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, SEPTEMBER 2, 2008 - 5:00 P.M.

Next Resolution # 4565
Next Ordinance # 1421

5:00 P.M. SESSION

CALL TO ORDER

ROLL CALL

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

None

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) – 1- matter

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -2- 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): - 1- matter

1. Public Employee Appointment/Public Employment. Title: City Manager

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): - 4- matters
City Negotiators: City Manager Jack Wayt; Human Resources Director Bob Hyland; Finance Director Deborah Cullen; Richard Kreisler. Employee Organizations: (1) Unrepresented management/confidential employees (City employees who are not members of bargaining units); (2) the El Segundo Police Officers' Association; (3) El Segundo Firefighter's Association; and (4) the El Segundo Police Manager's Association.

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

SPECIAL MATTERS: - 0- matter
AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 2, 2008 - 7:00 P.M.

Next Resolution # 4565
Next Ordinance # 1421

7:00 P.M. SESSION

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE – Bill Fisher, Council Member
PRESENTATIONS

ROLL CALL

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

A. PROCEDURAL MOTIONS

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

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action (Public Hearing) regarding the FY 2008-2009 Preliminary Budget and Five-Year Capital Improvements Plan including discussion and possible direction regarding all City revenues and expenditures. (Fiscal impact: None)
Recommendation – 1) Open Public Hearing; (2) Staff presentation of the 2008-2009 Preliminary Budget and Council direction to staff regarding all City General Fund revenues and expenditures (includes potential discussion and direction relating to all City Department revenues and expenditures); (3) Continue the Public Hearing to September 16, 2008; (4) Schedule the budget adoption for the September 16, 2008 meeting; (5) Alternatively discuss and take other action related to this item.

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

E. CONSENT AGENDA
All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.
2. Warrant Numbers 2567342 to 2567583 on Register No. 22 in the total amount of $1,705,047.15 and Wire Transfers from 08/08/2008 through 08/21/2008 in the total amount of $1,833,701.83
Recommendation – Approve Warrant Demand Registers and authorize staff to release. Ratify: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

3. Regular City Council Meeting Minutes of August 19, 2008 and Special City Council Minutes of August 6, 2008.
Recommendation – Approval.

4. Consideration and possible action regarding acceptance of the project for the installation of new carpet at the Park Vista Senior Apartments (615 E. Holly Avenue) and the Lakes Golf Course (400 S. Sepulveda Boulevard). (Fiscal Impact: $93,508.66)
Recommendation – (1) Accept all work under this contract as complete; (2) Authorize the City Clerk to file a Notice of Completion in the County Recorder's Office; (3) Alternatively, discuss and take other action related to this item.

5. Consideration and possible action regarding final acceptance of construction related to the City's Residential Sound Insulation Program Group 19 (29 Homes). Project No. RSI 07-01. (Final contract total = $1,134,444.78).
Recommendation – (1) Accept the work as complete; (2) Authorize the City Clerk to file the City Planning and Building Safety Director's Notices of Completion in the County Recorder's Office; and (3) Alternatively discuss and take other action related to this item.

6. Consideration and possible action regarding an amendment to the Circulation Element of the General Plan and direction to authorize the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Circulation Element amendment and environmental review. (Fiscal Impact: Not to Exceed $125,000)
Recommendation – (1) Provide comments and direction to staff on possible Circulation Element amendment process and scope of work; (2) Authorize the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. in a form approved by the City Attorney, not to exceed $125,000 to prepare an amendment to the Circulation Element, including environmental review; (3) Alternatively, discuss and take other action related to this item.
7. Consideration and possible action to purchase sixteen (16) Sierra Wireless MP881 AirLink GSM modems from Manley Solutions for the Police Department’s patrol fleet using funds from the Citizens’ Option for Public Safety (COPS) grant. (Fiscal Impact: $22,000)

Recommendation – (1) Approve the purchase of sixteen (16) Sierra Wireless MP881 AirLink GSM modems from Manley Solutions for the Police Department’s patrol fleet using funds from the Citizens’ Option for Public Safety (COPS) grant; (2) authorize the City Manager to execute a contract, in a form approved by the City Attorney, for such purchase; (3) Alternatively discuss and take other action related to this item.

8. Consideration and possible action for approval of a Public Service Agreement between the City of El Segundo and the South Bay Children’s Health Center Association to serve as the administrative and fiscal agent for the South Bay Youth Project to provide counseling services to El Segundo youth and families September 1 through June 30, 2009 (Fiscal Impact: $27,498)

Recommendation – (1) Approve Public Service Agreement and authorize the Mayor to sign an agreement in a form approved by the City Attorney between the City of El Segundo and South Bay Children’s Health Center Association; (2) Alternatively discuss and take other action.

9. Consideration and possible action regarding the presentation of fiscal year 2007-2008 Third Quarter Financial Budget Review. Fiscal impact (None)

Recommendation – (1) Receive and file Fiscal Year 2007-2008 Third Quarter Financial presentation; (2) Alternatively discuss and take other action related to this item.

10. Consideration and possible action to adopt and waive second reading of an ordinance amending the El Segundo Municipal Code (ESMC) with regard to local campaign financing and signs.

Recommendations – (1) Waive second reading and adopt an ordinance amending ESMC §§ 1-9-2, 1-9-3, 1-9-5, and 15-18-10(G) regulating local election campaigns; (2) Alternatively, discuss and take other action related to this item.

11. Consideration and possible action to approve termination of a contract with Republic Intelligent Transportation Services, Inc. for maintenance of the City’s traffic signals and traffic control services. (Fiscal Impact: None)

Recommendation – (1) Authorize the City Manager to terminate the maintenance agreement with Republic Intelligent Transportation Services, Inc.; (2) Alternatively, discuss and take other action related to this item.
12. Consideration and possible action to approve Vesting Tract Map No. 64579, a 14,298 square foot, 2-lots merged to 1-lot subdivision property located at 215 and 223 Penn Street. (Fiscal Impact: None)
Recommendation — (1) Approve and Accept Final Vesting Tract Map No. 64579; (2) Authorize the City Engineer and City Clerk to sign and record said Map; (3) Alternatively, discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

13. Consideration and possible action to introduce and waive first reading of ordinances amending the City’s purchasing policies, adding regulations for executing contracts, and disposing surplus property. (Fiscal Impact: None)
Recommendation (1) Introduce and waive first reading of Ordinance to amend, in its entirety, El Segundo Municipal Code (“ESMC”) Chapter 1-7 regulating purchasing procedures; (2) Introduce and waive first reading of Ordinance to add a new Chapter 1-7A to the ESMC establishing procedures for executing contracts; (3) Introduce and waive first reading of Ordinance to add a new Chapter 1-7B to the ESMC regulating the disposition of surplus property; (4) Alternatively, discuss and take other action related to this item.

