alternate and grant authority to the City Manager to designate a substitute alternate as needed to represent the City's interest.

ATTACHED SUPPORTING DOCUMENTS:
Resolution to appoint specific representatives to ICRMA.

FISCAL IMPACT: None

Operating Budget:
Amount Requested:
Account Number:
Project Phase:
Appropriation Required:  _ Yes  _ No

ORIGINATED BY:    DATE: 3/24/08
Deborah Cullen, Director of Finance

REVIEWED BY:      DATE: 3/25/08
Jeff Stewart, City Manager
RESOLUTION NO. ___

A RESOLUTION APPOINTING REPRESENTATIVES TO THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY ("ICRMA").

The City Council of the city of El Segundo resolves as follows:

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

A. El Segundo is a member of the Independent Cities Risk Management Authority ("ICRMA").

B. Pursuant to the ICRMA By-laws and Joint Powers Agreement, the City Council may appoint a delegate representative, who may be a legislative member, an alternate and substitute alternate may be appointed either of whom may vote in the absence of the delegate representative. If a member chooses to designate an alternate, other than a legislative member, the person(s) designated shall have one of the following positions, or their equivalent, City Attorney, Assistant City Attorney, Financial Officer, City Administrator/Manager, Assistant/Deputy City Administrator/Manager, Assistant to the City Manager, Risk Manager, Human Resources Director/Manager, or Administrative Services Director.

SECTION 2: City Manager is appointed to serve on the ICRMA Governing Board as the City’s representative.

SECTION 3: The Director of Finance is appointed as the City’s alternate representative and the Fiscal Services Manager as the substitute alternate. The City Manager has the authority to designate an alternate and substitute alternate as needed to represent the City’s interest.

SECTION 4: The individuals appointed by this Resolution are authorized to represent the City while acting as ICRMA delegates. Such authority includes the power to vote for the City on matters presented to the ICRMA Governing Board. These representatives are directed to keep the City Council regularly informed regarding ICRMA proceedings.

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

PASSED AND ADOPTED this ___ day of _____________, 2008.

________________________________________
Kelly McDowell, Mayor

ATTEST:

________________________________________
Cindy Mortesen, City Clerk

APPROVED AS TO FORM:

-1-
I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. _______ was duly passed and adopted by said City Council, approved and signed by the Mayor of said City, and attested to by the City Clerk of said City, all at a regular meeting of said Council held on the _____ day of ________________ 2008, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

____________________
Cindy Mortesen, City Clerk
AGENDA DESCRIPTION:
Consideration and possible action regarding the second reading and adoption Ordinance No. 1418 to amend the El Segundo Municipal Code to conform Municipal Code with statutory provisions of the Digital Infrastructure and Video Competition Act (DIVCA), including establishing franchise and PEG fees at the current local franchise fee rates of 5% and 2% of gross revenues, respectively. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1) Waive second reading and adopt Ordinance No. 1418; 2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

At the March 18, 2008 City Council meeting, an ordinance was introduced to amend the El Segundo Municipal Code to conform Municipal Code with statutory provisions of the Digital Infrastructure and Video Competition Act (DIVCA), including establishing franchise and PEG fees at the current local franchise fee rates of 5% and 2% of gross revenues, respectively.

Ordinance No. 1418 is available for second reading and adoption.

ATTACHED SUPPORTING DOCUMENTS:
Ordinance No. 1418

FISCAL IMPACT: None
Operating Budget: N/A
Amount Requested: N/A
Account Number:
Project Phase:
Appropriation Required: _ Yes  X No

ORIGINATED BY: Bill Crowe
DATE: 3/25/08

Bill Crowe, Assistant City Manager

REVIEWED BY: Jeff Stewart, City Manager
DATE:
ORDINANCE NO. 1418

AN ORDINANCE OF AMENDING § 9-6-3 AND ADDING A NEW § 9-6-27 TO THE EL SEGUNDO MUNICIPAL CODE ESTABLISHING VIDEO FRANCHISE FEES, PEG FEES, PENALTIES AND OTHER RELATED MATTERS FOR STATE VIDEO FRANCHISE AGREEMENTS.

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

SECTION 1: El Segundo Municipal Code ("ESMC") § 9-6-3 is amended by adding the definition of "State Franchisee" in alphabetical order to read as follows:

"State Franchisee" means any holder of a State-issued video franchise operating in the City, as defined in Public Utilities Code § 5830(p).

SECTION 2: A new § 9-6-27 is added to the ESMC to read as follows:

"9-6-27: STATE VIDEO FRANCHISES:

A. PEG Fee Established. In accord with Public Utilities Code § 5870(n), any Grantee of a Franchise, or State Franchisee, must pay the City a fee for the support of PEG channel facilities.

1. The amount of the PEG Fee established by this section 9-6-27 is two percent (2%) of Gross Revenues, as defined in this Code, the applicable City-issued franchise, or Public Utilities Code § 5860(d).

B. Franchise Fee Established. For any State Franchisee, the amount of the franchise fee imposed by Public Utilities Code § 5840(q) is five percent (5%) of Gross Revenues, as defined in Public Utilities Code § 5860(d).

1. In accord with Public Utilities Code § 5860(a), the City Manager, or designee, will prepare and provide to State Franchisees all necessary documentation supporting the percentage franchise fee paid by the incumbent cable operator serving the City.

C. Notices from State Franchisees. Any notice a State Franchisee is required to deliver to the City by Public Utilities Code § 5840(m) must be delivered to the City Manager, or designee.

D. Nothing in this Chapter is intended to limit or restrict in any way the imposition of any existing or future generally applicable, nondiscriminatory, competitively neutral tax, fee, or charge to a State Franchisee, City franchisee or the services the franchisees provide.

1. All State Franchisees must comply with all applicable State and Federal laws and regulations regarding customer service and customer protection.

2. The City Manager, or designee, may review the performance of State Franchisees for compliance with the customer service requirements specified in Public Utilities Code § 5900 (the "Customer Service Standards").

3. If the City believes a material breach of the Customer Service Standards has occurred, the City Manager must give the State Franchisee written notice of any alleged material breach(es). The State Franchisee must remedy the specified material breach(es) not later than thirty (30) days from receipt of the notice.

4. If the State Franchisee fails to remedy the specified material breach(es) within thirty (30) days, the City Manager, or designee, may impose monetary penalties as set forth in this Section.

F. The City Manager, or designee, may impose monetary penalties as provided by this Section as follows:

1. Up to five hundred dollars ($500) for each day of each material breach, not to exceed one thousand five hundred dollars ($1,500) for each occurrence of a material breach.

2. For a second material breach of the same nature within 12 months, up to one thousand dollars ($1,000) for each day of each material breach, not to exceed three thousand dollars ($3,000) for each occurrence of the material breach.

3. For a third or further material breach of the same nature within 12 months, up to one thousand dollars ($1,000) for each day of each material breach, not to exceed three thousand dollars ($3,000) for each occurrence of the material breach.

4. Any monetary penalty imposed under this section may be appealed by the State Franchisee to the City Council. Appeals must be received in writing by the City Clerk within sixty (60) days of imposition of the penalty. The State Franchisee may present any relevant written or oral evidence of its choice. The City Council may uphold or reverse, in whole or in part, the imposition of the monetary penalties.

G. The City Manager, or designee, must ensure PEG transmissions, content, and programming provided by the City to a State Franchisee is in a format
compatible with the State Franchisee’s system. In the alternative, the
transmissions, content, and programming may be provided in a industry
standard format, in accord with Public Utilities Code § 5870(g)(1).

H. For the duration of any City-issued franchise, if that Franchisee has
existing unsatisfied obligations under the franchise to pay to the City any
cash payments for the ongoing costs of public, educational, and
government access channel facilities or institutional networks, the fee
payable by each City and State Franchisee is the Franchisee’s pro rata per
subscriber share of the cash payment required to be paid by the City
franchisee to the City for the costs of PEG channel facilities.

1. Within forty-five (45) days after receiving notice required by Public
Utilities Code § 5840(n), each City and State Franchisee must
provide to the City Manager, or designee, a written statement of the
number of its subscribers within the Franchisee’s service area in the
City.

2. Within forty-five (45) days after receiving all Franchisee subscriber
number statements, the City Manager, or designee, must calculate
the division of the cash payments among all City and State
Franchisees, and provide written notice to each Franchisee of the
Franchisee’s share of the cash payment. This amount may
expressed as a percentage of gross revenue or as an amount per
subscriber, per month, or otherwise.

I. Interconnection. To properly serve the City’s interest in PEG
programming, each State Franchisee and City Franchisee must comply
with the PEG system interconnection requirements of Public Utilities
Code § 5870. The City Manager, or his or her designee, may make any
interconnection determinations of the City under Public Utilities Code §
5870, including requiring interconnection where the City Franchisee and
State Franchisee fail to reach a mutually acceptable interconnection
agreement.”

SECTION 3: Repeal or amendment of any provision of the El Segundo Municipal Code
herein will not affect any penalty, forfeiture, or liability incurred before, or preclude
prosecution and imposition of penalties for any violation occurring before, this
Ordinance’s effective date. Any such repealed part will remain in full force and effect for
sustaining action or prosecuting violations occurring before the effective date of this
Ordinance.

SECTION 4: If any part of this Ordinance or its application is deemed invalid by a court
of competent jurisdiction, the city council intends that such invalidity will not affect the
effectiveness of the remaining provisions or applications and, to this end, the provisions
of this Ordinance are severable.
SECTION 5: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 6: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this ___ day of _________, 2008.

______________________________
Kelly McDowell, Mayor
ATTEST:

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. was duly introduced by said City Council at a regular meeting held on the _____ day of ____________, 2008, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the _____ day of ____________, 2008, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________

Cindy Mortesen, City Clerk

ATTEST:

__________________________

Cynthia Mortesen, City Clerk

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

By:

Karl H. Berger,
Assistant City Attorney
Consideration and possible action to authorize a Professional Services Agreement in a form as approved by the City Attorney with Stephanie Katsouleas to serve as Interim Director of Public Works. (Fiscal Impact: $70,000)

RECOMMENDED COUNCIL ACTION:

(1) Authorize the City Manager to execute a Professional Services Agreement in a form as approved by the City Attorney with Stephanie Katsouleas for a term not to exceed six months and an amount of $70,000; (2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

The Director of Public Works position has been vacant since November 2007. Since that time, the City retained Alliance Resource Consultants to complete a recruitment process for a new Director. That process yielded six candidates who were considered for the position. The top candidate was Stephanie Katsouleas. Prior to an offer from the City, however, Ms. Katsouleas informed staff that her spouse accepted a position on the east coast, and that she would be relocating with family in the future. During subsequent discussions, Ms. Katsouleas expressed an interest in serving the City of El Segundo as Interim Director of Public Works while staff worked with Alliance Resource Consultants on a new recruitment process. Accordingly, staff is recommending that the City Council approve an agreement with Ms. Katsouleas in the amount of $11,663/month to serve in the capacity for a period not to exceed six months. It is expected that a new recruitment process for the position will run at least four months. The agreement, if approved, would be funded with salary savings from the vacant Director’s position.

Ms. Katsouleas is a registered engineer and holds Bachelor's Degrees in Mathematics and Civil Engineering and a Master’s Degree in Civil Engineering from the University of California, Los Angeles. She is currently employed by the City of Manhattan Beach as a Senior Civil

(Continued on Next Page)

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT: $70,000 (to be offset by salary savings)

Operating Budget:
Amount Requested: $70,000
Account Number: 001-400-4101-6214
Project Phase:
Appropriation Required: ___Yes ___No

ORIGINATED BY: ___________________________ DATE: March 24, 2008

Jeff Stewart, City Manager
Background and Discussion (con't):

Engineer. Prior to that Ms. Katsouleas served as Assistant Director of the Santa Monica Bay Restoration Commission. During her career, Ms. Katsouleas has managed a variety of projects and worked with many different constituencies, which will serve her well in performing the functions of the Public Works Director position.
EL SEGUNDO CITY COUNCIL
AGENDA ITEM STATEMENT
MEETING DATE: April 1, 2008
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:
Consideration and possible action regarding the Fiscal Year 2007-2008 First Quarter Financial Review. (Fiscal impact: None)

RECOMMENDED COUNCIL ACTION:
(1) Receive and file FY 2007-2008 First Quarter Financial staff report.  
(2) Alternatively discuss and take other action related to this item

BACKGROUND & DISCUSSION:

The focus of this FY 2007-2008 financial review is to review revenues and expenditures in all funds for the period of October 1, 2007 through December 31, 2007 to determine if the funds are on target with budget.

(Continued on Next Page)

ATTACHED SUPPORTING DOCUMENTS:
None

FISCAL IMPACT: None

Operating Budget:
Amount Requested:
Account Number:
Project Phase:
Appropriation Required:  Yes  No

ORIGINATED BY:  DATE:  3/24/08

Deborah Cullen, Director of Finance

REVIEWED BY:  DATE:  3/25/08

Jeff Stewart, City Manager
BACKGROUND & DISCUSSION (CONTINUED)

**First Quarter Financial Review Fiscal Year 2007-2008**

Staff has reviewed all revenues and expenditures for the first quarter of Fiscal Year 2007-2008, with an emphasis on the General Fund, to determine if all sources and uses are on target with the originally adopted budget and highlight any areas that may end the fiscal year significantly above or below budget.