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann –
Council Member Fisher –

Council Member Jacobson –

Mayor Pro Tem Busch –

14. Consideration of possible action to direct staff to prepare for City Council review an amendment to El Segundo Municipal Code zoning regulations to permit the sale of automobiles as an accessory use permissible in the Medium Manufacturing (MM) and Small Business (SB) zones. (Fiscal Impact: None)

Recommendation – (1) Direct City staff to prepare an amendment to the El Segundo Municipal Code that would provide for the incidental monthly sale of no more than three at any one time and no more than eight automobiles per month by auto repair and maintenance facilities located within the Medium Manufacturing (MM) and Small Business (SB) zones; (2) Alternatively, discuss and take other action related to this item.

Mayor McDowell –

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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: Aug. 27, 2008

TIME: 2:30 p.m.

NAME: [Signature]
Consideration and possible action (Public Hearing) regarding the FY 2008-2009 Preliminary Budget and Five-Year Capital Improvements Plan including discussion and possible direction regarding all City revenues and expenditures. (Fiscal impact: None)

RECOMMENDED COUNCIL ACTION:

1) Open Public Hearing;
2) Staff presentation of the 2008-2009 Preliminary Budget and Council direction to staff regarding all City General Fund revenues and expenditures (includes potential discussion and direction relating to all City Department revenues and expenditures);
3) Continue the Public Hearing to September 16, 2008;
4) Schedule the budget adoption for the September 16, 2008 meeting
5) Alternatively discuss and take other action related to this item

BACKGROUND & DISCUSSION:

The FY 2008-2009 budget process began on May 5, 2008 when Departments were given budget instructions and specific guidelines as directed by the City Manager.

On August 6, 2008, the City Council held a Strategic Planning Session with the City Manager and all department heads. During this planning session, the City Council reviewed departmental projects, established priorities and set the general direction for the next fiscal year.
(Continued on next page)

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT: Discussion to Adopt FY 2008-2009 Preliminary Operating and Five-Year Capital Improvement Budget

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

ORIGINATED BY:  
Deborah Cullen, Director of Finance  
DATE:  8/26/08

REVIEWED BY:  
Jack Wayt, City Manager  
DATE:  8/28/08
The final steps in the budget process are a public hearing on September 2, 2008, and final budget adoption on September 16, 2008. As part of the final budget adoption, staff will prepare a reconciliation of changes from the preliminary to the final adopted budget.

The Preliminary FY 2008-2009 Operating and Five-Year Capital Improvement Budget were distributed to the City Council on August 6, 2008.
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>General Fund</td>
<td>750,180.99</td>
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<tr>
<td>Traffic Safety Fund</td>
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<td>State Gas Tax Fund</td>
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<td>Associated Recreation Activities Fund</td>
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<td>Asset Forfeiture Fund</td>
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<tr>
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<td>Air Quality Investment Program</td>
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<td>Hyperion Mitigation Fund</td>
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<td>TDA Article 3 - SB 821 Bikeway Fund</td>
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<td>MTA Grant</td>
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<td>FEMA</td>
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<tr>
<td>C.O.P.S. Fund</td>
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<tr>
<td>L.A.W.A. Fund</td>
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<td>Assessment District #73</td>
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<tr>
<td>Capital Improvement Fund</td>
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<tr>
<td>Infrastructure Replacement Fund</td>
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<td>Facilities Maintenance</td>
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<td>Water Utility Fund</td>
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<td>Wastewater Fund</td>
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<td>Golf Course Fund</td>
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<td>Equipment Replacement</td>
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<td>Retired Emp. Insurance</td>
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<td>Expendable Trust Fund - Developer Fees</td>
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<td>Expendable Trust Fund - Other</td>
<td>11,309.73</td>
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<tr>
<td>Outside Services Trust</td>
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</table>

**Total Warrants**: $1,706,047.15

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**State of California**

**County of Los Angeles**

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

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

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

**Codes:**

- **R** = Computer generated checks for all non-emergency/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.

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**Finance Director**

**City Manager**

**Date:** 8/28/08

---

**Void Checks Due to Alignment:**

N/A

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

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

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**Notes:**
## CITY OF EL SEGUNDO
### PAYMENTS BY WIRE TRANSFER
#### 8/08/2008 THROUGH 8/21/2008

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<th>Date</th>
<th>Payee</th>
<th>Amount</th>
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<tbody>
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<td>Child support withholdings</td>
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<td>8/11/2008</td>
<td>Federal Reserve</td>
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<td>Employee I Bonds</td>
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<td>8/11/2008</td>
<td>Nationwide Retirement</td>
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<td>457 contributions</td>
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<td>8/11/2008</td>
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<td>8/12/2008</td>
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<td>8/18/2008</td>
<td>Manufactures &amp; Traders</td>
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<td>Vantage 457</td>
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<td>8/21/2008</td>
<td>La Salle</td>
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<td>8/21/2008</td>
<td>Manufactures &amp; Traders</td>
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<td>Vantage 457</td>
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<td>8/21/2008</td>
<td>Employment Development</td>
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<td>State Taxes</td>
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<tr>
<td>8/21/2008</td>
<td>IRS</td>
<td>233,066.65</td>
<td>Federal Taxes</td>
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<tr>
<td>7/25-8/21/08</td>
<td>Workers Comp Activity</td>
<td>134,053.27</td>
<td>SCRMA checks issued</td>
</tr>
</tbody>
</table>

### TOTAL PAYMENTS BY WIRE: 1,833,701.83

### DATE OF RATIFICATION: 9/02/08

Certified as to the accuracy of the wire transfers by:

- **Deputy Treasurer**
  - Name: [Signature]
  - Date: 8/22/08

- **Director of Finance**
  - Name: [Signature]
  - Date: 8/25/08

- **City Manager**
  - Name: [Signature]
  - Date: 8/29/08

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, AUGUST 19, 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 Brann - 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.

SPECIAL ORDER OF BUSINESS:

None

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) item was a threat of exposure to litigation not known to the public generally.

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) – 1- matter

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -1- 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- matter

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): - 4- matters
City Negotiators: Interim City Manager Jack Wayt; Human Resources Director Bob Hyland; Finance Director Deborah Cullen; Richard Kreisler. Employee Organizations: (a) Unrepresented management/confidential employees (City employees who are not members of bargaining units); (b) El Segundo Police Officers' Association; (c) El Segundo Firefighter's Association; and (d) El Segundo Police Management Association.

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

SPECIAL MATTERS: - 0- matter

Council recessed at 6:50 p.m.
7:00 P.M. SESSION

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

INVOCATION – Deputy City Clerk Domann

PLEDGE OF ALLEGIANCE – Council Member Don Brann

PRESENTATIONS – NONE

ROLL CALL

Mayor McDowell - Present
Mayor Pro Tem Busch - Present
Council Member Brann - 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.

Liz Garnholz, resident, spoke regarding the new windows at the Plunge. Also spoke on the pollution generated by the El Segundo Power Plant.

A. PROCEDURAL MOTIONS

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

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

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS
E. CONSENT AGENDA

All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.

1. Approved Warrant Numbers 2567130 to 2567341 on Register No. 21 in the total amount of $3,711,133.75 and Wire Transfers from 7/25/2008 through 8/07/2008 in the total amount of $1,406,882.58. Authorized staff to release. Ratified: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.


3. Approved the transfer of General Funds in an amount not to exceed $13,000 to continue the City’s Juvenile Diversion Project for the period July 1, 2008 through June 30, 2009, increase the total General Fund allocation for CDBG during FY 2008-2009 from $65,000 to $78,000, and reprogram $13,000 of CDBG funds into another CDBG project; Authorized the City Manager to execute an amendment to the existing Professional Services Agreement between the City of Redondo Beach/South Bay Youth Project transferring the provision of Juvenile Diversion services to the SBCHC utilizing General Funds in an amount not to exceed $13,000.

4. Accepted the work as complete for the Biological Wastewater Closed Loop System at 400 Sepulveda Blvd. – Project No. PW 08-01. (Fiscal Impact: $71,930.00) Authorized the City Clerk to file a Notice of Completion in the County Recorder’s Office.

5. Approved Employment Agreement No. 3846 with Jack Wayt for the position of City Manager effective October 1, 2008. Authorized the Mayor to execute the agreement.

MOTION by Council Member Jacobson SECONDED by Mayor Pro Tem Busch to approve Consent Agenda Items 1, 2, 3, 4 and 5. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

6. COUNCIL CONSENSUS TO PULL ITEM FROM THIS MEETING AGENDA - Consideration and possible action to approve a resolution identifying deposit requirements for work conducted in the public right-of-way. (Fiscal Impact: None)

7. Consideration and possible action regarding acceptance of up to a $5,000,000 grant from the Federal Aviation Administration (FAA) to be used for the Residential Sound Insulation (RSI) Program.

James O'Neil, Residential Sound Insulation Program Manager, gave a report.
MOTION by Council Member Jacobson, SECONDED by Council Member Fisher to accept the FAA Grant Agreement No. 3847 for Project No. AIP 3-06-0139-52 and authorize the Mayor to execute the FAA Grant Agreement. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

8. Consideration and possible action to introduce and waive first reading of an ordinance amending the El Segundo Municipal Code (ESMC) with regard to local campaign financing and signs.

Mark Hensley, City Attorney, gave a report.

Council Member Jacobson recommended a $500 contribution limit and a 45 day limit on placing of political signs before an election.

Council consensus to introduce the ordinance with the 45 day limit on placing of political signs before an election.

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1420

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE §§ 1-9-2, 1-9-3, 1-9-5 AND 15-18-10(G) RELATING TO LOCAL ELECTION REGULATIONS.

Council Member Jacobson introduced the ordinance as amended. Second reading and adoption scheduled for September 2, 2008.

G. REPORTS – CITY MANAGER - NONE

H. REPORTS – CITY ATTORNEY - NONE

I. REPORTS – CITY CLERK - NONE

J. REPORTS – CITY TREASURER - NONE

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann – Congratulated staff on the Douglas Street two-way conversion project.

Council Member Fisher – NONE

Council Member Jacobson – Spoke on the upcoming Car Show on Main Street this Saturday, August 23rd.

Mayor Pro Tem Busch – Spoke regarding the “Damn Yankees” Recreation and Parks Summer drama production.

Mayor McDowell –
9. Consideration and possible action to adopt a resolution opposing AB2427 (Eng); a bill limiting local governments' power to enforce regulations protecting the public health, safety and welfare. (Fiscal Impact: None)

MOTION by Mayor McDowell, SECONDED by Council Member Brann to adopt Resolution No. 4564 opposing AB242 and authorize appropriate legislative advocacy to oppose passage of the bill.

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have receive value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of $250. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed. - NONE

MEMORIALS – J.B. Wise and Tim Mortesen.

CLOSED SESSION – NONE

ADJOURNMENT at 7:28 p.m.

___________________________
Cathy Domann, Deputy City Clerk
8:00 A.M. SESSION

CALL TO ORDER – Mayor McDowell at 8:00 a.m.

ROLL CALL

Mayor McDowell - Present
Mayor Pro Tem Busch - Present
Council Member Brann - 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.

SPECIAL ORDERS OF BUSINESS:

A. Strategic Planning Session regarding the City of El Segundo’s Operating Budget for Fiscal Year 2008-2009. The purpose of the session is to provide the Council with preliminary budget information and to receive preliminary Council direction as it relates to revenue, expenditure, new programs, capital outlays and budget preparation issues. Final decisions regarding the budget are expected to be made at a public hearing scheduled for a regular City Council Meeting held in September.

1. Consideration and possible action regarding a staff presentation of the assumptions made in preparing the FY 2008/2009 City Budget, including an estimate of the revenues and expenditures, the assumptions made in presenting a balanced budget.

2. Consideration and possible action regarding detailed summaries of all department budgets included in the FY 2008-2009 Preliminary Budget including detailed descriptions of the recommendations stated in the budget overview.

3. Consideration and possible action regarding staff recommendations for proposed new programs included in the FY 2008-2009 Preliminary Budget as specified in “Attachment A”.
4. Consideration and possible action regarding staff recommendations for all personnel reclassification changes and new hire requests included in the FY 2008-2009 Preliminary Budget as detailed in “Attachment B”.

5. Consideration and possible action to provide $720,000 in the FY 2008-2009 Preliminary Budget to fund programs recommended by the Capital Improvement Program Advisory Committee (CIPAC) (See “Attachment C”).

6. Consideration and possible action to provide $288,000 in the FY 2008-2009 Preliminary Budget to fund technology projects recommended by the Executive Technology Review Committee (See “Attachment D”).

8. Consideration and possible action to amend resolution pertaining to the City’s Per Diem policy for travel expenses related to City employees (See “Attachment F”).

Council directed amend existing Per Diem policy for travel expense related to City employees from $36 per day to $64 per day per based IRS publication (1542) rates for the Los Angeles area.

11. Consideration and possible action to receive and file the request to increase the City’s Life Line income threshold for low income families qualifying for City water and sewer services. (See “Attachment I”).

Staff to return with proposal for Life Line Income Thresholds.

12. Consideration and possible action to fund $700,000 for City Hall improvements to include Council Chambers, Human Resource, West Conference Room. (See “Attachment J”).

Staff to return with a detailed list of proposed improvements and purchases.

Staff directed to return to Council with an Ordinance raising the contract threshold from $10,000 to $25,000.

Staff to return with funding options for the $435,000 needed for a Fire Department replacement Ladder Truck.

Turf Replacement - Staff to designate $1,200,000 from the naming rights held in the economic uncertainty fund and place $159,000 per year in the equipment replacement fund for the replacement of the turf at the athletic fields.

Recess 9:40
Reconvene 9:50
All Members Present

Presentation on the Cost of Services Study

9. Consideration and possible action to receive and file the proposed fees based on the comprehensive Fee Study by Revenue and Cost Specialists. (See “Attachment G”).

Presentation given by Eric S. Johnson, Vice President, Revenue and Cost Specialists, LLC.
Each Department to review study and develop a fee schedule for presentation to City Council. Request information from Manhattan Beach regarding their recent fee increases.