**General Fund Revenues**

The following is a list of major General Fund revenues, and the performance of each source through the first quarter:

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Prior Year Q1</th>
<th>Current Year Q1</th>
<th>Variance Over/(Under)</th>
<th>Annual Budget</th>
<th>% Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales &amp; Use Tax</td>
<td>2,035,260</td>
<td>2,752,038</td>
<td>716,778</td>
<td>9,429,000</td>
<td>29%</td>
</tr>
<tr>
<td>Business License</td>
<td>495,545</td>
<td>918,739</td>
<td>423,194</td>
<td>9,198,000</td>
<td>10%</td>
</tr>
<tr>
<td>Property Tax</td>
<td>2,068,795</td>
<td>2,237,471</td>
<td>168,676</td>
<td>5,773,900</td>
<td>39%</td>
</tr>
<tr>
<td>Transient Occupancy (TOT)</td>
<td>1,088,869</td>
<td>1,350,042</td>
<td>261,173</td>
<td>4,339,400</td>
<td>31%</td>
</tr>
<tr>
<td>Franchise Tax</td>
<td>72,442</td>
<td>71,201</td>
<td>(1,241)</td>
<td>3,192,000</td>
<td>2%</td>
</tr>
<tr>
<td>Sales Tax in Lieu</td>
<td>253,665</td>
<td>420,793</td>
<td>167,128</td>
<td>2,975,000</td>
<td>14%</td>
</tr>
<tr>
<td>Electric Utility Tax</td>
<td>1,029,770</td>
<td>942,071</td>
<td>(87,699)</td>
<td>3,400,000</td>
<td>28%</td>
</tr>
<tr>
<td>Congeneration Electric</td>
<td>457,698</td>
<td>460,172</td>
<td>2,474</td>
<td>2,009,050</td>
<td>23%</td>
</tr>
<tr>
<td>Gas Utility Tax</td>
<td>204,757</td>
<td>422,451</td>
<td>217,693</td>
<td>500,000</td>
<td>84%</td>
</tr>
<tr>
<td>License &amp; Permits</td>
<td>306,760</td>
<td>259,280</td>
<td>(47,480)</td>
<td>1,420,900</td>
<td>18%</td>
</tr>
<tr>
<td><strong>Major Revenue Sources</strong></td>
<td><strong>$8,013,560</strong></td>
<td><strong>$9,834,258</strong></td>
<td><strong>$1,820,698</strong></td>
<td><strong>$42,237,250</strong></td>
<td><strong>23%</strong></td>
</tr>
</tbody>
</table>

**Sales & Use Tax and Sales Tax in Lieu** combined is the City's largest revenue source, accounting for 22% of the General Fund revenues. We have experienced growth in the sales tax category from the opening of Plaza El Segundo and are fortunate to see an increase of $716,778 over the same period last year. It should be noted that the increase we are seeing was accounted for in the FY 2007-2008 budget projection. Staff will be reviewing the actual fourth quarter receipts and at mid-year will report in more detail the impact from Plaza El Segundo. Countering this trend, however, are two significant reductions that will impact this category later this fiscal year as well as projections for FY 2008-2009. En Pointe Technology and Computer Sciences Corporation are both moving their operations out of the City which will result in a combined annual loss of sales tax revenue of over $1 million.

**Business License Tax** is the City's second largest General Fund revenue source, accounting for 17% of total revenues. The majority of this revenue stream is collected in January and February, and based on the preliminary numbers though the end of January this category will meet the annual budget. The top 5 taxpayers in this category generate slightly over $4.9
BACKGROUND & DISCUSSION (CONTINUED)

million. This category continues to be a strong revenue source and will meet budget by yearend.

Property Tax is currently 8% or $169,000 over the same period last year. Based on research that staff has performed and discussions with our consultants the housing slowdown has not impacted this revenue source to date. However, we anticipate some impact from countywide property tax delinquencies which will affect all cities in the county. The delinquencies are allocated across cities in the county, not just to the city in which the delinquency occurs. Ultimately, those late payments are collected through the sale process, but that process may take a few years. At mid-year staff will be in a better position to estimate any realized impacts to this revenue source.

Transient Occupancy Tax is currently 24% or $262,000 over same period last year, with 31% of budget received. This is due to strong occupancy levels along with increased rates. Staff will continue to monitor and report any changes due to the economic conditions at mid-year.

Franchise Tax is currently below targeted budget however this is due to a timing issue. The City receives the majority of this revenue from two payments that are received in April. Staff estimates that this revenue category will be on target at mid-year.

Gas Utility Tax is currently at 85% of budget received. Based on the uncertainty of the operational status of the local power plant, staff had estimated a significant decrease in this category for FY 2007-2008. The good news through the first quarter of this year is that the local power plant has been running and the City has received $161,357 in revenue. Staff will continue to monitor this revenue source and make any adjustments at mid-year.

Interest on Investments is another category that staff will continue to monitor closely due to recent economic conditions. Currently this revenue source is tracking closely to the same period last year, and the City has received approximately 22% of the budget projection.

Charges for Services which includes Zoning and Planning fees, Plan Check fees, Plan Retention fees, Energy Plan Check fees, and Planning Service fees have a combined budget of 1,510,000 and the City has received 934,033 or 62% combined through the end of the first quarter.

The remaining revenue sources are performing as expected and appear to be on target with budget.

General Fund Expenditures

The General Fund expenditures through December 31st, 2007 are trending on budget and are slightly below prior year first quarter results by 2.4%. Continuing rising labor costs are evident again in this fiscal year. The following is an analysis of General fund expenditures by major categories:
Elected Officials and Administrative Support Services

This category, which consists of the City Council, City Clerk, City Treasurer, City Manager's office, Finance and Human Resources, is currently on target with budget.

Non Department

Non Department expenditures are currently on target with budget.

Public Safety

Overall, the Fire Department has experienced a 3% or $106,725 expenditure increase in comparison to the same period last year. Within Fire Suppression, overtime expenditures are $67,854 or 105.36% of annual budget. Increased overtime was related primarily to strike teams responding to the Fall 2007 fires across Southern California. These strike team costs are reimbursed by the State or Federal government, typically within 6-9 months after the incident. The overtime balance was due to vacancies in the Battalion Chief and Firefighter ranks.

The Fire Paramedic division is at 28% of budget through first quarter. This is primarily due to two vacancies. The Fire Department at the quarter end is $3,774,301 or 30% of budget.

The Police Department in total is on target with budget. First-quarter expenditures totaled $4,079,732 or 25% of budget. The expenditure percentage trending remains the same in comparison to the same period last year. Police Patrol & Safety division was also in line with the prior year.

Planning and Building Safety

This department is experiencing increased growth in planning applications and building permits activity as evidenced by both revenues and expenditures. Zoning and Planning fees, Plan Check fees, Plan retention fee, Energy Plan Check fees, and Planning Service Fees have a combined revenue budget of $1,510,000 and the City has received $934,033 or 62% through December 31, 2007. Expenditures for the first quarter are $343,653 or 27% of budget. Consistent increases in planning applications and building permit activity are anticipated for the remainder of the fiscal year.

Public Works

This function's General Fund divisions consist of Government Buildings, Engineering, Street Services, Street Maintenance, Traffic Safety, Solid Waste Recycling, Wastewater, Storm Drains, Equipment Maintenance and Administration. At the end of the first quarter this department is right on target with actual expenditures at $1,018,340 or 24% of budget.
Recreational, Cultural and Information Services

The Recreation, Cultural and Information Services function includes the Recreation and Parks Department and the Library Department.

The Recreation and Parks Department expenditures have increased 14% or $108,468 over the same period last year. Currently, the Parks Division is $448,584 or 34% of budget and the Recreation Division is $423,857 or 29% of budget. Based on our trending analysis staff projects ending the year within the budgeted amount.

Library Services is on target with budget at 27% of expenditures realized though the first quarter.

Summary

With 25% of the fiscal year complete, General Fund expenditures are at 27% of budget and are generally on target. Year-to-date expenditures have increased 1.8% or $224,883 over the same period last year. There are no apparent adjustments needed at this time.

Expenditures and revenues in all other funds appear to be on target with budget.

At mid-year, staff will recommend moving identified revenue gains to fund GASB 45 as well as recommendations for allocating the Fiscal Year 2006-2007 surplus.
Consideration and possible action regarding rejection of all bids for construction related to Group 27 (36 residences) of the Residential Sound Insulation (RSI) Program. (Fiscal Impact: none)

RECOMMENDED COUNCIL ACTION:
1) Reject all bids received for construction related to Group 27 of the Residential Sound Insulation Program; 2) Authorize staff to re-advertise a Notice Inviting Sealed Bids for construction services; and 3) Alternatively discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

On March 17, 2008 the City Clerk’s office opened sealed bids for Group 27 (RSI 08-05) of the City’s Residential Sound Insulation (RSI) Program. The results of the bid openings were as follows:

1. Pardess Air, Inc. $ 871,000.00
2. G Coast Construction, Inc. $ 933,000.00
3. Horizons Construction, Inc. $ 946,494.00
4. Tron Construction, Inc. $ 987,550.00
5. S&L Specialty Contracting, Inc. $ 987,800.00
6. G.E. Chen Construction, Inc. $1,049,000.00
7. Professional Building Contractors, Inc. $1,062,026.00
8. NSA Construction Group, Inc. $1,090,000.00
9. DAB Construction, Inc. $1,101,130.00

(Please see attached page entitled “Background and Discussion (cont.,)"

ATTACHED SUPPORTING DOCUMENTS:
1) Bidder’s Proposal and Statement from Pardess Air, Inc.
2) Bidder’s Proposal and Statement from G Coast Construction, Inc.
3) Bidder’s Proposal and Statement from Horizons Construction, Inc.
4) Bidder’s Proposal and Statement from Tron Construction, Inc.

FISCAL IMPACT:

Operating Budget: $10,200,000
Amount Requested: none
Account Number: 116-400-0000-8960
Group: 27
Appropriation Required:  Yes  No

ORIGINATED:

James S. O’Neill, Program Manager

REVIEWED BY:

Bill Crowe, Assistant City Manager
Background and Discussion (cont.)

Reviews performed on the bids from Pardess Air, G Coast Construction, and Horizons Construction determined those bids to be non-responsive.

Pardess Air, Inc. did not fill out the bid form in its entirety, including but limited to, subtotals for some properties, contract values for proposed subcontractors, manufacturers and suppliers, and required information for subcontractors, manufacturers and suppliers.

G Coast Construction, Inc. did not fill out the bid form in its entirety, including but limited to, including pricing for property 27.01 and contract values for proposed subcontractors, manufacturers and suppliers.

Pardess Air, Inc. did not fill out the bid form in its entirety, including but limited to, subtotals for some properties, contract values for proposed subcontractors, manufacturers and suppliers, and required information for subcontractors, manufacturers and suppliers.

Additionally, in reviewing the bids received, two issues may have lead some bidders to be confused by the Contract Documents.

First, the Bid Form from Addendum #2 showed $0 for the property subtotal for the property identified as 27.01. Although most contractors crossed out the $0 and wrote in a bid subtotal for the property, Pardess Air, G Coast Construction and Horizons Construction did not include any amounts for construction related to this property.

And second, during the advertisement period, four (4) addenda were issued to the Contract Documents. The fourth (4th) lowest bid, Tron Construction, acknowledged receiving two versions of Addendum #2. Although there was only one version of Addendum #2, this potentially raises concern amongst other bidders who acknowledged only receiving the four addenda

Staff is of the opinion that due to these two discrepancies, there is sufficient cause for rejecting all bids and advertising a new Notice Inviting Sealed Bids for the project. Although this action delays construction of RSI Improvements for these thirty-six (36) residential dwellings, staff recommends that such action is in the best overall interest of the residents affected.
BIDDERS'S PROPOSAL AND STATEMENT
CITY OF EL SEGUNDO, LOS ANGELES COUNTY, CALIFORNIA

Project Number RSI 08-05
"Residential Sound Insulation Program – Group 27"

PROPOSAL

To the Mayor and City Council
City of El Segundo
350 Main St.
El Segundo, CA 90245

The undersigned declares that he/she has carefully examined the location of the proposed work and has otherwise satisfied himself/herself as to the nature and location of the work, and is fully informed as to all conditions and matters which can in any way affect the work or cost thereof, that he/she has examined the Contract Documents, and has read the accompanying “BIDDING INSTRUCTIONS” and hereby agrees to provide the following:

To furnish all labor, materials, equipment, transportation, and services and to do all the work required for the “Residential Sound Insulation Program – Group 27” in strict conformity with the Contract Documents and at the following lump sum price, to Wit:

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<th>ID</th>
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<th>Description</th>
<th>Engineer’s Estimate</th>
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<td>Doors B, C an H Hardware Upgrade</td>
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Bidder's Proposal and Statement
Group 27 (Addendum #2)

City of El Segundo
Residential Sound Insulation Program
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<td>27.17 900 Cedar St. #206</td>
<td>RSI Improvements</td>
</tr>
<tr>
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<td>RSI Improvements</td>
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<tr>
<td>27.19 900 Cedar St. #208</td>
<td>RSI Improvements</td>
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<td>27.21 900 Cedar St. #210</td>
<td>RSI Improvements</td>
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<tr>
<td>27.22 900 Cedar St. #211</td>
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<td>27.24 900 Cedar St. #102</td>
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<tr>
<td>27.27 900 Cedar St. #105</td>
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<tr>
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<td>27.36 721 W. Sycamore Ave.</td>
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Bidder's Proposal and Statement 2
City of El Segundo
Group 27 (Addendum #2)
Residential Sound Insulation Program
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<td>Air Conditioning Upgrade (Electrical)</td>
<td>$14,900</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>$33,958</td>
</tr>
</tbody>
</table>

**Total Bid (Contract Sum)**

Eight hundred thousand dollars

$871,000

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

**NOTICE:** Bidders will not be released due to errors and illegible bids must be disqualified.

**NOTICE:** Total Bid (Contract Sum) must equal the total of Schedule of Values. If the Total Bid does not equal the total of the Schedule of Values, it is grounds for rejection of the Bid. Furthermore, inconsistencies between the Schedule of Values and the Plans for each Dwelling are grounds for rejection of the Bid.

This bid is based upon completing the work as set in the Construction Schedule published in the Contract Documents. If awarded the contract for the Work, the undersigned hereby agrees to sign the contract and furnish the necessary bonds not more than ten (10) calendar days after Notice to Proceed date.

Enclosed is a Bidder's Bond, certified check or cashier's check, which is not less than ten percent (10%), as a guarantee that the undersigned will enter into the contract if awarded to the undersigned. The undersigned further agrees that in case of default in executing the required contract with necessary bonds and insurance, within the time limits above specified, said bonds or check and money payable therein must be fortified to and become the property of the City of El Segundo, State of California.

Name of Firm: **Pardess Air Inc.**

Address: **1769 Kelton Ave, LA, CA 90024**

Bidder's Proposal and Statement Group 27 (Addendum #2) 3

City of El Segundo Residential Sound Insulation Program
Telephone Number: 310 - 477 - 3628
Contractor's License Number: 766 553
Type of License: B, C-2D
License Expiration Date: 7/31/09
Type of Entity: ☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☐ Other

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

Contractor Representative: HOZAFFAR SHAYE
Title: PRESIDENT
Signature:

Dated this 11th day of MARCH, 2008.

If Corporation, please attach evidence of authority to sign.
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

Bidder acknowledges receipt of the following addenda, has become familiar with their contents, and has accounted for all such changes in the Bidder's Proposal and Statement. The Bidder must attach copies of transmittal letters and facsimile cover sheets for each identified addendum.