7. Consideration and possible action to provide continued financial assistance to the El Segundo Unified School District in the amount of $250,000 annually. In addition, consider approval of an additional $277,000 requested by ESUSD (See "Attachment E").

Authorize staff to include $250,000 in the FY 2008-2009 Preliminary Budget to fund existing ESUED obligations. Staff to provide costs for "in kind" services of Consolidated Waste Disposal and TruGreen landscape Maintenance and provide city cost for Crossing guards. The ESUSD to provide a list with up to date budget cuts. School District encouraged to be lenient on Air Force personnel dependent transfer students. Requested that School District not charge City for use of School fields when City programs must be moved because of School District use of City facilities.

10. Consideration and possible action regarding approval to initiate feasibility and design study of Aquatics Facility in the amount of $300,000. (See "Attachment H").

Staff to include $300,000 in the FY 2008-2009 Preliminary Budget to fund a new Aquatics Facility. Investigate the possibility of issuing naming rights if a new swim stadium is built. Staff to research the $225,000 savings on Fire Station 2 to be used on cost efficient lighting on George Brett Field and the Softball Field.

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.

Liz Garnholz, Resident; Spoke regarding the funding for the Aquatics Project, and the amount donated by developers for a new or repair of the old swim stadium.

ADJOURNMENT at 11:00 a.m.

Cindy Mortesen, City Clerk
## City of El Segundo
### 2008 - 2009 Budget

#### Attachment A
### New Programs

<table>
<thead>
<tr>
<th>Department</th>
<th>Division</th>
<th>New Program</th>
<th>Capital Outlay</th>
<th>Appropriations</th>
<th>Source of Appropriations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>Public Safety Communications</td>
<td>Consulting support to research to identify, secure and load at least one additional radio frequency to be used for Fire/Police tactical operations.</td>
<td>50,000</td>
<td>-</td>
<td>General Fund 001-400-3107-6214</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>50,000</td>
<td>-</td>
<td>Total New Programs</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>50,000</td>
<td>-</td>
<td>Net Fiscal Impact-General Fund</td>
</tr>
</tbody>
</table>
# City of El Segundo
## 2008 - 2009 Budget

### Attachment B
#### Reclassifications

<table>
<thead>
<tr>
<th>Department</th>
<th>Division</th>
<th>Old Title</th>
<th>New Title</th>
<th>Fiscal Impact</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY CLERK</td>
<td>ADMINISTRATION</td>
<td>OFFICE SPECIALIST II</td>
<td>RECORDS TECHNICIAN</td>
<td>6,425</td>
<td>Creation of a new class specification of Records Technician to accommodate the expanding needs and requirements of the position. General Fund 001-400-1301-4101.</td>
</tr>
<tr>
<td>FINANCE</td>
<td>FINANCE</td>
<td>ACCOUNTS SPECIALIST II</td>
<td>ACCOUNTING TECHNICIAN</td>
<td>5,560</td>
<td>Reclass position to accurately reflect broaden responsibilities. General Fund 001-400-2502-4101</td>
</tr>
<tr>
<td>FINANCE</td>
<td>FINANCE</td>
<td>2 ACCOUNTS SPECIALIST II, P/T, NO BENE</td>
<td>2 ACCOUNTS SPECIALIST, P/T, BENE</td>
<td>17,200</td>
<td>Provide benefits to two long term part-time employees. General Fund 001-400-2502-4102</td>
</tr>
<tr>
<td>HUMAN RESOURCES</td>
<td>HUMAN RESOURCES</td>
<td>HR SPECIALIST</td>
<td>HR SPECIALIST</td>
<td>1,100</td>
<td>Reclass position to accurately reflect broaden responsibilities. General Fund 001-400-2301-4101</td>
</tr>
<tr>
<td>POLICE</td>
<td>ADMINISTRATION</td>
<td>SR. ADMIN. SPECIALIST</td>
<td>EXECUTIVE ASSISTANT</td>
<td>5,000</td>
<td>Reclass position to accurately reflect broaden responsibilities. 001-400-3101-4101</td>
</tr>
<tr>
<td>PLANNING &amp; BUILDING</td>
<td>BUILDING SAFETY</td>
<td>BUILDING INSPECTOR II</td>
<td>BUILDING INSPECTOR I</td>
<td>-7,000</td>
<td>Downgraded position to achieve budget goal associated with scope of work. General Fund 001-400-2403-4101</td>
</tr>
<tr>
<td>PUBLIC WORKS</td>
<td>ENGINEERING</td>
<td>ASSISTANT CITY ENGINEER</td>
<td>CITY ENGINEER</td>
<td>6,000</td>
<td>General Fund 001-400-4101-4101</td>
</tr>
<tr>
<td>PUBLIC WORKS</td>
<td>ENGINEERING</td>
<td>SR. CIVIL ENGINEER ASSOCIATE</td>
<td>PRINCIPAL ENGINEER</td>
<td>11,365</td>
<td>Reclass position to accurately reflect increased responsibilities. General Fund 001-400-4101-4102</td>
</tr>
<tr>
<td>RECREATION &amp; PARKS</td>
<td>RECREATION OPERATIONS</td>
<td>2 RECREATION COORDINATORS (HIGHER GRADE)</td>
<td>2 RECREATION COORDINATORS (HIGHER GRADE)</td>
<td>6,695</td>
<td>Upgrade classification to higher level. General Fund 001-400-5201-4101</td>
</tr>
</tbody>
</table>