<table>
<thead>
<tr>
<th>Addendum Number</th>
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<tr>
<td>1</td>
<td>3/6/08</td>
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<tr>
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<td>3</td>
<td>3/7/08</td>
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<td>4</td>
<td>3/11/08</td>
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</table>

Addendum Number ______ Date: __________________
Addendum Number ______ Date: __________________
Addendum Number ______ Date: __________________
Addendum Number ______ Date: __________________

Signature: [Signature]

Dated this 11th day of MARCH, 2008.
DESIGNATION OF MATERIAL SUPPLIERS AND SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (Chapter 2, commencing at Section 4100, Division 5, Title 1 of the Government Code of the State of California) and any amendments thereof, each bidder must set forth below: (a) the name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement to be performed under this contract in an amount in excess of one-half of one percent (0.5%) of the prime contractor's total bid, and (b) the portion of the work which will be done by each subcontractor under this act and their license number. The prime contractor must list only one subcontractor for each such portion as is defined by the, prime contractor in this bid.

If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of one percent (0.5%) of the prime contractor's total bid, the Contractor must be deemed to have agreed that he/she is fully qualified and will perform that portion themselves.

No prime contractor whose bid is accepted must (a) substitute any subcontractor, (b) permit any subcontract to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid, or subcontract any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which the original bid did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act. Subletting or subcontracting of any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which no subcontractor was designated in the original bid must only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the City awarding this contract setting forth the facts constituting the emergency or necessity.

MATERIAL SUPPLIERS

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<th>Manufacturer</th>
<th>Supplier</th>
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Bidder's Proposal and Statement 6
Group 27 (Addendum #2)

City of El Segundo Residential Sound Insulation Program
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Bidder's Proposal and Statement
Group 27 (Addendum #2)

8

City of El Segundo
Residential Sound Insulation Program

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**SUBCONTRACTORS**

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<tr>
<th>Work Activity</th>
<th>Name of Subcontractor</th>
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*Bidder's Proposal and Statement*

Group 27 (Addendum #2)

City of El Segundo

Residential Sound Insulation Program
BIDDERS'S PROPOSAL AND STATEMENT
CITY OF EL SEGUNDO, LOS ANGELES COUNTY, CALIFORNIA

Project Number RSI 08-05
“Residential Sound Insulation Program – Group 27”

PROPOSAL

To the Mayor and City Council
City of El Segundo
350 Main St.
El Segundo, CA 90245

The undersigned declares that he/she has carefully examined the location of the proposed work and has otherwise satisfied himself/herself as to the nature and location of the work, and is fully informed as to all conditions and matters which can in any way affect the work or cost thereof, that he/she has examined the Contract Documents, and has read the accompanying “BIDDING INSTRUCTIONS” and hereby agrees to provide the following:

To furnish all labor, materials, equipment, transportation, and services and to do all the work required for the “Residential Sound Insulation Program – Group 27” in strict conformity with the Contract Documents and at the following lump sum price, to Wit:

<table>
<thead>
<tr>
<th>ID</th>
<th>Address</th>
<th>Description</th>
<th>Engineer's Estimate</th>
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<th>Bidder's Property Subtotal</th>
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Bidder's Proposal and Statement
Group 27 (Addendum #2)

City of El Segundo
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#### Total Bid (Contract Sum)

$933,000

**NOTICE:** BIDDERS WILL NOT BE RELEASED DUE TO ERRORS AND ILLEGIBLE BIDS MUST BE DISQUALIFIED

**NOTICE:** Total Bid (Contract Sum) must equal the total of Schedule of Values. If the Total Bid does not equal the total of the Schedule of Values, it is grounds for rejection of the Bid. Furthermore, inconsistencies between the Schedule of Values and the Plans for each Dwelling are grounds for rejection of the Bid.

This bid is based upon completing the work as set in the Construction Schedule published in the Contract Documents. If awarded the contract for the Work, the undersigned hereby agrees to sign the contract and furnish the necessary bonds not more than ten (10) calendar days after Notice to Proceed date.

Enclosed is a Bidder’s Bond, certified check or cashier’s check, which is not less than ten percent (10%), as a guarantee that the undersigned will enter into the contract if awarded to the undersigned. The undersigned further agrees that in case of default in executing the required contract with necessary bonds and insurance, within the time limits above specified, said bonds or check and money payable therein must be fortified to and become the property of the City of El Segundo, State of California.

Name of Firm: **G. COAST CONSTRUCTION, INC.**  
Address: **5461 Encino Ave, Encino, CA 91316**

Bidder’s Proposal and Statement 3  
City of El Segundo  
Group 27 (Addendum #2)  
Residential Sound Insulation Program
Telephone Number: (818) 907-9247
Contractor's License Number: 844758
Type of License: A, B, C27
License Expiration Date: 08/31/08

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

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

Contractor Representative: EZRA LEVI
Title: PRESIDENT
Signature: [Signature]

Dated this 10th day of MARCH, 2008.

If Corporation, please attach evidence of authority to sign.

SEE ATTACHED
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

Bidder acknowledges receipt of the following addenda, has become familiar with their contents, and has accounted for all such changes in the Bidder's Proposal and Statement. The Bidder must attach copies of transmittal letters and facsimile cover sheets for each identified addendum.

Addendum Number 1 Date: 03/06/08
Addendum Number 2 Date: 03/06/08
Addendum Number 3 Date: 03/07/08
Addendum Number 4 Date: 03/10/08
Addendum Number Date: 
Addendum Number Date: 
Addendum Number Date: 
Addendum Number Date: 
Addendum Number Date: 

Signature:

Dated this 10th day of MARCH, 2008.
DESIGNATION OF MATERIAL SUPPLIERS AND SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (Chapter 2, commencing at Section 4100, Division 5, Title 1 of the Government Code of the State of California) and any amendments thereof, each bidder must set forth below: (a) the name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement to be performed under this contract in an amount in excess of one-half of one percent (0.5%) of the prime contractor's total bid, and (b) the portion of the work which will be done by each subcontractor under this act and their license number. The prime contractor must list only one subcontractor for each such portion as is defined by the, prime contractor in this bid.

If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of one percent (0.5%) of the prime contractor's total bid, the Contractor must be deemed to have agreed that he/she is fully qualified and will perform that portion themselves.

No prime contractor whose bid is accepted must (a) substitute any subcontractor, (b) permit any subcontract to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid, or subcontract any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which the original bid did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act. Subletting or subcontracting of any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which no subcontractor was designated in the original bid must only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the City awarding this contract setting forth the facts constituting the emergency or necessity.

MATERIAL SUPPLIERS

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<tr>
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<td><strong>JLS Enterprises Inc</strong></td>
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<tr>
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Bidder's Proposal and Statement Group 27 (Addendum #2) 6 City of El Segundo Residential Sound Insulation Program
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<td><strong>Mike Shankle</strong></td>
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<tr>
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<tr>
<td>mshankle@vancouver door.com</td>
<td><a href="mailto:mike@specialtyDoor.net">mike@specialtyDoor.net</a></td>
</tr>
<tr>
<td>Email Address</td>
<td>Email Address</td>
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Bidder's Proposal and Statement
Group 27 (Addendum #2)

City of El Segundo
Residential Sound Insulation Program
<table>
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<th>Secondary Storm Doors</th>
<th>Contact Person</th>
<th>Company</th>
<th>Address</th>
<th>City / State / Zip Code</th>
<th>Phone Number</th>
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<th>Email Address</th>
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<tbody>
<tr>
<td>Greg Murtha</td>
<td>Non-Ray Inc</td>
<td>801 Boone Ave Minnesota, Minneapolis, 55427</td>
<td></td>
<td>612-744-3144</td>
<td>763-694-8997</td>
<td></td>
<td><a href="mailto:gmurtha@miron.com">gmurtha@miron.com</a></td>
</tr>
<tr>
<td></td>
<td>Mike Ghazaviat</td>
<td>525 10th Ave</td>
<td></td>
<td>612-744-9400</td>
<td>651-589-4888</td>
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<table>
<thead>
<tr>
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<th>Address</th>
<th>City / State / Zip Code</th>
<th>Phone Number</th>
<th>Fax Number</th>
<th>Email Address</th>
</tr>
</thead>
<tbody>
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<tbody>
<tr>
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Bidder's Proposal and Statement
Group 27 (Addendum #2)

City of El Segundo
Residential Sound Insulation Program
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<thead>
<tr>
<th><strong>Fireplace Dampers</strong></th>
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<tr>
<td><strong>Contact Person</strong></td>
<td>SAME 9</td>
</tr>
<tr>
<td><strong>Company</strong></td>
<td>RMR PRODUCTS</td>
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<tr>
<td><strong>Address</strong></td>
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</tr>
<tr>
<td><strong>City / State / Zip Code</strong></td>
<td>PANAMA CA 91315</td>
</tr>
<tr>
<td><strong>Phone Number</strong></td>
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</tr>
<tr>
<td><strong>Fax Number</strong></td>
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</tr>
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<td><strong>Email Address</strong></td>
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<td><strong>Contact Person</strong></td>
<td>JIM McKEESE</td>
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<td><strong>Company</strong></td>
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<tr>
<td><strong>City / State / Zip Code</strong></td>
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<tr>
<td><strong>Fax Number</strong></td>
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<td><strong>Email Address</strong></td>
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<tr>
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<tr>
<td><strong>Company</strong></td>
<td>CFM HOME PRODUCTS</td>
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<tr>
<td><strong>Address</strong></td>
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<tr>
<td><strong>City / State / Zip Code</strong></td>
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</tr>
<tr>
<td><strong>Phone Number</strong></td>
<td>905-919-4777</td>
</tr>
<tr>
<td><strong>Fax Number</strong></td>
<td>847-565-2929</td>
</tr>
<tr>
<td><strong>Email Address</strong></td>
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<tr>
<td><strong>Contact Person</strong></td>
<td>TINA BURDEN</td>
</tr>
<tr>
<td><strong>Company</strong></td>
<td>CFM HOME PRODUCTS</td>
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<tr>
<td><strong>Address</strong></td>
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<tr>
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<td>JOHN ELIJAH</td>
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<td><strong>Address</strong></td>
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<tr>
<td><strong>City / State / Zip Code</strong></td>
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<td><strong>Phone Number</strong></td>
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<td><strong>Fax Number</strong></td>
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<tr>
<td><strong>Email Address</strong></td>
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<tr>
<td><strong>Contact Person</strong></td>
<td>JEFFR GABAY</td>
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<tr>
<td><strong>Company</strong></td>
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<td>Work Activity</td>
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<td>Martinez Electric</td>
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<tr>
<td>Environmental</td>
<td>Karcher Environmental</td>
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<tr>
<td>Door &amp; Window</td>
<td>CGS Construction</td>
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BIDDERS'S PROPOSAL AND STATEMENT
CITY OF EL SEGUNDO, LOS ANGELES COUNTY, CALIFORNIA

Project Number RSI 08-05
"Residential Sound Insulation Program – Group 27"

PROPOSAL

To the Mayor and City Council
City of El Segundo
350 Main St.
El Segundo, CA 90245

The undersigned declares that he/she has carefully examined the location of the proposed work and has otherwise satisfied himself/herself as to the nature and location of the work, and is full informed as to all conditions and matters which can in any way affect the work or cost thereof, that he/she has examined the Contract Documents, and has read the accompanying "BIDDING INSTRUCTIONS" and hereby agrees to provide the following:

To furnish all labor, materials, equipment, transportation, and services and to do all the work required for the "Residential Sound Insulation Program – Group 27" in strict conformity with the Contract Documents and at the following lump sum price, to Wit:

<table>
<thead>
<tr>
<th>ID</th>
<th>Address</th>
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<th>Engineer’s Estimate</th>
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<td>Doors B, C an H Hardware Upgrade</td>
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Bidder’s Proposal and Statement 1
Group 27 (Addendum #2)

City of El Segundo
Residential Sound Insulation Program

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<th>Item</th>
<th>Address</th>
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<th>Bidder 1</th>
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<td>Air Conditioning Upgrade (Electrical)</td>
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Total Bid (Contract Sum)  
only nine hundred sixty-three thousand nine hundred and sixty dollars and 00/100

$963,963.60

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

NOTICE: BIDDERS WILL NOT BE RELEASED DUE TO ERRORS AND ILLEGIBLE BIDS MUST BE DISQUALIFIED

NOTICE: Total Bid (Contract Sum) must equal the total of Schedule of Values. If the Total Bid does not equal the total of the Schedule of Values, it is grounds for rejection of the Bid. Furthermore, inconsistencies between the Schedule of Values and the Plans for each Dwelling are grounds for rejection of the Bid.

This bid is based upon completing the work as set in the Construction Schedule published in the Contract Documents. If awarded the contract for the Work, the undersigned hereby agrees to sign the contract and furnish the necessary bonds not more than ten (10) calendar days after Notice to Proceed date.

Enclosed is a Bidder's Bond, certified check or cashier's check, which is not less than ten percent (10%), as a guarantee that the undersigned will enter into the contract if awarded to the undersigned. The undersigned further agrees that in case of default in executing the required contract with necessary bonds and insurance, within the time limits above specified, said bonds or check and money payable therein must be fortified to and become the property of the City of El Segundo, State of California.

Name of Firm: Horizons Construction Company Int'l, Inc.
Address: 712 N. Valley St., Ste. G, Anaheim, CA 92801

Bidder's Proposal and Statement
Group 27 (Addendum #2) 3
City of El Segundo
Residential Sound Insulation Program
Telephone Number: 114-563-1606
Contractor’s License Number: 825022
Type of License: A & B
License Expiration Date: Sep. 2009
Type of Entity: [ ] Sole Proprietorship [ ] Partnership [ ] Corporation [ ] Other

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

Contractor Representative: Kinan Kotrash
Title: [ ] President [ ]
Signature: 

Dated this 17th day of March, 2008.

If Corporation, please attach evidence of authority to sign.
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

Bidder acknowledges receipt of the following addenda, has become familiar with their contents, and has accounted for all such changes in the Bidder's Proposal and Statement. The Bidder must attach copies of transmittal letters and facsimile cover sheets for each identified addendum.

Addendum Number 1 Date: March 6, 08
Addendum Number 2 Date: March 6, 08
Addendum Number 3 Date: March 7, 08
Addendum Number 4 Date: March 10, 08
Addendum Number ______ Date: ________________
Addendum Number ______ Date: ________________
Addendum Number ______ Date: ________________
Addendum Number ______ Date: ________________

Signature: [signature]

Dated this 17th day of March, 2008.
DESIGNATION OF MATERIAL SUPPLIERS AND SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (Chapter 2, commencing at Section 4100, Division 5, Title I of the Government Code of the State of California) and any amendments thereof, each bidder must set forth below: (a) the name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement to be performed under this contract in an amount in excess of one-half of one percent (0.5%) of the prime contractor's total bid, and (b) the portion of the work which will be done by each subcontractor under this act and their license number. The prime contractor must list only one subcontractor for each such portion as is defined by the, prime contractor in this bid.

If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of one percent (0.5%) of the prime contractor's total bid, the Contractor must be deemed to have agreed that he/she is fully qualified and will perform that portion themselves.

No prime contractor whose bid is accepted must (a) substitute any subcontractor, (b) permit any subcontract to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid, or subcontract any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which the original bid did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act. Subletting or subcontracting of any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which no subcontractor was designated in the original bid must only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the City awarding this contract setting forth the facts constituting the emergency or necessity.

MATERIAL SUPPLIERS

<table>
<thead>
<tr>
<th>Aluminum Windows</th>
<th>Manufacturer</th>
<th>Supplier</th>
<th>Contract Value</th>
</tr>
</thead>
<tbody>
<tr>
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Bidder's Proposal and Statement 6 City of El Segundo
Group 27 (Addendum #2) Residential Sound Insulation Program
<table>
<thead>
<tr>
<th>Vinyl Windows</th>
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Bidder's Proposal and Statement
Group 27 (Addendum #2)

City of El Segundo
Residential Sound Insulation Program
<table>
<thead>
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<th>Secondary (Storm) Doors</th>
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<tr>
<td>Sliding Glass Doors</td>
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<tr>
<td>Fireplace Dampers</td>
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### Subcontractors

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<tr>
<th>Work Activity</th>
<th>Name of Subcontractor</th>
<th>Address &amp; City of Subcontractor's Business Location</th>
<th>License Number</th>
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<td>Doors &amp; Windows</td>
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BIDDERS' PROPOSAL AND STATEMENT
CITY OF EL SEGUNDO, LOS ANGELES COUNTY, CALIFORNIA

Project Number RSI 08-05
“Residential Sound Insulation Program – Group 27”

PROPOSAL

To the Mayor and City Council
City of El Segundo
350 Main St.
El Segundo, CA 90245

The undersigned declares that he/she has carefully examined the location of the proposed work and has otherwise satisfied himself/herself as to the nature and location of the work, and is full informed as to all conditions and matters which can in any way affect the work or cost thereof, that he/she has examined the Contract Documents, and has read the accompanying “BIDDING INSTRUCTIONS” and hereby agrees to provide the following:

To furnish all labor, materials, equipment, transportation, and services and to do all the work required for the “Residential Sound Insulation Program – Group 27” in strict conformity with the Contract Documents and at the following lump sum price, to Wit:

<table>
<thead>
<tr>
<th>ID</th>
<th>Address</th>
<th>Description</th>
<th>Engineer’s Estimate</th>
<th>Bid Amount</th>
<th>Bidder’s Property Subtotal</th>
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<td>$380</td>
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<td></td>
<td>Windows 3 &amp; 15 Upgrade</td>
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<td></td>
<td></td>
<td>Door B Upgrade</td>
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<td>$420</td>
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<td>Doors B, C &amp; H Hardware Upgrade</td>
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Bidder’s Proposal and Statement
Group 27 (Addendum #2)
| 27.14 | Not Included in Scope | $0 | $0 | $0 |
| 27.15 | Not Included in Scope | $0 | $0 | $0 |
| 27.16 | 900 Cedar St. #202 | RSI Improvements | $19,469 | $24,625 | $24,625 |
| 27.17 | 900 Cedar St. #204 | RSI Improvements | $18,119 | $20,700 | $20,700 |
| 27.18 | 900 Cedar St. #205 | RSI Improvements | $19,669 | $24,800 | $24,800 |
| 27.19 | 900 Cedar St. #206 | RSI Improvements | $16,414 | $20,700 | $20,700 |
| 27.20 | Not Included in Scope | $0 | $0 | $0 |
| 27.21 | 900 Cedar St. #208 | RSI Improvements | $18,119 | $20,700 | $20,700 |
| 27.22 | 900 Cedar St. #209 | RSI Improvements | $22,119 | $21,425 | $21,425 |
| 27.23 | Not Included in Scope | $0 | $0 | $0 |
| 27.24 | 900 Cedar St. #102 | RSI Improvements | $19,469 | $24,555 | $24,555 |
| 27.25 | 900 Cedar St. #103 | RSI Improvements | $18,119 | $20,700 | $20,700 |
| 27.26 | 900 Cedar St. #104 | RSI Improvements | $17,919 | $20,450 | $20,450 |
| 27.27 | 900 Cedar St. #105 | RSI Improvements | $19,669 | $21,420 | $21,420 |
| 27.28 | Not Included in Scope | $0 | $0 | $0 |
| 27.29 | 900 Cedar St. #107 | RSI Improvements | $18,724 | $20,550 | $20,550 |
| 27.30 | 900 Cedar St. #108 | RSI Improvements | $18,119 | $20,700 | $20,700 |
| 27.31 | 900 Cedar St. #109 | RSI Improvements | $19,669 | $24,800 | $24,800 |
| 27.32 | 900 Cedar St. #110 | RSI Improvements | $18,119 | $18,450 | $18,450 |
| 27.33 | 900 Cedar St. #111 | RSI Improvements | $19,469 | $24,800 | $24,800 |
| 27.34 | 310 W. Imperial Ave., Unit 1 | RSI Improvements | $22,481 | $26,220 | $26,220 |
| 27.35 | 721 W. Sycamore Ave. | RSI Improvements | $36,048 | $49,060 | $49,060 |
| 27.36 | Door A Upgrade | $6,620 | $6,620 | $6,620 |
| 27.37 | 770 W. Imperial Ave., Unit 39 | RSI Improvements | $24,319 | $21,950 | $21,950 |
| 27.38 | 770 W. Imperial Ave., Unit 15 | RSI Improvements | $22,000 | $21,375 | $21,375 |
| 27.39 | 658 W. Acacia Ave. | RSI Improvements | $40,987 | $61,800 | $61,800 |
| 27.40 | 641 W. Acacia Ave. | RSI Improvements | $31,057 | $37,150 | $37,150 |
| 27.41 | Air Conditioning Upgrade (Mechanical) | $5,320 | $3,000 | $3,000 |
| 27.42 | Air Conditioning Upgrade (Electrical) | $1,490 | $1,490 | $1,490 |
| 27.43 | 207 W. Walnut Ave. | RSI Improvements | $33,421 | $43,850 | $43,850 |
| 27.44 | 616 W. Walnut Ave. | RSI Improvements | $33,954 | $43,950 | $43,950 |

Bidder's Proposal and Statement
Group 27 (Addendum #2)

City of El Segundo
Residential Sound Insulation Program
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount 1</th>
<th>Amount 2</th>
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<td>$39,855</td>
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**Total Bid (Contract Sum)**

NINE HUNDRED EIGHTY-SEVEN THOUSAND, FIVE HUNDRED FIFTY DOLLARS AND NO CENTS

($987,550.00)

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

**NOTICE:** BIDDERS WILL NOT BE RELEASED DUE TO ERRORS AND ILLEGIBLE BIDS MUST BE DISQUALIFIED

**NOTICE:** Total Bid (Contract Sum) must equal the total of Schedule of Values. If the Total Bid does not equal the total of the Schedule of Values, it is grounds for rejection of the Bid. Furthermore, inconsistencies between the Schedule of Values and the Plans for each Dwelling are grounds for rejection of the Bid.

This bid is based upon completing the work as set in the Construction Schedule published in the Contract Documents. If awarded the contract for the Work, the undersigned hereby agrees to sign the contract and furnish the necessary bonds not more than ten (10) calendar days after Notice to Proceed date.

Enclosed is a Bidder’s Bond, certified check or cashier’s check, which is not less than ten percent (10%), as a guarantee that the undersigned will enter into the contract if awarded to the undersigned. The undersigned further agrees that in case of default in executing the required contract with necessary bonds and insurance, within the time limits above specified, said bonds or check and money payable therein must be fortified to and become the property of the City of El Segundo, State of California.

Name of Firm: **TRON CONSTRUCTION, INC.**

Address: **2845 N. MAROA; FRESNO, CA 93704**

Bidder’s Proposal and Statement  3  City of El Segundo
Group 27 (Addendum #2)  Residential Sound Insulation Program
Telephone Number: (559) 229-7992
Contractor's License Number: 433107
Type of License: CLASS B - GENERAL BUILDING
License Expiration Date: JANUARY 31, 2009
Type of Entity: ☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☐ Other

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

Contractor Representative: RON DONALDSON
Title: PRESIDENT
Signature: [Signature]

Dated this 7th day of MARCH, 2008.

If Corporation, please attach evidence of authority to sign.
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

Bidder acknowledges receipt of the following addenda, has become familiar with their contents, and has accounted for all such changes in the Bidder's Proposal and Statement. The Bidder must attach copies of transmittal letters and facsimile cover sheets for each identified addendum.

<table>
<thead>
<tr>
<th>Addendum Number</th>
<th>Date</th>
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<tbody>
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<tr>
<td>2</td>
<td>MARCH 6, 2008</td>
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<tr>
<td>2-REVISIONED</td>
<td>MARCH 7, 2008</td>
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<td>MARCH 7, 2008</td>
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<td>4</td>
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Signature: [Signature]

Dated this 7TH day of MARCH, 2008.
DESIGNATION OF MATERIAL SUPPLIERS AND SUBCONTRACTORS

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<th>Supplier</th>
<th>Contract Value</th>
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<tbody>
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<td><strong>City / State / Zip Code</strong></td>
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<tr>
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Bidder’s Proposal and Statement
Group 27 (Addendum #2) 6

City of El Segundo
Residential Sound Insulation Program

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<th>Vinyl Windows</th>
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<td>YORK, PA 17403</td>
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<tr>
<td>(800) 755-6274</td>
<td>Phone Number</td>
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</tr>
<tr>
<td>(800) 366-5097</td>
<td>Fax Number</td>
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</tr>
<tr>
<td><a href="mailto:D.NAZELROD@GRAHAMWINDOWS.COM">D.NAZELROD@GRAHAMWINDOWS.COM</a></td>
<td>Email Address</td>
<td><a href="mailto:D.NAZELROD@GRAHAMWINDOWS.COM">D.NAZELROD@GRAHAMWINDOWS.COM</a></td>
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<tr>
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<tr>
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<td>S. SAN FRANCISCO, CA 94080</td>
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</tr>
<tr>
<td>(253) 845-4581</td>
<td>Phone Number</td>
<td>(650) 589-4888</td>
<td>Phone Number</td>
</tr>
<tr>
<td>(253) 845-3864</td>
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<td><a href="mailto:MSHADLE@VANCOUVERDOOR.COM">MSHADLE@VANCOUVERDOOR.COM</a></td>
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<td><a href="mailto:MKEG@SPECIALTYDOOR.NET">MKEG@SPECIALTYDOOR.NET</a></td>
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<td>Secondary (Storm) Doors</td>
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Bidder's Proposal and Statement Group 27 (Addendum #2)

City of El Segundo
Residential Sound Insulation Program
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<thead>
<tr>
<th>Company</th>
<th>Address</th>
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<tbody>
<tr>
<td>Jim McKendrick</td>
<td>11011 Glen Oaks Blvd 1</td>
<td>Pacoima, CA 91331</td>
<td>(800) 360-8677</td>
<td>N/A</td>
<td>Email Address</td>
</tr>
<tr>
<td>RMR Products</td>
<td></td>
<td></td>
<td>(818) 767-2277</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jim McKendrick</td>
<td>11011 Glen Oaks Blvd 1</td>
<td>Pacoima, CA 91331</td>
<td>(800) 360-8677</td>
<td>N/A</td>
<td>Email Address</td>
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<tr>
<td>RMR Products</td>
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<tr>
<td>Geogio Salerno</td>
<td>2695 Meadowvale Blvd.</td>
<td>Santa Ana, CA 92640</td>
<td>(714) 330-5319</td>
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<tr>
<td>CEM Home Products</td>
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<tr>
<td>CEM Corporation</td>
<td>5772 Treetop Circle</td>
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<tr>
<td>HVAC Equipment</td>
<td>17745 Valley Blvd</td>
<td>City of Industry, CA 91744</td>
<td>(626) 944-4540</td>
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<td>Email Address</td>
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<tr>
<td>Bill Hodges</td>
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<td></td>
<td>(714) 399-8070</td>
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<tr>
<td>Carrier/Carrick</td>
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<td>Van Nuys, CA 91401</td>
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<tr>
<td>VIC BALOUZIAN</td>
<td></td>
<td></td>
<td>(818) 785-1905</td>
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City of El Segundo Residential Sound Insulation Program
## SUBCONTRACTORS

<table>
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<tr>
<th>Work Activity</th>
<th>Name of Subcontractor</th>
<th>Address &amp; City of Subcontractor's Business Location</th>
<th>License Number</th>
<th>Contract Total &amp; Percentage of Bid Total</th>
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<td>17423 LANEY STREET, GRANADA HILLS, CA 91344</td>
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<td>$36,285 4%</td>
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<td><strong>HVAC</strong></td>
<td>ZODIAC HEATING &amp; AC</td>
<td>14411 GILMORE STREET, VAN NUYS, CA 91401</td>
<td>722952</td>
<td>$145,300 15%</td>
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<td><strong>INSULATION</strong></td>
<td>MD INSULATION</td>
<td>1734 FLORADALE AVE., SOUTH EL MONTE, CA 91733</td>
<td>623669</td>
<td>$5,475 .5%</td>
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<td><strong>ABATEMENT</strong></td>
<td>PARC ENVIRONMENTAL</td>
<td>2706 S. RAILROAD AVE., PESNNO, CA 93725</td>
<td>501913</td>
<td>$30,600 3%</td>
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AGENDA ITEM STATEMENT: Consent Agenda

Consideration and possible action regarding award of a contract to Professional Building Contractors, Inc. for construction related to Group 28 (30 residences) of the Residential Sound Insulation (RSI) Program. (Estimated construction cost and retention: $706,364)

RECOMMENDED COUNCIL ACTION:
1) Reject the bids of Pardess Air, Inc. and Horizons Construction, Inc.; 2) Award contract to Professional Building Contractors, Inc. for Group 28; 3) Authorize the City Manager to execute a construction contract in a form approved by the City Attorney; and 4) Alternatively discuss and take other action related to this item.