**Net fiscal impact-General Fund 52,345**
## City of El Segundo
### 2008 - 2009 Budget

#### Attachment B

#### New Positions

<table>
<thead>
<tr>
<th>Department</th>
<th>Division</th>
<th>Position Title</th>
<th>Fiscal Impact</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Manager</td>
<td>Information Systems</td>
<td>Application Specialist</td>
<td>109,625</td>
<td>Position is to support all system applications which have grown in size and complexity within the City. Requires extensive database administration, integration, design, troubleshooting knowledge and skills. General Fund 001-400-2505-4101</td>
</tr>
<tr>
<td>City Manager</td>
<td>Information Systems</td>
<td>Project Specialist</td>
<td>90,000</td>
<td>Position is to support all City system applications and networks, primarily in the capacity of project design, implementation and tracking of schedules and costs for upgrades and new IS initiatives requested by City. General Fund 001-400-2505-4101</td>
</tr>
<tr>
<td>City Manager</td>
<td>Information Systems</td>
<td>Help Desk Interns</td>
<td>15,715</td>
<td>Intern positions will focus on help desk backend customer service and administration of IS tasks. General Fund 001-400-2505-4101</td>
</tr>
<tr>
<td>Finance</td>
<td>Water Fund To Finance</td>
<td>Administrative Specialist</td>
<td>Administrative Specialist</td>
<td>Transfer Water Billing Administrator from Water Fund to Finance to support accounting and audit oversight responsibilities. From 001-400-7102-4101 to General Fund 001-400-02002-4101</td>
</tr>
<tr>
<td>Police</td>
<td>Administration</td>
<td>Wellness Coordinator</td>
<td>43,000</td>
<td>Hire Wellness Coordinator directly into Police Department to reduce injuries, claims and ultimately promote further wellness amongst City employees. General Fund 001-400-3101-4101</td>
</tr>
<tr>
<td>Police</td>
<td>Communications</td>
<td>Dispatcher I</td>
<td>78,865</td>
<td>Hire one new Dispatcher I employee. Chief recommends 3 Dispatchers per shift to cover increased phone activity in potential emergency situations requiring prompt Police and Fire support services. General Fund 001-400-3107-4101</td>
</tr>
<tr>
<td>Police</td>
<td>Administration</td>
<td>Police Officer</td>
<td></td>
<td>Police plan to fully staff to authorized 69 sworn officers and possibly exceed that staffing up to 5 officers (due to attrition, etc) to reach maximum staffing by end of year. Funding levels will be assessed at Mid Year.</td>
</tr>
<tr>
<td>Department</td>
<td>Division</td>
<td>Position Title</td>
<td>Fiscal Impact</td>
<td>Comments</td>
</tr>
<tr>
<td>------------------</td>
<td>---------------------------</td>
<td>-------------------------</td>
<td>---------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Fire</td>
<td>Environmental Safety/Fire Prevention</td>
<td>Principal Fire Prevention Specialist</td>
<td>125,000</td>
<td>New position would minimize both overtime and project delays for customers and provide for further public education programs. FY 08/09, 001-400-3205-4101.</td>
</tr>
<tr>
<td>Public Works</td>
<td>Engineering</td>
<td>Public Works Inspector</td>
<td>70,000</td>
<td>Create new position to inspect new work and existing infrastructure throughout City. General Fund 001-400-4101-4101</td>
</tr>
<tr>
<td>Recreation &amp; Parks</td>
<td>Operations</td>
<td>Coordinator</td>
<td>26,325</td>
<td>To increase Recreation Coordinator's total work hours to meeting increasing service support for Campus El Segundo. General Fund 001-400-5201-4101</td>
</tr>
<tr>
<td>Recreation &amp; Parks</td>
<td>Operations</td>
<td>Coordinator</td>
<td>6,700</td>
<td>Additional hours to meet SPARK one on one Aide requirements for children identified as Special Needs. General Fund 001-400-5205-4101</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>565,230</td>
<td>Net fiscal impact-General Fund</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>423,923</td>
<td>Funding at 75%</td>
</tr>
</tbody>
</table>
ATTACHMENT C

EL SEGUNDO CITY COUNCIL

AGENDA ITEM STATEMENT

AGENDA DESCRIPTION:
Consideration and possible action regarding a presentation of a summary of projects recommended by the Capital Improvement Program Advisory Committee (CIPAC) for inclusion in the Fiscal Year 2008-2009 Capital Improvement Program. (Fiscal Impact = $3,197,000 in recommended projects).

RECOMMENDED COUNCIL ACTION:
(1) Receive staff's presentation of CIPAC recommendations; (2) Authorize staff to include recommended changes to the FY 2008-2009 Preliminary Budget; and (3) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:
CIPAC's recommendations were submitted for City Council consideration on July 15, 2008. The following table indicates funding available and projects recommended by CIPAC for inclusion in the FY 2008-2009 Capital Improvement Program (CIP).

ATTACHED SUPPORTING DOCUMENTS:
CIPAC Chart

FISCAL IMPACT:
Operating Budget: NA
Capital Improvement Program: $3,197,000 as indicated in table
Amount Requested: NA
Account Number: NA
Project Phase: NA
Appropriation Required: ☑ Yes ☐ No

ORIGINATED BY:
Deborah Cullen, Director of Finance

REVIEWED BY:
Jack Wayt, Interim City Manager
# CIPAC Recommendations for FY 2008-09

<table>
<thead>
<tr>
<th>#</th>
<th>Project Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Aquatics Concept Report</td>
</tr>
<tr>
<td>2</td>
<td>Sycamore Park Playground</td>
</tr>
<tr>
<td>3</td>
<td>Dry Weather Diversion for Pump Station 17</td>
</tr>
<tr>
<td>4</td>
<td>Pump Station No. 1 Upgrades and Force Main and Station No. 7 Abandonment (Design)</td>
</tr>
<tr>
<td>5</td>
<td>Water Main Replacements</td>
</tr>
<tr>
<td>6</td>
<td>Curb and Sidewalk Replacement Citywide</td>
</tr>
<tr>
<td>7</td>
<td>Retrofit Field Lights for Softball and Baseball Fields</td>
</tr>
<tr>
<td>8</td>
<td>119th and 120th Street Improvements</td>
</tr>
<tr>
<td>9</td>
<td>Fiber Installation Phase 3</td>
</tr>
<tr>
<td>10</td>
<td>Fiber Installation Phase 2</td>
</tr>
<tr>
<td>11</td>
<td>Local Streets Rehabilitation Program</td>
</tr>
<tr>
<td>12</td>
<td>Surveillance Cameras for the El Segundo Athletic Fields</td>
</tr>
<tr>
<td>13</td>
<td>Arterial Streets Rehabilitation Program</td>
</tr>
<tr>
<td>14</td>
<td>3.1 MGD Reservoir Roof</td>
</tr>
<tr>
<td>15</td>
<td>Maple @ Mission 5D and Street Improvement</td>
</tr>
<tr>
<td>16</td>
<td>Traffic Signal Rehabilitation</td>
</tr>
<tr>
<td>17</td>
<td>Elevated Reservoir Painting</td>
</tr>
<tr>
<td>18</td>
<td>City Hall Signage Program</td>
</tr>
<tr>
<td>19</td>
<td>Archway on Main @ Imperial</td>
</tr>
<tr>
<td>20</td>
<td>Library Homework Center</td>
</tr>
</tbody>
</table>

Note: The table includes various project descriptions along with their corresponding recommendations for funding. Each project is assigned a funding source where applicable.
ATTACHMENT D

EL SEGUNDO CITY COUNCIL

AGENDA ITEM STATEMENT

AGENDA DESCRIPTION:
Consideration and possible action regarding a presentation of a summary of projects recommended by the Executive Technology Review Committee (ETRC) for inclusion in the Fiscal Year 2008-2009 Budget.
(Fiscal Impact $287,965 General Fund)

RECOMMENDED COUNCIL ACTION:
(1) Authorize staff to include recommended changes to the FY 2008-2009 Preliminary Budget; and,
(2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:
The Executive Technology Review Committee met and reviewed the proposed projects. The projects were ranked and recommended by the committee. (See Attachment)

ATTACHED SUPPORTING DOCUMENTS:

ETRC Chart

FISCAL IMPACT:

Operating Budget: $  
Capital Improvement Program: NA  
Amount Requested: $287,965  
Account Number: 001-400-2505-8108  
Project Phase: NA  
Appropriation Required: [X] Yes  _No

ORIGINATED BY:

Deborah Cullen, Director of Finance

REVIEWED BY:

Jack Wayt, Interim City Manager

DATE:

8/4/08

DATE:

8/4/08
CITY OF EL SEGUNDO
PROPOSED TECHNOLOGY PROJECTS
FY 2008-2009

<table>
<thead>
<tr>
<th>Item</th>
<th>ETRC</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional SQL Licenses</td>
<td>$35,700</td>
<td></td>
</tr>
<tr>
<td>Portable Dispatch Computers</td>
<td>9,379</td>
<td></td>
</tr>
<tr>
<td>Phone System Expansion</td>
<td>9,270</td>
<td></td>
</tr>
<tr>
<td>PC Reservation System</td>
<td>5,000</td>
<td>13,821</td>
</tr>
<tr>
<td>Virtualization</td>
<td>26,650</td>
<td></td>
</tr>
<tr>
<td>Wiring of Planning Area</td>
<td>38,600</td>
<td></td>
</tr>
<tr>
<td>Wiring of Council Chambers</td>
<td>24,655</td>
<td></td>
</tr>
<tr>
<td>Questys Scanning for Business License</td>
<td>14,000</td>
<td></td>
</tr>
<tr>
<td>Questys Authoring Licenses</td>
<td>6,661</td>
<td></td>
</tr>
<tr>
<td>Aerial Photos</td>
<td>12,000</td>
<td></td>
</tr>
<tr>
<td>Wireless to new Fire Station #2</td>
<td>32,475</td>
<td></td>
</tr>
<tr>
<td>Muni System Mods</td>
<td>17,000</td>
<td></td>
</tr>
<tr>
<td>Time Management System</td>
<td>40,000</td>
<td></td>
</tr>
<tr>
<td>Council Tablets (5 Only)</td>
<td>16,575</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$287,965</td>
<td>13,821</td>
</tr>
</tbody>
</table>
ATTACHMENT E

EL SEGUNDO CITY COUNCIL

MEETING DATE: August 6, 2008

AGENDA ITEM STATEMENT

AGENDA DESCRIPTION: Consideration of possible action regarding an extension of the Funding Agreement extending financial assistance to the El Segundo Unified School District (ESUSD) for the purpose of school facilities and programs. (Fiscal Impact: $527,000)

RECOMMENDED COUNCIL ACTION: (1) Approve a one-year extension to the Funding Agreement for $250,000 with the El Segundo Unified School District (ESUSD) in a form approved by the City Attorney; (2) Consider approval of an additional $277,000 request by ESUSD; 3) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:
The City entered into a Funding Agreement with the El Segundo Unified School District on June 19, 2001 to provide annual payments to the District beginning October 1, 2001 and for four years thereafter, in the amount of $250,000. The timetable for the City’s commitment was for a period not to exceed five years and for an amount not to exceed $250,000 per year. A one-year extension to the Funding Agreement was approved by the City Council on July 17, 2007. Staff is recommending a one-year extension of the Funding agreement in the amount of $250,000 and in a form approved by the City Attorney. In addition to the recommended $250,000 payment, the District has requested an additional $277,000 for the following:

- $45,000 For crossing guards at Richmond Street, Center Street, El Segundo Middle School
- $23,000 to cover the Consolidated Waste solid waste disposal contract
- $59,000 to support custodial services and the transfer of materials between libraries
- $150,000 to offset the cost of TruGreen for landscape maintenance

ATTACHED SUPPORTING DOCUMENTS:
1. Original Funding Agreement No. 2983 and First Amendment
2. Second Amendment to Funding Agreement
3. ESUSD Request Letter

FISCAL IMPACT: $527,000

Operating Budget: $250,000
Amount Requested: $527,000
Account Number: 001-400-2901-6405
Project Phase:
Appropriation Required: X Yes _ No

ORIGINATED BY: DATE: 8/4/08

Bill Crowe, Assistant City Manager

REVIEWED BY: DATE: 8/4/08

Jack Wayt, Interim City Manager
FUNDING AGREEMENT

This Funding Agreement ("Agreement") is made this 19 day of June 2001, between the City of El Segundo ("City") and the El Segundo Unified School District ("District").

RECITALS

WHEREAS the City is desirous of providing funds to District for purposes of funding student services as well as maintenance of District facilities that are not being funded by other sources;

WHEREAS such services benefit the youth of El Segundo by providing such youth with vital services that will lessen the need for City services such as police and park and recreation services and will result in better educated youth in the City;

WHEREAS the City believes that the District’s educational services play a critical role in providing the City with future citizens that will dedicate their time and knowledge to the community and thereby increase the quality of life in the City of El Segundo;

NOW THEREFORE, the City and District do hereby agree, covenant and warrant as follows:

Section 1. Funding of District Services.

The City shall on or before October 1, 2001 and on or before October 1, for each of the next four years thereafter, pay the District $250,000. The District shall use such funds for providing student services and maintenance of facilities that serve the needs of the students of the District and are not being funded by other sources. In the event that the City determines that it is not in the City’s best interest to make any of the $250,000 payments, the City can terminate its obligation to make such payments by giving the District 30 days advance written notice of its intent to cancel its payment obligation hereunder.

Section 2. Entire Agreement.

This Agreement represents the entire understanding of the City and the District with respect to the subject matter hereof and all prior written and oral agreements regarding the subject matter hereof are superseded by this Agreement.
Section 3. Modifications

This Agreement can only be modified in a writing approved by the City Council and the District Board.

This Agreement is hereby approved as of the date first written above.

DISTRICT:  

[Signature]

President, District Board

CITY:  

[Signature]

Mayor Mike Gordon

ATTEST:

[Signature]

Board Secretary

[Signature]

Cindy Moresen, City Clerk

Approved as to Form:

[Signature]

Board Counsel

[Signature]

Mark D. Hensley, City Attorney
FIRST AMENDMENT
TO AGREEMENT NO. 2893 BETWEEN EL SEGUNDO UNIFIED SCHOOL DISTRICT
AND THE CITY OF EL SEGUNDO

THIS FIRST AMENDMENT ("Amendment") to Agreement No. 2893 is made and entered into this 17th day of July 2007, by and between the CITY OF EL SEGUNDO, a general law city and municipal corporation existing under the laws of California ("CITY"), and EL SEGUNDO UNIFIED SCHOOL DISTRICT.

1. Pursuant to Section 3 of Agreement No. 2893 ("Agreement"), executed by the parties on or about June 19, 2001 and subsequently amended, the term of the agreement is extended until September 30, 2008.