BACKGROUND & DISCUSSION:
On March 18, 2008 the City Clerk's office opened sealed bids for Group 28 (RSI 08-06) of the City's Residential Sound Insulation (RSI) Program. The results of the bid openings were as follows:

1. Pardess Air, Inc.  $ 581,000.00
2. Horizons Construction, Inc.  $ 581,500.00
3. Professional Building Contractors, Inc.  $ 642,149.00
4. DAB Construction, Inc.  $ 652,000.00
5. CAS General Contractor, Inc.  $ 669,000.00
6. Tron Construction, Inc.  $ 675,550.00
7. G.E. Chen Construction, Inc.  $ 697,680.00
8. S&L Specialty Contracting, Inc.  $ 747,000.00
9. G Coast Construction, Inc.  $ 751,267.00

(Please see attached page entitled "Background and Discussion (cont.)")

ATTACHED SUPPORTING DOCUMENTS:
1) Bidder's Proposal and Statement from Pardess Air, Inc.
2) Bidder's Proposal and Statement from Horizons Construction, Inc.
3) Bidder's Proposal and Statement from Professional Building Contractors, Inc.

FISCAL IMPACT:
- Operating Budget: $10,200,000
- Amount Requested: $ 706,364
- Account Number: 116-400-0000-8960
- Group: 28
- Appropriation Required: Yes _ No

ORIGINALATED: DATE: March 24, 2008

James S. O'Neill, Program Manager

REVIEWED BY: DATE: 3/25/08

Bill Crowe, Assistant City Manager
Background and Discussion (cont.)

Reviews performed on the bids from Pardess Air, Inc. and Horizons Construction, Inc. determined those bids to be non-responsive.

Pardess Air, Inc. did not fill out the bid form in its entirety, including but limited to, required information for subcontractors, manufacturers and suppliers.

Horizons Construction, Inc. did not fill out the bid form in its entirety, including but limited to, required information for subcontractors, manufacturers and suppliers.

A review of the bid submitted by Professional Building Contractors, Inc. was conducted and it was determined that the bid was responsive. As City Council may be aware, Professional Building Contractors, Inc. has successfully completed construction on Groups 3 (49 homes) and 10 (23 homes) of the Residential Sound Insulation Program and is successfully completing work on Group 20 (an additional 22 homes).

The amount requested for the proposed contract with Professional Building Contractors, Inc. is $706,364, which represents the Total Bid amount shown on the bid and an additional 10% of that Total Bid for potential change orders related to unforeseen conditions.

As City Council is aware, eighty percent (80%) of costs associated with the Residential Sound Insulation Program are covered by federal grant funding from the FAA until those funds identified in the Grant Implementation Plan to the City of Los Angeles are exhausted. Remaining expenses, with the exception of elective “Owner Upgrades” selected by property owners, are covered by the settlement with Los Angeles World Airports (LAWA).

With the completion of Group 28 (but not including Group 27), the total number of residences completed by the City’s RSI program will be 844.
BIDDERS’S PROPOSAL AND STATEMENT
CITY OF EL SEGUNDO, LOS ANGELES COUNTY, CALIFORNIA

Project Number RSI 08-06
“Residential Sound Insulation Program – Group 28”

PROPOSAL

To the Mayor and City Council
City of El Segundo
350 Main St.
El Segundo, CA 90245

The undersigned declares that he/she has carefully examined the location of the proposed work and has otherwise satisfied himself/herself as to the nature and location of the work, and is fully informed as to all conditions and matters which can in any way affect the work or cost thereof, that he/she has examined the Contract Documents, and has read the accompanying “BIDDING INSTRUCTIONS” and hereby agrees to provide the following:

To furnish all labor, materials, equipment, transportation, and services and to do all the work required for the “Residential Sound Insulation Program – Group 28” in strict conformity with the Contract Documents and at the following lump sum price, to Wit:

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<tr>
<th>ID</th>
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<th>Description</th>
<th>Engineer’s Estimate</th>
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**Total Bid (Contract Sum)**

Five hundred eighty-nine thousand dollars

$581,000

*(words)*

$581,000

*(figures)*

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

**NOTICE:** BIDDERS WILL NOT BE RELEASED DUE TO ERRORS AND ILLEGIBLE BIDS MUST BE DISQUALIFIED

Bidder’s Proposal and Statement 2

City of El Segundo
Residential Sound Insulation Program
NOTICE: Total Bid (Contract Sum) must equal the total of Schedule of Values. If the Total Bid does not equal the total of the Schedule of Values, it is grounds for rejection of the Bid. Furthermore, inconsistencies between the Schedule of Values and the Plans for each Dwelling are grounds for rejection of the Bid.

This bid is based upon completing the work as set in the Construction Schedule published in the Contract Documents. If awarded the contract for the Work, the undersigned hereby agrees to sign the contract and furnish the necessary bonds not more than ten (10) calendar days after Notice to Proceed date.

Enclosed is a Bidder’s Bond, certified check or cashier’s check, which is not less than ten percent (10%), as a guarantee that the undersigned will enter into the contract if awarded to the undersigned. The undersigned further agrees that in case of default in executing the required contract with necessary bonds and insurance, within the time limits above specified, said bonds or check and money payable therein must be fortified to and become the property of the City of El Segundo, State of California.

Name of Firm: PARDESS AIR INC.
Address: 1769 KELTON AVE., LA, CA 90024
Telephone Number: 310-477-3428
Contractor’s License Number: 746 553
Type of License: B, C-2D
License Expiration Date: 7/31/09
Type of Entity: ☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☐ Other

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

Contractor Representative: HASSAN SHAH
Title: PRESIDENT
Signature: 

Dated this 18th day of MARCH, 2008.

If Corporation, please attach evidence of authority to sign.
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

Bidder acknowledges receipt of the following addenda, has become familiar with their contents, and has accounted for all such changes in the Bidder's Proposal and Statement. The Bidder must attach copies of transmittal letters and facsimile cover sheets for each identified addendum.

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<thead>
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</table>

Signature:

Dated this 12th day of March, 2008.
DESIGNATION OF MATERIAL SUPPLIERS AND SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (Chapter 2, commencing at Section 4100, Division 5, Title I of the Government Code of the State of California) and any amendments thereof, each bidder must set forth below: (a) the name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement to be performed under this contract in an amount in excess of one-half of one percent (0.5%) of the prime contractor's total bid, and (b) the portion of the work which will be done by each subcontractor under this act and their license number. The prime contractor must list only one subcontractor for each such portion as is defined by the, prime contractor in this bid.

If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of one percent (0.5%) of the prime contractor's total bid, the Contractor must be deemed to have agreed that he/she is fully qualified and will perform that portion themselves.

No prime contractor whose bid is accepted must (a) substitute any subcontractor, (b) permit any subcontract to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid, or subcontract any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which the original bid did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act. Subletting or subcontracting of any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which no subcontractor was designated in the original bid must only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the City awarding this contract setting forth the facts constituting the emergency or necessity.

MATERIAL SUPPLIERS

<table>
<thead>
<tr>
<th>Material</th>
<th>Manufacturer</th>
<th>Supplier</th>
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<td>Discount Enterpr</td>
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Bidder's Proposal and Statement Group 28

City of El Segundo Residential Sound Insulation Program
<table>
<thead>
<tr>
<th>Company</th>
<th>Contact Person</th>
<th>Phone Number</th>
<th>Fax Number</th>
<th>City/State/Zip Code</th>
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<tr>
<td>MIKE SHADLE</td>
<td><a href="mailto:MSHADLE@VANCOUVERDOOR.COM">MSHADLE@VANCOUVERDOOR.COM</a></td>
<td>653-845-3384</td>
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<tr>
<td>MIKE GIBSON</td>
<td><a href="mailto:MGIBSON@SPECIALTYDOOR.NET">MGIBSON@SPECIALTYDOOR.NET</a></td>
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**Wood Doors**

**Vinyl Windows**
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<td><strong>Contact Person</strong></td>
<td><strong>Contact Person</strong></td>
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<td><strong>Company</strong></td>
<td><strong>Company</strong></td>
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<td>714-596-6766</td>
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**Bidder's Proposal and Statement**

Group 28

City of El Segundo

Residential Sound Insulation Program
### Fireplace Dampers

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<th>Contact Person</th>
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<td>City / State / Zip Code</td>
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### Fireplace Glass Doors

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### HVAC Equipment

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<td>Company US AIR CONDITIONING</td>
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<td>Email Address</td>
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<tr>
<th>Work Activity</th>
<th>Name of Subcontractor</th>
<th>Address &amp; City of Subcontractor’s Business Location</th>
<th>License Number</th>
<th>Contract Total &amp; Percentage of Bid Total</th>
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<td>INSULATION</td>
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<td>6151 W. Century Blvd, Los Angeles 90045</td>
<td>548683</td>
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<td>DOOR INSTALLATION</td>
<td>ALLIED BUILDERS</td>
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<td>WINDOW SLIDING GLASS INSTALLATION</td>
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<td>17612 Beach Blvd, Huntington Beach 92647</td>
<td>746146</td>
<td>86,076 / 14.8%</td>
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BIDDERS'S PROPOSAL AND STATEMENT

CITY OF EL SEGUNDO, LOS ANGELES COUNTY, CALIFORNIA

Project Number RSI 08-06
"Residential Sound Insulation Program – Group 28"

PROPOSAL

To the Mayor and City Council
City of El Segundo
350 Main St.
El Segundo, CA 90245

The undersigned declares that he/she has carefully examined the location of the proposed work and has otherwise satisfied himself/herself as to the nature and location of the work, and is full informed as to all conditions and matters which can in any way affect the work or cost thereof, that he/she has examined the Contract Documents, and has read the accompanying “BIDDING INSTRUCTIONS” and hereby agrees to provide the following:

To furnish all labor, materials, equipment, transportation, and services and to do all the work required for the “Residential Sound Insulation Program – Group 28” in strict conformity with the Contract Documents and at the following lump sum price, to Wit:

<table>
<thead>
<tr>
<th>ID</th>
<th>Address</th>
<th>Description</th>
<th>Engineer's Estimate</th>
<th>Bid Amount</th>
<th>Bidder's Property Subtotal</th>
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</table>

**Total Bid (Contract Sum)**

$581,500.00

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

**NOTICE:** BIDDERS WILL NOT BE RELEASED DUE TO ERRORS AND ILLEGIBLE BIDS MUST BE DISQUALIFIED

Bidder's Proposal and Statement
Group 28

City of El Segundo
Residential Sound Insulation Program

107
NOTICE: Total Bid (Contract Sum) must equal the total of Schedule of Values. If the Total Bid does not equal the total of the Schedule of Values, it is grounds for rejection of the Bid. Furthermore, inconsistencies between the Schedule of Values and the Plans for each Dwelling are grounds for rejection of the Bid.

This bid is based upon completing the work as set in the Construction Schedule published in the Contract Documents. If awarded the contract for the Work, the undersigned hereby agrees to sign the contract and furnish the necessary bonds not more than ten (10) calendar days after Notice to Proceed date.

Enclosed is a Bidder’s Bond, certified check or cashier’s check, which is not less than ten percent (10%), as a guarantee that the undersigned will enter into the contract if awarded to the undersigned. The undersigned further agrees that in case of default in executing the required contract with necessary bonds and insurance, within the time limits above specified, said bonds or check and money payable therein must be fortified to and become the property of the City of El Segundo, State of California.

| Name of Firm: | Horizons Construction Company Int'l, Inc. |
| Address: | 712 N. Valley St., Ste G, Anaheim, CA 92806 |
| Telephone Number: | 714-563-1600 |
| Contractor's License Number: | 825022 |
| Type of License: | A & B |
| License Expiration Date: | Sep. 2009 |

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

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

Contractor Representative: Kinan Kotrash
Title: V. President
Signature: [Signature]

Dated this 17th day of March, 2008.

If Corporation, please attach evidence of authority to sign.

Bidder’s Proposal and Statement Group 28
City of El Segundo Residential Sound Insulation Program
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

Bidder acknowledges receipt of the following addenda, has become familiar with their contents, and has accounted for all such changes in the Bidder's Proposal and Statement. The Bidder must attach copies of transmittal letters and facsimile cover sheets for each identified addendum.

Addendum Number 1 Date: March 11, 2008
Addendum Number ______ Date: ______________
Addendum Number ______ Date: ______________
Addendum Number ______ Date: ______________
Addendum Number ______ Date: ______________
Addendum Number ______ Date: ______________
Addendum Number ______ Date: ______________
Addendum Number ______ Date: ______________
Addendum Number ______ Date: ______________

Signature: ____________________________

Dated this 17th day of March, 2008.
DESIGNATION OF MATERIAL SUPPLIERS AND SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (Chapter 2, commencing at Section 4100, Division 5, Title I of the Government Code of the State of California) and any amendments thereof, each bidder must set forth below: (a) the name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement to be performed under this contract in an amount in excess of one-half of one percent (0.5%) of the prime contractor's total bid, and (b) the portion of the work which will be done by each subcontractor under this act and their license number. The prime contractor must list only one subcontractor for each such portion as is defined by the, prime contractor in this bid.

If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of one percent (0.5%) of the prime contractor's total bid, the Contractor must be deemed to have agreed that he/she is fully qualified and will perform that portion themselves.

No prime contractor whose bid is accepted must (a) substitute any subcontractor, (b) permit any subcontract to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid, or subcontract any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which the original bid did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act. Subletting or subcontracting of any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which no subcontractor was designated in the original bid must only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the City awarding this contract setting forth the facts constituting the emergency or necessity.

MATERIAL SUPPLIERS

<table>
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Bidder's Proposal and Statement Group 28
City of El Segundo Residential Sound Insulation Program
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<table>
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City of El Segundo
Residential Sound Insulation Program
<table>
<thead>
<tr>
<th>Secondary (Storm) Doors</th>
<th>Secondary Sliding Glass Doors</th>
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<tr>
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<td>Contact Person</td>
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<td>Company</td>
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<table>
<thead>
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<th>Sliding Glass Doors</th>
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<tr>
<td><strong>HVAC Equipment</strong></td>
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## Subcontractors

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<tr>
<th>Work Activity</th>
<th>Name of Subcontractor</th>
<th>Address &amp; City of Subcontractor's Business Location</th>
<th>License Number</th>
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<td>Comfort</td>
<td>Rancho Cucamongan</td>
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<td>Doors/Windows</td>
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<td>San Jacinto</td>
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<tr>
<td>Pocket/Panel</td>
<td>Cal United</td>
<td>Anaheim</td>
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<td>4%</td>
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<tr>
<td>G &amp; C</td>
<td>Supplier</td>
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<td>5%</td>
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</table>
REFERENCES

Please list similar projects on which you were the general contractor. This information must be included with your bid, and will be used by the City in assessing your capabilities and qualifications for performing the work. You are hereby advised that this project is complex and requires an experienced contractor. Your bid will be considered non-responsive if the information you provide is untrue or is insufficient to allow the City to adequately assess your capabilities and qualifications. Please copy this sheet if you need more space.

1. Project Name ____________________  Project No. ________
   Agency ____________________________  Dollar Value ________
   Contact Person ______________________  Tel. No. ________
   Description of Project ____________________________

2. Project Name ____________________  Project No. ________
   Agency ____________________________  Dollar Value ________
   Contact Person ______________________  Tel. No. ________
   Description of Project ____________________________

3. Project Name ____________________  Project No. ________
   Agency ____________________________  Dollar Value ________
   Contact Person ______________________  Tel. No. ________
   Description of Project ____________________________

4. Project Name ____________________  Project No. ________
   Agency ____________________________  Dollar Value ________
   Contact Person ______________________  Tel. No. ________
   Description of Project ____________________________

Bidder's Initials ____________

Bidder's Proposal and Statement  10  City of El Segundo
Group 28  Residential Sound Insulation Program
## Bidders' Proposal and Statement

City of El Segundo, Los Angeles County, California

**Project Number RSI 08-06**  
"Residential Sound Insulation Program – Group 28"

### Proposal

To the Mayor and City Council  
City of El Segundo  
350 Main St.  
El Segundo, CA 90245

The undersigned declares that he/she has carefully examined the location of the proposed work and has otherwise satisfied himself/herself as to the nature and location of the work, and is fully informed as to all conditions and matters which can in any way affect the work or cost thereof, that he/she has examined the Contract Documents, and has read the accompanying "BIDDING INSTRUCTIONS" and hereby agrees to provide the following:

To furnish all labor, materials, equipment, transportation, and services and to do all the work required for the "Residential Sound Insulation Program – Group 28" in strict conformity with the Contract Documents and at the following lump sum price, to Wit:

<table>
<thead>
<tr>
<th>ID</th>
<th>Address</th>
<th>Description</th>
<th>Engineer's Estimate</th>
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**Total Bid (Contract Sum)**

Six Hundred Forty-Two Thousand One Hundred Forty-Nine

$1,642,149.00

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

**NOTICE:** BIDDERS WILL NOT BE RELEASED DUE TO ERRORS AND ILLEGIBLE BIDS MUST BE DISQUALIFIED
NOTICE: Total Bid (Contract Sum) must equal the total of Schedule of Values. If the Total Bid does not equal the total of the Schedule of Values, it is grounds for rejection of the Bid. Furthermore, inconsistencies between the Schedule of Values and the Plans for each Dwelling are grounds for rejection of the Bid.

This bid is based upon completing the work as set in the Construction Schedule published in the Contract Documents. If awarded the contract for the Work, the undersigned hereby agrees to sign the contract and furnish the necessary bonds not more than ten (10) calendar days after Notice to Proceed date.

Enclosed is a Bidder’s Bond, certified check or cashier’s check, which is not less than ten percent (10%), as a guarantee that the undersigned will enter into the contract if awarded to the undersigned. The undersigned further agrees that in case of default in executing the required contract with necessary bonds and insurance, within the time limits above specified, said bonds or check and money payable therein must be fortified to and become the property of the City of El Segundo, State of California.

Name of Firm: PBC, Inc.

Address: 125 Sheldon St., El Segundo, CA 90245

Telephone Number: 310-524-0580

Contractor’s License Number: 765663

Type of License: Class B

License Expiration Date: 7/31/09

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

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

Contractor Representative: Richard J. Williams

Title: President

Signature: [Signature]

Dated this 18th day of March, 2008.

If Corporation, please attach evidence of authority to sign.
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

Bidder acknowledges receipt of the following addenda, has become familiar with their contents, and has accounted for all such changes in the Bidder’s Proposal and Statement. The Bidder must attach copies of transmittal letters and facsimile cover sheets for each identified addendum.

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<thead>
<tr>
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<th>Date</th>
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</table>

Signature: [Signature]

Dated this 18th day of March, 2008.
DESIGNATION OF MATERIAL SUPPLIERS AND SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (Chapter 2, commencing at Section 4100, Division 5, Title I of the Government Code of the State of California) and any amendments thereof, each bidder must set forth below: (a) the name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement to be performed under this contract in an amount in excess of one-half of one percent (0.5%) of the prime contractor's total bid, and (b) the portion of the work which will be done by each subcontractor under this act and their license number. The prime contractor must list only one subcontractor for each such portion as is defined by the, prime contractor in this bid.

If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of one percent (0.5%) of the prime contractor's total bid, the Contractor must be deemed to have agreed that he/she is fully qualified and will perform that portion themselves.

No prime contractor whose bid is accepted must (a) substitute any subcontractor, (b) permit any subcontract to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid, or subcontract any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which the original bid did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act. Subletting or subcontracting of any portion of the work in excess of one-half of one percent (0.5%) of the prime contractor's total bid as to which no subcontractor was designated in the original bid must only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the City awarding this contract setting forth the facts constituting the emergency or necessity.

MATERIAL SUPPLIERS

<table>
<thead>
<tr>
<th>Aluminum Windows</th>
<th>Manufacturer</th>
<th>Supplier</th>
<th>Contract Value</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Shawn Hulsey</td>
<td>Contact Person</td>
<td>$77,572</td>
</tr>
<tr>
<td>Company</td>
<td>Graham Windows</td>
<td>Company</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td>1551 Mt. Rose Ave</td>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>York, PA 17403</td>
<td></td>
<td>City / State / Zip Code</td>
<td></td>
</tr>
<tr>
<td>Phone Number</td>
<td>630-218-147</td>
<td>Phone Number</td>
<td></td>
</tr>
<tr>
<td>Fax Number</td>
<td>N/A</td>
<td>Fax Number</td>
<td></td>
</tr>
<tr>
<td>Email Address</td>
<td></td>
<td>Email Address</td>
<td></td>
</tr>
</tbody>
</table>

Bidder's Proposal and Statement
Group 28
City of El Segundo
Residential Sound Insulation Program
<table>
<thead>
<tr>
<th>Vinyl Windows</th>
<th>Contact Person</th>
<th>Company</th>
<th>Address</th>
<th>Address</th>
<th>City / State / Zip Code</th>
<th>Phone Number</th>
<th>Fax Number</th>
<th>Email Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N / A</td>
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<table>
<thead>
<tr>
<th>Wood Doors</th>
<th>Mike Ghezavat</th>
<th>Specialty Door</th>
<th>Company</th>
<th>Address</th>
<th>City / State / Zip Code</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>525-A Railroad Ave</td>
<td>94080</td>
<td>S. San Francisco, CA</td>
<td>656-589-4888</td>
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<td>N / A</td>
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Bidder's Proposal and Statement
Group 28

City of El Segundo
Residential Sound Insulation Program
<table>
<thead>
<tr>
<th>Secondary (Storm) Doors</th>
<th>Contact Person</th>
<th>Company</th>
<th>Address</th>
<th>City / State / Zip Code</th>
<th>Phone Number</th>
<th>Fax Number</th>
<th>Email Address</th>
</tr>
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<tbody>
<tr>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Sliding Glass Doors</th>
<th>Contact Person</th>
<th>Company</th>
<th>Address</th>
<th>City / State / Zip Code</th>
<th>Phone Number</th>
<th>Fax Number</th>
<th>Email Address</th>
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</thead>
<tbody>
<tr>
<td>Brian Keisling</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Torrance Alum.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>4901 Morena Blvd</td>
<td>San Diego, CA 92117</td>
<td>L19-293-0382</td>
<td>L19-299-16292</td>
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<table>
<thead>
<tr>
<th>Secondary Sliding Glass Doors</th>
<th>Contact Person</th>
<th>Company</th>
<th>Address</th>
<th>City / State / Zip Code</th>
<th>Phone Number</th>
<th>Fax Number</th>
<th>Email Address</th>
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<tbody>
<tr>
<td>Brian Keisling</td>
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<tr>
<td>Torrance Alum.</td>
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<tr>
<td></td>
<td></td>
<td>4901 Morena Blvd</td>
<td>San Diego, CA 92117</td>
<td>L19-293-0382</td>
<td>L19-299-16292</td>
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$84,500
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<tr>
<th><strong>Fireplace Dampers</strong></th>
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<tbody>
<tr>
<td><strong>Contact Person</strong></td>
<td><strong>Contact Person</strong></td>
</tr>
<tr>
<td><strong>Company</strong></td>
<td><strong>Company</strong></td>
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<tr>
<td><strong>Address</strong></td>
<td><strong>Address</strong></td>
</tr>
<tr>
<td><strong>City / State / Zip Code</strong></td>
<td><strong>City / State / Zip Code</strong></td>
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<tr>
<td><strong>Phone Number</strong></td>
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<td><strong>Fax Number</strong></td>
<td><strong>Fax Number</strong></td>
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<td><strong>Email Address</strong></td>
<td><strong>Email Address</strong></td>
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<table>
<thead>
<tr>
<th><strong>Fireplace Glass Doors</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contact Person</strong></td>
<td><strong>Contact Person</strong></td>
</tr>
<tr>
<td><strong>Company</strong></td>
<td><strong>Company</strong></td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td><strong>Address</strong></td>
</tr>
<tr>
<td><strong>City / State / Zip Code</strong></td>
<td><strong>City / State / Zip Code</strong></td>
</tr>
<tr>
<td><strong>Phone Number</strong></td>
<td><strong>Phone Number</strong></td>
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<tr>
<td><strong>Fax Number</strong></td>
<td><strong>Fax Number</strong></td>
</tr>
<tr>
<td><strong>Email Address</strong></td>
<td><strong>Email Address</strong></td>
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<table>
<thead>
<tr>
<th><strong>HVAC Equipment</strong></th>
<th><strong>Zodiac Heating</strong> + <strong>$77,700 (includes installation)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contact Person</strong></td>
<td><strong>Vic Balouzian</strong></td>
</tr>
<tr>
<td><strong>Carrier - SoCal</strong></td>
<td><strong>1441 Gilmore St.</strong></td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td><strong>Van Nuys, CA 91401</strong></td>
</tr>
<tr>
<td><strong>City / State / Zip Code</strong></td>
<td><strong>City / State / Zip Code</strong></td>
</tr>
<tr>
<td><strong>Phone Number</strong></td>
<td><strong>Phone Number</strong></td>
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<tr>
<td><strong>Fax Number</strong></td>
<td><strong>Fax Number</strong></td>
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<tr>
<td><strong>Email Address</strong></td>
<td><strong>Email Address</strong></td>
</tr>
</tbody>
</table>

Bidder's Proposal and Statement

Group 28

City of El Segundo

Residential Sound Insulation Program
# SUBCONTRACTORS

<table>
<thead>
<tr>
<th>Work Activity</th>
<th>Name of Subcontractor</th>
<th>Address &amp; City of Subcontractor’s Business Location</th>
<th>License Number</th>
<th>Contract Total &amp; Percentage of Bid Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>HVAC</td>
<td>Zodiac</td>
<td>14411 Gilmore St, Van Nuys</td>
<td>722952</td>
<td>$17,700 / 12.1%</td>
</tr>
<tr>
<td>Cleaning</td>
<td>TLC Cleaning</td>
<td>P.O. Box 4745, Hunt Beach</td>
<td></td>
<td>$3,000 / 5%</td>
</tr>
<tr>
<td>Electrical</td>
<td>Austin Seg.</td>
<td>317 Isis Ave, Inglewood</td>
<td>730050</td>
<td>$23,300 / 3.6%</td>
</tr>
<tr>
<td>Insulation</td>
<td>MD Insulation</td>
<td>1734 Floradale, S. El Monte</td>
<td>6223149</td>
<td>$3,845 / 1.6%</td>
</tr>
<tr>
<td>H-2-Mat</td>
<td>Absolute Abatement</td>
<td>2534 Fender Ave, Fullerton</td>
<td>813025</td>
<td>$45,000 / 7.8%</td>
</tr>
</tbody>
</table>
AGENDA ITEM STATEMENT

Consideration and possible action to review the Traffic Committee decision regarding the placement of stop signs at the intersection of Holly Avenue and Sierra Street. (Fiscal Impact: $1,000)

RECOMMENDED COUNCIL ACTION:
Recommendation – (1) Review the Traffic Committee decision regarding the placement of stop signs at the intersection of Holly Avenue and Sierra Street; (2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:
Presently, the intersection of Sierra Street and Holly Avenue is controlled by stop signs on Sierra Street. Holly Avenue has no stop signs at the intersection.

Residents have reported speeding cars and numerous near misses between vehicles at this intersection. However, police record indicates only one accident in the last five years at this intersection.

The numerical warrants for stop signs at this intersection have not been met (see attached analysis). However, the Manual on Uniform Traffic Control Devices provides that stop signs are applicable at intersections where there is a need to control vehicles/pedestrian conflicts.

It is estimated that the cost to install the stop signs will be $1,000. This cost will be covered by the current Public Works Department budget with no additional appropriation required.

ATTACHED SUPPORTING DOCUMENTS:
1. Traffic Analysis

FISCAL IMPACT:

Capital Improvement Program: Not Applicable
Amount Requested: Not Applicable
Account Number: Not Applicable
Project Phase: Not Applicable
Appropriation Required: No

ORIGINATED BY:

Jim Boulgarides, Council Member

REVIEWED BY:

Bill Crowe, Assistant City Manager
CITY OF EL SEGUNDO
TRAFFIC COMMITTEE

Date: February 12, 2008

Subject: Intersection of Sierra Street and Holly Avenue
Consideration of All-Stop Control

Prepared by: Maryam Jonas, Senior Civil Engineer Associate
with consideration from the Traffic Committee

Physical Characteristics:

The intersection of Sierra Street and Holly Avenue is a four way intersection with stop signs controlling the north and south bound directions. Holly Avenue extends through the intersection ending at Penn and Lomita Streets east and west of the intersection. Both Sierra Street and Holly Avenue are considered as local streets. Sierra Street is 36’ wide with concrete sidewalk on the east and west sides. Holly Avenue is 34’ with concrete sidewalk on both sides. Both streets are equipped with concrete curbs.

Accident History

There has been one reported accident in the last five years.

Recommended Solution

Install additional stop control in the eastbound and westbound directions at the intersection to create an all-way stop.

Guidelines for the installation of stop signs are provided in the Manual on Uniform Traffic Control Devices (MUTCD) developed by the Federal Highway Administration. The MUTCD guidelines for stop signs include specific warrants for multi-way stop signs based on vehicle and pedestrian volumes, accident history and measured delay. The numerical warrants are not met at the intersection.
EL SEGUNDO CITY COUNCIL
AGENDA ITEM STATEMENT

MEETING DATE: April 1, 2008
AGENDA HEADING: Mayor McDowell

AGENDA DESCRIPTION:

Consideration and possible action to adopt a resolution supporting AB2780 (Lieu), a consumer protection bill dealing with electric utility claims for damages incurred as a result of unscheduled electrical outages from an electric utility's failure to reasonably provide service. (Fiscal Impact: None.)