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

5. Except as modified by this Amendment, all other terms and conditions of Agreement No. 2893 remain the same.

CITY OF EL SEGUNDO

By: 
Jeff Stewart
City Manager

ATTEST:
Cindy Hontes, City Clerk

EL SEGUNDO UNIFIED SCHOOL DISTRICT

By: 
Board Approved: October 23, 2007

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

By: 
Karl H. Berger, Assistant City Attorney
May 27, 2008

Dear Mr. Wayt,

Over the years, the El Segundo Unified School District has taken pride in providing students and community with the highest quality education designed to graduate productive, compassionate citizens equipped to meet the needs of a competitive global society. ESUSD has dedicated its resources and funding to this mission, and feels that the synergy created between ESUSD and the City is directly responsible for the many awards bestowed upon its schools. El Segundo High School was recognized as a California Distinguished School in 2007, as well as making the list of Newsweek magazine’s top high schools in the nation, placing ESHS in the top 6%. Most recently, both Center Street and Richmond Street garnered the coveted “California Distinguished School Award,” a rarity among an elite group of elementary schools statewide. Of California’s 5,710 public elementary schools, just 840 met the Academic Progress Index and Annually Yearly Progress qualification standards. Of those 840 schools, a mere 327 earned the honor by scoring 7.7 or higher on a scale of 8.0 on the application; both Richmond Street and Center Street scored 7.9. To have schools recognized for this level of excellence is a sign that the investment the City has made in its students is paying off handsomely. The community can also take pride in the many intangible rewards derived from creating an environment in which El Segundo students grow up to make contributions to their families, friends, and society.

While ESUSD educators are unerring in their commitment to providing the highest quality education, California currently faces a grave financial situation – a budget deficit of over $18 billion over the next 12 months. As proposed, California Public Schools will experience a significant reduction in funding. In response, the Board of Education has made over 1 million dollars in cuts to programs and services to achieve a balanced budget for the 2008-2009 school year.

As the district has always embraced fiscal responsibility, ESUSD recognizes the pressing need to take steps to maintain our solvency in the coming years. As such, ESUSD will continue to pursue strategies for generating on-going revenue as well as minimize expenses. Most recently the district has taken the following steps:

- Maximized enrollment at Arena/Virtual Academy, ESMS and ESHS to offset the loss of enrollment at the elementary schools. To the degree possible, we filled empty elementary seats with permit students.
- Energy conservation efforts have resulted in a 16.5% reduction in cost for electricity over 2007-2008 projections equating to an approximate savings of $95,000.
- Entered into a lease agreement for a portion of the property located at 210 Penn Street for an annual revenue of $44,000.

Dedicated to providing students and the community with an optimum learning environment that prepares educated, productive, compassionate citizens to meet the challenges of a global society in the 21st Century.
• Appointed a 7/11 Surplus Property Committee to maximize real property assets (Spring 2008).
• Increased a variety of fees/tuition for the 2008-2009 school year.
• Implemented a variety of on-going efficiencies to optimize human and instructional resources to reduce on-going costs.

The City of El Segundo has historically been extremely supportive of the schools through its in-kind and monetary contributions. I bring this to your attention because not just the students, but all residents of the City of El Segundo will be impacted by these cuts. The excellent relationship between the City and the school district has fulfilled needs common needs of residents, while allowing students to benefit by the joint use of school district and city buildings, athletic fields and the public library system. To preserve this level of service, I ask that you consider appropriating an additional $277,000 to the El Segundo Unified School District to offset the cost of the following:

• $45,000 for crossing guards at Richmond Street, Center Street, and El Segundo Middle School
• $23,000 to cover the Consolidated Waste solid waste disposal contract.
• $59,000 to support custodial services and the transfer of materials between libraries
• $150,000 to offset the cost of TruGreen for landscape maintenance

The collaboration between the City of El Segundo and the El Segundo Unified School District has forged public institutions in which we all take great pride. In that continuing spirit, I thank you in advance for your timely consideration and support.

Sincerely,

Geoff Yantz, Ed.D.
Superintendent

Cc: Board of Education
ATTACHMENT F

EL SEGUNDO CITY COUNCIL

MEETING DATE: August 6, 2008

AGENDA ITEM STATEMENT

AGENDA HEADING: Special Orders of Business

AGENDA DESCRIPTION:

Consideration and possible action regarding a resolution amending the City of El Segundo flat rate Per Diem policy for travel expense related to City employees on business. The revised rate would be based on the meals and incidental expenses (M&IE) rates established for the Los Angeles area by the IRS Publication 1542. The rate will be revised on an annual basis upon adoption of the change in policy.

RECOMMENDED COUNCIL ACTION:

1) Adopt the required Resolution.
2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

The per diem rate for employees has not been increased since approximately 1996, when it was revised at $36.00 per day. The per diem rate for meals and incidental expenses for the Los Angeles area is currently set at $64.00 per day by IRS Publication 1542.

Based upon the amount of Travel and Conference requests submitted in the current budget year, increasing the per diem amount would cost an additional $8,000 in the next budget year.

ATTACHED SUPPORTING DOCUMENTS:

Exhibit A – IRS Publication 1542

FISCAL IMPACT: $8,000

Operating Budget: Not applicable
Amount Requested: $8,000
Account Number: Not applicable
Project Phase:
Appropriation Required: X Yes _ No

ORIGINATED BY:

Deborah Cullen, Finance Director

DATE: 8/4/08

ORIGINATED BY:

Jack Wayt, Interim City Manager

DATE: 8/4/08
Publication 1542 - Main Contents

Table of Contents

- How To Use Per Diem Rate Tables
  - The Two Substantiation Methods
  - Transition Rules
- Per Diem Rate Tables
- How To Get Tax Help
  - Taxpayer Advocacy Panel (TAP)
  - Low Income Taxpayer Clinics (LITCs).

How To Use Per Diem Rate Tables

This section contains information about the per diem rate substantiation methods available and the choice of rates you must make for the last 3 months of the year.

The Two Substantiation Methods

The tables in this publication reflect the high-low substantiation method and the regular federal per diem rate method.

High-low method. The first two tables in this publication list the localities that are treated under the high-low substantiation method as high-cost localities for all or part of the year. Table 1 lists the localities that are eligible for $246 ($58 meals and incidental expenses (M&IE)) per diem, effective October 1, 2006. For travel on or after October 1, 2006, all other localities within CONUS are eligible for $148 ($45 M&IE) per diem under the high-low method.

Table 2 lists the localities that are eligible for $237 ($58 M&IE) per diem, effective October 1, 2007. For travel on or after October 1, 2007, the per diem for all other localities increases to $152 ($45 M&IE).

Regular federal per diem rate method. Tables 3 and 4 give the regular federal per diem rates published by the General Services Administration (GSA). Both tables include the separate rate for meals and incidental expenses (M&IE) for each locality. The rates listed in Table 3 are effective October 1, 2006; those in Table 4 are effective October 1, 2007. The standard rate for all locations within CONUS not specifically listed in Table 3 is $99 ($60 for lodging and $39 for M&IE). For Table 4, this rate is $109 ($70 for lodging and $39 for M&IE).

Transition Rules

The transition period covers the last 3 months of the calendar year, from the time that new rates are effective (generally October 1) through December 31. During this period, you generally may change to the new rates or finish out the year with the rates you had been using.

High-low method. If you use the high-low substantiation method for an employee, when new rates become effective (generally October 1) you can either continue with the rates you used for the first part of the year or change to the new rates. However, you must continue using the high-low method for that employee for the rest of the calendar year (through December 31). Also, you must use the same rates for all employees reimbursed under the high-low method during that calendar year.