RECOMMENDED COUNCIL ACTION:

1) Adopt the attached resolution supporting AB2780 and authorize appropriate legislative advocacy efforts to promote passage of the bill; 2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

Assemblymember Ted Lieu authored AB2780 to address increasingly frequent and persistent problems our mutual constituents have encountered when filing claims with the local electric utility for damages to property resulting from the curtailment of electrical service due to the failure of the utility to reasonably provide service or restore service within a reasonable time after an incident.

This bill would provide in instances when a utility customer experiences three or more unscheduled electrical outages within a 12-month period, that customer may bring a claim before the California Public Utilities Commission for damages incurred during such outages. Additionally, the bill provides that a city or county may bring a claim before the CPUC on its

(Please see attached page marked "Background and Discussion")

ATTACHED SUPPORTING DOCUMENTS:

Copies of AB2780 (Lieu), bill analysis, current bill status and a resolution supporting the legislation.

FISCAL IMPACT:
Amount Requested:
Account Number:
Project Phase:
Appropriation Required:  Yes  X  No

ORIGINATED BY:  DATE: March 20, 2008

Kelly McDowell, Mayor

REVIEWED BY: DATE: 3/25/08

Bill Crowe, Assistant City Manager
Background and Discussion (con’t):

own behalf and, as *parens patriae*, on behalf of the residents of the city or county. The bill authorizes the CPUC to consolidate claims for purposes of hearing or determining facts common to the claims. Finally, the bill requires the electric utility to report certain information to the CPUC within 72 hours of any unplanned outage and to mail a copy of the report to the mayor or city manager of any city that experienced the outage.
A RESOLUTION OF THE CITY OF EL SEGUNDO
SUPPORTING AB 2780 (LIEU) A CONSUMER PROTECTION BILL DEALING
WITH ELECTRIC UTILITY DAMAGE CLAIMS

BE IT RESOLVED by the Council of the City of El Segundo as follows:

SECTION 1: The City Council finds as follows:

A. The level, reliability and safety of electrical service provided to the
City of El Segundo by the Southern California Edison Company has
become a matter of community-wide concern;

B. The City of El Segundo has been subjected to increasingly frequent
and damaging unscheduled power outages caused by an aging
and inadequately maintained electrical power distribution system;

C. The lack of communication between Southern California Edison,
the City and impacted customers during such unscheduled power
outages has been inadequate as have response times;

D. El Segundo residents and businesses have encountered
considerable problems when filing claims with Southern California
Edison for damages to property resulting from unscheduled
curtailment of electrical service;

SECTION 2: The City of El Segundo strongly supports AB 2870 authored by
Assemblymember Ted Lieu to address increasingly frequent and persistent
problems the residents of El Segundo have encountered with unscheduled and
damaging electrical service outages, including the filing of associated damage
claims.

SECTION 3: The City Manager is directed and authorized to communicate the
City Council's policy position on this matter to members of the Legislature, the
Governor and administrative agencies as necessary.

SECTION 4: The City Clerk is directed to certify the adoption of this Resolution;
record this Resolution in the book of the City’s original resolutions; and make a
minute of the adoption of the Resolution in the City Council’s records and the
minutes of this meeting.

SECTION 5: This Resolution will become effective immediately upon adoption
and will remain effective unless repealed or superseded.
PASSED AND ADOPTED this 1st day of April 2008.

_______________________________
Kelly McDowell,
Mayor

ATTEST:

_______________________________
Cindy Mortesen,
City Clerk

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

By:

_______________________________
Karl H. Berger
Assistant City Attorney
AMENDED IN ASSEMBLY MARCH 13, 2008
CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL No. 2780

Introduced by Assembly Member Lieu

February 22, 2008

An act to amend Section 530.5 of the Penal Code, relating to identity theft and renumber Section 394.27 of, and to add Section 564 to, the Public Utilities Code, relating to electric service.

LEGISLATIVE COUNSEL'S DIGEST

AB 2780, as amended, Lieu. Identity theft—Electric service outages. Existing law requires that when a customer files a claim with an electrical corporation for damages to property resulting from the curtailment of electrical service due to the failure of the electrical corporation to reasonably provide service or restore service within a reasonable time after a fire, flood, earthquake, other natural disaster, or act of God, the electrical corporation inform the customer that the claim may be pursued in small claims court or other court, depending upon the amount of the claim.

This bill would renumber and make nonsubstantive technical changes to this provision.

This bill would provide, with respect to an electrical corporation that is not also a gas corporation and that has more than 100,000 service connections, that a subscriber that experiences 3 or more unscheduled electrical outages within a 12-month period may bring a claim before the commission for damages from outages resulting from a failure by the electrical corporation to reasonably provide service or resulting from the failure to restore service within a reasonable time. The bill would provide, with respect to an electrical corporation that is not also
a gas corporation and that has more than 100,000 service connections, that a city or county in which 3 or more unscheduled electrical outages have occurred within a 12-month period may bring a claim before the commission, on its own behalf and as parens patriae on behalf of residents of the city or county, for damages resulting from outages resulting from a failure by the electrical corporation to reasonably provide service or resulting from the failure to restore service within a reasonable time. The bill would authorize the commission to consolidate claims for purposes of hearing or determining facts common to the claims. The bill would require an electrical corporation that is not also a gas corporation and that has more than 100,000 service connections, to report certain information to the commission within 72 hours of any unplanned outage and to mail a copy of the report to the mayor or city manager of any city that experienced the outage. The bill would require the commission to adopt rules to implement the bill’s requirement and to adopt procedures for bringing and resolving claims.

Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the commission is a crime.

Because the provisions of this bill are within the act and a rulemaking or other action by the commission would be required to implement certain of the bill’s provisions, a violation of the rules and procedures adopted by the commission or of the reporting provisions would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Existing law provides that every person who willfully obtains personal identifying information, as defined, of another person, and uses that information for any unlawful purpose, including to obtain, or attempt to obtain, credit, goods, services, real property, or medical information without the consent of that person, is guilty of a public offense, and upon conviction therefor, shall be punished by a fine, by imprisonment in a county jail not to exceed one year, or by both a fine and imprisonment, or by imprisonment in the state prison.

This bill would make a technical, nonsubstantive change to those provisions:
The people of the State of California do enact as follows:

SECTION 1. Section 394.27 of the Public Utilities Code is amended and renumbered to read:

394.27. When
563. If a customer files a claim with an electrical corporation for damages to property resulting from the curtailment of electric service due to the failure of the electrical corporation to reasonably provide service or restore service within a reasonable time after a fire, flood, earthquake, other natural disaster, or act of God, the electrical corporation shall inform the customer that such the claim may be pursued in small claims court or other judicial courts, depending on the amount of the claim.

SEC. 2. Section 564 is added to the Public Utilities Code, to read:

564. (a) This section is applicable only to an electrical corporation that is not also a gas corporation and that has more than 100,000 service connections. The commission shall adopt rules to implement the requirements of this section and adopt procedures for bringing and resolving claims.

(b) In addition to any other available remedy, a subscriber that experiences three or more unscheduled electrical outages within a 12-month period may bring a claim before the commission for damages from outages resulting from a failure by the electrical corporation to reasonably provide service or resulting from the failure to restore service within a reasonable time.

(c) In addition to any other available remedy, a city or county in which three or more unscheduled electrical outages have occurred within a 12-month period may bring a claim before the commission, on its own behalf and as parens patriae on behalf of residents of the city or county, for damages resulting from outages resulting from a failure by the electrical corporation to reasonably provide service or resulting from the failure to restore service within a reasonable time.

(d) The commission may consolidate claims made pursuant to this section for purposes of hearing or determining facts common to the claims.
(e) (1) An electrical corporation shall report the following information to the commission within 72 hours of any unplanned outage:
(A) The cause of the outage.
(B) The response time and effectiveness of the response in restoring electric service.
(C) Whether the electrical corporation's operation and maintenance practices enhanced or undermined the ability to restore electric service efficiently and in a timely matter.
(D) The range of cost-effective options that would prevent or mitigate the consequences of the outage.
(E) Recommendations regarding cost-beneficial improvements to enhance reliability of the electric system.
(2) A copy of the report shall be mailed to the mayor or city manager of any city that experienced the outage.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SECTION 1. Section 530.5 of the Penal Code is amended to read:
530.5. (a) Any person who willfully obtains personal identifying information, as defined in subdivision (b) of Section 530.55, of another person, and uses that information for any unlawful purpose, including to obtain, or attempt to obtain, credit, goods, services, real property, or medical information without the consent of that person, is guilty of a public offense, and upon conviction thereof, shall be punished by a fine, by imprisonment in a county jail not to exceed one year, or by both a fine and imprisonment, or by imprisonment in the state prison.
(b) In any case in which a person willfully obtains personal identifying information of another person, uses that information to commit a crime in addition to a violation of subdivision (a), and is convicted of that crime, the court records shall reflect that the
person whose identity was falsely used to commit the crime did not commit the crime.

(c) (1) Every person who, with the intent to defraud, acquires or retains possession of the personal identifying information, as defined in subdivision (b) of Section 530.55, of another person is guilty of a public offense, and upon conviction therefore, shall be punished by a fine, by imprisonment in a county jail not to exceed one year, or by both a fine and imprisonment.

(2) Every person who, with the intent to defraud, acquires or retains possession of the personal identifying information, as defined in subdivision (b) of Section 530.55, of another person, and who has previously been convicted of a violation of this section, upon conviction therefore shall be punished by a fine, by imprisonment in a county jail not to exceed one year, or by both a fine and imprisonment, or by imprisonment in the state prison.

(3) Every person who, with the intent to defraud, acquires or retains possession of the personal identifying information, as defined in subdivision (b) of Section 530.55, of 10 or more other persons is guilty of a public offense, and upon conviction therefore, shall be punished by a fine, by imprisonment in a county jail not to exceed one year, or by both a fine and imprisonment, or by imprisonment in the state prison.

(d) (1) Every person who, with the intent to defraud, sells, transfers, or conveys the personal identifying information, as defined in subdivision (b) of Section 530.55, of another person is guilty of a public offense, and upon conviction therefore, shall be punished by a fine, by imprisonment in a county jail not to exceed one year, or by both a fine and imprisonment, or by imprisonment in the state prison.

(2) Every person who, with actual knowledge that the personal identifying information, as defined in subdivision (b) of Section 530.55, of a specific person will be used to commit a violation of subdivision (a), sells, transfers, or conveys that same personal identifying information is guilty of a public offense, and upon conviction therefore, shall be punished by a fine, by imprisonment in the state prison, or by both a fine and imprisonment.

(e) Every person who commits mail theft, as defined in Section 1708 of Title 18 of the United States Code, is guilty of a public offense, and upon conviction therefore shall be punished by a fine, by imprisonment in a county jail not to exceed one year, or by both
a fine and imprisonment. Prosecution under this subdivision shall not limit or preclude prosecution under any other provision of law, including, but not limited to, subdivisions (a) to (e), inclusive, of this section.

(f) An interactive computer service or access software provider, as defined in subsection (f) of Section 230 of Title 47 of the United States Code, shall not be liable under this section unless the service or provider acquires, transfers, sells, conveys, or retains possession of personal information with the intent to defraud.
COMPLETE BILL HISTORY

BILL NUMBER : A.B. No. 2780
AUTHOR : Lieu
TOPIC : Electric service outages.

TYPE OF BILL :
Active
Non-Urgency
Non-Appropriations
Majority Vote Required
State-Mandated Local Program
Fiscal
Non-Tax Levy

BILL HISTORY
2008
Mar. 13 Referred to Com. on U. & C. From committee chair, with author's amendments: Amend, and re-refer to Com. on U. & C. Read second time and amended.
Feb. 25 Read first time.
Feb. 24 From printer. May be heard in committee March 25.
Feb. 22 Introduced. To print.
CURRENT BILL STATUS

MEASURE : A.B. No. 2780
AUTHOR(S) : Lieu.
TOPIC : Electric service outages.
HOUSE LOCATION : ASM
+LAST AMENDED DATE : 03/13/2008

TYPE OF BILL :
Active
Non-Urgency
Non-Appropriations
Majority Vote Required
State-Mandated Local Program
Fiscal
Non-Tax Levy

LAST HIST. ACT. DATE: 03/13/2008
LAST HIST. ACTION : Referred to Com. on U. & C. From committee chair, with
author's amendments: Amend, and re-refer to Com. on U.
& C. Read second time and amended.
COMM. LOCATION : ASM UTILITIES AND COMMERCE

TITLE : An act to amend and renumber Section 394.27 of, and to
add Section 564 to, the Public Utilities Code, relating
to electric service.
AGENDA DESCRIPTION: Consideration and possible action to adopt a resolution opposing AB2640 (Huffman), a bill concerning the management of green waste subject to landfill disposal which would tax green waste and eliminate waste diversion credit for use of green waste. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION: (1) Adopt the attached resolution opposing AB2640 and authorizing appropriate legislative advocacy efforts to oppose passage of the bill (2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

Green waste typically referred to as Alternative Daily Cover (ADC) is cover material placed on the surface of a landfill at the end of each operating day to control vectors, fires, odors, blowing litter, and scavenging. Prior to the use of ADC landfill operators used compacted soils, which used up valuable space in landfills and was expensive to buy and produced adverse environmental impacts to haul to landfills. Currently, the California Integrated Waste Management Board has approved ADC material use and does not record ADC as disposal but instead considers it as diversion through recycling.

AB 2640 would tax green waste as alternative daily cover (ADC) at landfills as of January 1, 2009 and would eliminate waste diversion credit currently earned by the use of green waste ADC as of January 1, 2015. This bill would severely impact local jurisdictions’ flexibility and discretion in meeting state mandated diversion goals and undermine the substantial resources invested by cities to implement separate green waste collection and to participate in ADC programs for diversion credit.

While the City of El Segundo has the distinction of having the highest solid waste diversion rate in the state (currently estimated at 83% for the latest reporting year), AB 2640 is nevertheless an unwarranted restriction on local government and should be opposed.

ATTACHED SUPPORTING DOCUMENTS:
1. Copy of AB2640 (Huffman), bill analysis and current bill status.
2. Resolution.

FISCAL IMPACT:
Operating Budget:
Amount Requested:
Account Number:
Project Phase:
Appropriation Required: Yes X No

ORIGINATED BY: Kelly McDowell
DATE: 3/25/08

 Kelly McDowell, Mayor

REVIEWED BY: Bill Crowe
DATE: 3/25/08

Bill Crowe, Assistant City Manager
A RESOLUTION OF THE CITY OF EL SEGUNDO
SUPPORTING CONTINUED AB 939 DIVERSION CREDIT FOR USE OF
GREEN WASTE AS ALTERNATIVE DAILY COVER (ADC) AT LANDFILLS
AND OPPOSING AB 2640 (HUFFMAN) AS AN UNNECESSARY
RESTRICTION UPON THE USE OF ADC

BE IT RESOLVED by the Council of the City of El Segundo as follows:

SECTION 1: The City Council finds as follows:

A. The Integrated Waste Management Act of 1989 (Assembly Bill 939
or “AB 939”) placed aggressive waste diversion mandates on local
governments to achieve 50 percent waste diversion by the year
2000 and delegated discretion to local government as to how best
to comply with the law;

B. The City of El Segundo has since the inception of AB 939 met the
statutory diversion requirements contained in the law and has the
distinction of having the highest diversion rate of any municipal
jurisdiction in the state;

C. The California Integrated Waste Management Board has approved
Alternative Daily Cover (ADC) green waste material use in landfills
and does not record ADC as disposal but considers it as diversion
through recycling;

D. The use of green waste as ADC at landfills, and more specifically
those operated by the Los Angeles County Sanitation Districts,
conserves natural resources, energy, and landfill capacity, and
contributes to the production of green power from landfill gas
thereby reducing reliance on fossil fuels;

E. Assemblymember Huffman has introduced AB 2640 which
proposes to eliminate waste diversion credits for green waste ADC
programs and would thereby severely limit the discretion local
government jurisdictions are now afforded by AB 939; thereby
requiring them to invest substantial additional resources in
developing new programs to replace those green waste ADC
programs.

SECTION 2: The City of El Segundo strongly supports the continuation of waste
diversion through recycling for green waste Alternative Daily Cover programs
under AB 939, and opposes AB 2640 as an unwarranted imposition on the
discretion of local government agencies ability to utilize ADC as a recycle
program.
SECTION 3: The City Manager is directed and authorized to communicate the City Council's policy position on this matter to members of the Legislature, the Governor and administrative agencies as necessary.

SECTION 4: The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the City's original resolutions; and make a minute of the adoption of the Resolution in the City Council's records and the minutes of this meeting.

SECTION 5: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 1st day of April 2008.

__________________________________________
Kelly McDowell,
Mayor

ATTEST:

__________________________________________
Cindy Mortesen,
City Clerk

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

By: _______________________________________
Karl H. Berger
Assistant City Attorney
An act to amend Sections 41781.3 and 48000 of, to add Section 41781.5 to, and to add Article 3 (commencing with Section 48030) to Chapter 2 of Part 7 of Division 30 of, the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL’S DIGEST

AB 2640, as introduced, Huffman. Solid waste: compostable organics management.

(1) The California Integrated Waste Management Act of 1989 establishes an integrated waste management program administered by the California Integrated Waste Management Board. The act requires a city, county, city and county, or regional agency to develop a source reduction and recycling element of an integrated waste management plan containing specified components.

The act requires the source reduction and recycling element to divert 50% of all solid waste subject to the element from disposal through source reduction, recycling, and composting activities, with specified exceptions. Under the act, the use of solid waste for beneficial reuse in the construction and operation of a solid waste landfill, including the use of alternative daily cover, constitutes diversion through recycling and is not considered disposal for purposes of the act. The act requires the board, prior to December 31, 1997, to adopt rules and regulations establishing conditions for the use of alternative daily cover that are consistent with the act and requires, until the board adopts those
regulations, that the use of alternative daily cover be governed by
specified existing regulations.

This bill would require the board to adopt policies and to develop and
implement programs, to ensure that on and after January 1, 2020, the
amount of compostable organics subject to landfill disposal or otherwise
deposited in landfills is reduced as specified.

This bill would provide that, on and after January 1, 2015, the use of
green material, as defined, for beneficial reuse in the construction and
operation of a solid waste landfill, including the use of green material
as alternative daily cover, would not constitute diversion and would
require that green material be considered disposal for purposes of the
act. The bill would require the board to notify operators of disposal
facilities of this provision on or before July 1, 2009.

This bill would require the board, on or before July 1, 2010, to adopt
or revise regulations that establish conditions for the use of alternative
daily cover that are consistent with the act. The bill also would delete
an obsolete reference to the board's existing regulations.

This bill would impose a state-mandated local program by imposing
new duties upon local agencies related to implementing those provisions.

(2) The act requires an operator of a solid waste disposal facility to
pay a quarterly fee of up to $1.40 per ton based on the amount of all
solid waste disposed of at each disposal site and requires the State Board
of Equalization to collect the fees and deposit the fees in the Integrated
Waste Management Account in the Integrated Waste Management Fund
(fund) in the State Treasury. The act requires the Integrated Waste
Management Board to use the moneys in the account, upon appropriation
by the Legislature, for specified purposes.

This bill, with regard to green material used for beneficial reuse,
including use as alternative daily cover, at a disposal site, would instead
require an operator of a solid waste disposal facility to pay a quarterly
fee of $1.40 per ton, would establish the Organics Management Account
in the fund, and would require the State Board of Equalization to collect
and deposit the fees imposed on that green material in the account. The
bill would require the California Integrated Waste Management Board
to expend the moneys in the account, upon appropriation by the
Legislature, for competitive grants and loans for compostable organics
management projects and commencing on July 1, 2010, for a program
adopted by the board for compostable organics management.
(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.
This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:
(a) With the enactment of the California Integrated Waste Management Act of 1989 (the act), the Legislature declared that the California Integrated Waste Management Board and local agencies shall promote recycling and composting over land disposal and transformation.
(b) Since the enactment of the act, local governments and private industries have worked jointly to create an extensive material collection infrastructure and have implemented effective programs to achieve a statewide diversion rate greater than 50 percent.
(c) Although California now leads the nation in waste reduction and recycling, the state continues to dispose of more than 10 million tons of compostable organics each year in solid waste landfills.
(d) The landfilling of compostable organics, including organic materials used as landfill cover, squanders dwindling disposal capacity, adds to landfill volatility, and results in the emission of greenhouse gases, volatile organic compounds, and ammonia.
(e) Composting organic materials results in substantial environmental and agricultural benefits, including the reduction of methane gas and naturally occurring volatile organic compounds and ammonia.
(f) The Economic and Technology Advancement Advisory Committee, formed pursuant to the California Global Warming Solutions Act of 2006 (A.B. 32, 2005–06 Reg. Sess.), has identified composting as a cost-effective technology for reducing greenhouse gas emissions and has recommended providing financial incentives to assist compost operators to offset the cost of complying with new and existing environmental regulations.
(g) The application of compost in agriculture and landscaping has been shown to offer significant water quality benefits, provide erosion control, reduce the need for synthetic fertilizers and pesticides, and conserve water and irrigation-associated energy.

(h) The use of compostable organics as alternative daily cover in the construction and operation of solid waste landfills deprives California agriculture and the environment of compostable organic material for compost and other higher and better uses.

(i) The California Integrated Waste Management Board has adopted a Strategic Directive to reduce the amount of organics in the waste stream by 50 percent by the year 2020 and has identified the need for as many as 100 additional facilities in the state to process compostable organics.

(j) In order to reduce the landfilling of organics, increase composting, and meet the organics disposal reduction target adopted by the California Integrated Waste Management Board, the state should reduce barriers to, and provide incentives for, increasing processing capacity and end-use markets for compostable organics.

SEC. 2. Section 41781.3 of the Public Resources Code is amended to read:

41781.3. (a) (i) The use of solid waste for beneficial reuse in the construction and operation of a solid waste landfill, including the use of alternative daily cover, which reduces or eliminates the amount of solid waste being disposed pursuant to Section 40124, shall constitute diversion through recycling and shall not be considered disposal for the purposes of this division.

(2) On and after January 1, 2013, the use of green material, as defined in regulations adopted by the board pursuant to Section 40502, for beneficial reuse in the construction and operation of a solid waste landfill, including the use of green material as alternative daily cover, shall not constitute diversion through recycling and shall be considered disposal for purposes of this division.

(3) On January 1, 2009, the board shall provide notice to all operators of disposal facilities of the requirements of paragraph (2).

(b) Prior to December 31, 1997—On or before July 1, 2010, pursuant to the board’s authority to adopt rules and regulations pursuant to Section 40502, the board shall, by regulation, adopt
or revise regulations that establish conditions for the use of alternative daily cover that are consistent with this division. In adopting the regulations, the board shall consider, but is not limited to, all of the following criteria:

(1) Those conditions established in past policies adopted by the board affecting the use of alternative daily cover.

(2) Those conditions necessary to provide for the continued economic development, economic viability, and employment opportunities provided by the composting industry in the state.

(3) Those performance standards and limitations on maximum functional thickness necessary to ensure protection of public health and safety consistent with state minimum standards.

(c) Until the adoption of additional regulations, the use of alternative daily cover shall be governed by the conditions established by the board in its existing regulations set forth in paragraph (3) of subdivision (b) of, and paragraph (3) of subdivision (e) of, Section 18813 of Title 14 of the California Code of Regulations, as those sections regulations read on the effective date of the amendments to this section, and by the conditions established in the board's policy adopted on January 25, 1995 as enacted by the Statutes of 2008.

(d) In adopting rules and regulations pursuant to this section, Section 40124, and this division, including, but not limited to, Part 2 (commencing with Section 40900), the board shall provide guidance to local enforcement agencies on any conditions and restrictions on the utilization of alternative daily cover so as to ensure proper enforcement of those rules and regulations.

SEC. 3. Section 41781.5 is added to the Public Resources Code, to read:

41781.5. The board shall adopt policies and develop and implement programs to ensure that, on and after January 1, 2020, the amount of compostable organics subject to landfill disposal or otherwise deposited in landfills in the state annually is 50 percent or less of the amount of compostable organics disposed or otherwise deposited in landfills during the 2008 calendar year.

SEC. 4. Section 48000 of the Public Resources Code is amended to read:

48000. (a) Each An operator of a disposal facility shall pay a fee quarterly to the State Board of Equalization which that is based on the amount, by weight or volumetric equivalent, as determined
by the board, of all solid waste disposed of at each disposal site,
except solid waste for which the payment of a fee is required
pursuant to Section 48030.
(b) The fee for solid waste disposed of shall be one dollar and
thirty-four cents ($1.34) per ton. Commencing with the 1995–96
fiscal year, the amount of the fee shall be established by the board
at an amount that is sufficient to generate revenues equivalent to
the approved budget for that fiscal year, including a prudent
reserve, but shall not exceed one dollar and forty cents ($1.40) per
ton.
(c) The board shall notify the State Board of Equalization on
the first day of the period in which the rate shall take effect of any
rate change adopted pursuant to this section.
(d) The board and the State Board of Equalization shall ensure
that all the fees for solid waste imposed pursuant to this section
that are collected at a transfer station are paid to the State Board
of Equalization in accordance with this article.
SEC. 5. Article 3 (commencing with Section 48030) is added
to Chapter 2 of Part 7 of Division 30 of the Public Resources Code,
to read:

Article 3. Organics Management Account

48030. (a) On and after January 1, 2009, an operator of a
disposal facility shall pay a fee quarterly to the State Board of
Equalization that is based on the amount, by weight or volumetric
equivalent, as determined by the board, of all green material, as
defined in regulations adopted by the California Integrated Waste
Management Board pursuant to Section 40502, that is used for
beneficial reuse, including use as alternative daily cover, at each
disposal site.
(b) The fee imposed pursuant to this section shall be one dollar
and forty cents ($1.40) per ton.
(c) The board and the State Board of Equalization shall ensure
that all fees for green material imposed pursuant to this section
that are collected at a transfer station are paid to the State Board
of Equalization in accordance with this article.
48031. (a) The revenue from the fees paid pursuant to Section
48030 shall, after payment of refunds and administrative costs of
collection, be deposited in the Organics Management Account, which is hereby created in the Integrated Waste Management Fund.

(b) For purposes of this article, "account" means the Organics Management Account, created pursuant to subdivision (a).

48032. The state board shall adopt rules and regulations to carry out Section 48030, including, but not limited to, provisions governing collections, reporting, refunds, and appeals.

48033. The state board shall not spend more than one-half of 1 percent of the total revenues deposited, or anticipated to be deposited, in the account during a fiscal year for the administration of this article during that fiscal year.

48034. (a) The board shall expend the moneys in the account, upon appropriation by the Legislature, for the administration and implementation of this article.

(b) The board shall adopt rules and regulations governing the expenditure of the moneys in the account, in accordance with the purposes set forth in this article.

48035. (a) (1) The board shall develop a program of grants and loans for compostable organics management projects.

(2) In expending the moneys in the account pursuant to paragraph (1), the board shall support only projects that meet or exceed new or existing state environmental standards.

(b) The board shall adopt a program, to commence on July 1, 2010, for compostable organics management. The program shall be administered by the board pursuant to regulations adopted by the board.

SEC. 6. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.
COMPLETE BILL HISTORY

BILL NUMBER : A.B. No. 2640
AUTHOR : Huffman
TOPIC : Solid waste: compostable organics management.

TYPE OF BILL :
Active
Non-Urgency
Non-Appropriations
Majority Vote Required
State-Mandated Local Program
Fiscal
Non-Tax Levy

BILL HISTORY
2008
Mar. 13 Referred to Com. on NAT. RES.
Feb. 25 Read first time.
Feb. 24 From printer. May be heard in committee March 25.
Feb. 22 Introduced. To print.
CURRENT BILL STATUS

MEASURE : A.B. No. 2640
AUTHOR(S) : Huffman.
TOPIC : Solid waste: compostable organics management.
HOUSE LOCATION : ASM

TYPE OF BILL :
Active
Non-Urgency
Non-Appropriations
Majority Vote Required
State-Mandated Local Program
Fiscal
Non-Tax Levy

LAST HIST. ACT. DATE: 03/13/2008
LAST HIST. ACTION : Referred to Com. on NAT. RES.
COMM. LOCATION : ASM NATURAL RESOURCES
HEARING DATE : 04/07/2008

TITLE : An act to amend Sections 41781.3 and 48000 of, to add Section 41781.5 to, and to add Article 3 (commencing with Section 48030) to Chapter 2 of Part 7 of Division 30 of, the Public Resources Code, relating to solid waste.