For example, Employee A travels extensively during March and April of 2008, and you determine A's travel allowance (reimbursement) using the high-low method (Table 2). Employee A does not travel again until November 2008. For A's November trip and any others during the remainder of 2008, you may continue using the same set of rates (Table 2) or change to the new rates that generally will be effective in October. Assume that two of your other employees, B and C, are also reimbursed under the high-low method—you're choice of rates must also apply to them.

For Employee A's travel on or after January 1, 2009, you must use the rates in effect for 2009, but may either continue with the high-low method or choose the regular federal per diem rate method. The choice of method stays in effect for the entire 2009 calendar year.

The new rates and localities for the high-low method are included each year in a revenue procedure that is available online.
Federal per diem rate method. New CONUS per diem rates become effective on October 1 of each year, and remain in effect through September 30 of the following year. Employees being reimbursed under the per diem rate method during the first 9 months of a year (January 1-September 30) must continue under the same method through the end of that calendar year (December 31). However, for travel by these employees from October 1 through December 31, you can choose to continue using the same per diem rates or use the new rates. Your choice applies to all employees reimbursed under the per diem rate method during that calendar year. Just as for the high-low method, you must continue using the same method for an employee for the entire calendar year.

For example, Employee P and Q attend an industry conference in February 2008 and you reimburse their expenses using the per diem rate method (Table 4). Employee P attends other conferences in July (reimbursed using Table 4) and December 2008, while Employee Q's only other travel occurs in October 2008. When determining Q's travel allowance for the October travel, you must decide whether to continue with the old (Table 4) rates, or adopt the new ones effective October 1, 2008. Your choice of rates will also apply to Employee P's December travel. Both employees must continue being reimbursed under the per diem rate method for travel through December 31, 2008. You can choose a new method for either or both employees; this choice will become effective on January 1, 2009.

The new federal CONUS per diem rates are published each year, generally early in September, on the Internet at www.gsa.gov.

Per diem rates for localities listed in Table 4 may change at any time during the rest of 2007 or 2008. To be sure you have the most current rate, check the IRS website (www.irs.gov) for an updated Publication 1542, the other Internet website listed earlier under Per diem rates on the Internet, or call the IRS at 1-800-829-1040.

Per Diem Rate Tables

Table 1. Localities Eligible for $246 ($58 M&E) Per Diem Amount Under the High-Low Substantiation Method (Effective October 1, 2008 - September 30, 2007)

<table>
<thead>
<tr>
<th>State</th>
<th>Key City</th>
<th>County and/or Other Defined Location</th>
<th>Effective Date of $246 Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>AZ</td>
<td>Phoenix, Scottsdale</td>
<td>Maricopa</td>
<td>1/1 - 3/31</td>
</tr>
<tr>
<td>CA</td>
<td>San Francisco</td>
<td>San Francisco</td>
<td>All year</td>
</tr>
<tr>
<td></td>
<td>Santa Barbara</td>
<td>Santa Barbara</td>
<td>7/1 - 8/31</td>
</tr>
<tr>
<td></td>
<td>Santa Monica</td>
<td>City limits of Santa Monica</td>
<td>All year</td>
</tr>
<tr>
<td></td>
<td>South Lake Tahoe</td>
<td>El Dorado</td>
<td>1/1 - 3/31 12/1 - 12/31</td>
</tr>
<tr>
<td>CO</td>
<td>Aspen</td>
<td>Pitkin</td>
<td>1/1 - 4/30 12/1 - 12/31</td>
</tr>
<tr>
<td></td>
<td>Crested Butte, Gunnison</td>
<td>Gunnison</td>
<td>1/1 - 4/30 12/1 - 12/31</td>
</tr>
<tr>
<td></td>
<td>Steamboat Springs</td>
<td>Routt</td>
<td>1/1 - 3/31 12/1 - 12/31</td>
</tr>
<tr>
<td></td>
<td>Telluride</td>
<td>San Miguel</td>
<td>1/1 - 4/30 10/1 - 12/31</td>
</tr>
<tr>
<td></td>
<td>Vail</td>
<td>Eagle</td>
<td>1/1 - 3/31 12/1 - 12/31</td>
</tr>
<tr>
<td></td>
<td>Washington, DC (also the</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: The standard ("low") rate of $148 ($103 for lodging and $45 for M&E) applies to all locations within the continental United States (CONUS) not specifically listed below or encompassed by the boundary definition of a listed point.
<table>
<thead>
<tr>
<th>Location Description</th>
<th>County Information</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>DC</td>
<td>All year</td>
<td></td>
</tr>
<tr>
<td>FL Fort Lauderdale</td>
<td>Broward</td>
<td>1/1 - 3/31</td>
</tr>
<tr>
<td>Florida, Fort Walton Beach, DeFuniak Springs</td>
<td>Okaloosa, Walton</td>
<td>6/1 - 7/31</td>
</tr>
<tr>
<td>Miami</td>
<td>Monroe</td>
<td>All year</td>
</tr>
<tr>
<td>Naples</td>
<td>Collier</td>
<td>2/1 - 3/31</td>
</tr>
<tr>
<td>Palm Beach</td>
<td>Palm Beach (also the cities of Boca Raton, Palm Beach Shores, West Palm Beach)</td>
<td>2/1 - 3/31</td>
</tr>
<tr>
<td>Stuart</td>
<td>Martin</td>
<td>2/1 - 3/31</td>
</tr>
<tr>
<td>IL Chicago</td>
<td>Cook, Lake</td>
<td>All year</td>
</tr>
<tr>
<td>LA New Orleans</td>
<td>Orleans, St. Bernard, Jefferson, and Plaquemines Parishes</td>
<td>1/1 - 5/31</td>
</tr>
<tr>
<td>MA Boston, Cambridge</td>
<td>Suffolk, City of Cambridge</td>
<td>All year</td>
</tr>
<tr>
<td>Martha's Vineyard</td>
<td>Dukes</td>
<td>6/1 - 8/31</td>
</tr>
<tr>
<td>Nantucket</td>
<td>Nantucket</td>
<td>6/1 - 11/30</td>
</tr>
<tr>
<td>MD Counties of Montgomery and Prince George's</td>
<td>All year</td>
<td></td>
</tr>
<tr>
<td>Baltimore</td>
<td>Baltimore City</td>
<td>All year</td>
</tr>
<tr>
<td>Cambridge, St. Michael's</td>
<td>Dorchester, Talbot</td>
<td>5/1 - 8/31</td>
</tr>
<tr>
<td>Ocean City</td>
<td>Worcester</td>
<td>6/1 - 9/30</td>
</tr>
</tbody>
</table>

Table 1. (Effective October 1, 2006 - September 30, 2007) (Continued)

<table>
<thead>
<tr>
<th>State</th>
<th>Key City</th>
<th>County and/or Other Defined Location</th>
<th>$245 Rate</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>NY</td>
<td>Floral Park, Garden City, Glen Cove, Great Neck, Roslyn</td>
<td>Nassau</td>
<td>All year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lake Placid</td>
<td>Essex</td>
<td>7/1 - 8/31</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Manhattan</td>
<td>Boroughs of Manhattan, Brooklyn, the Bronx, and Staten Island</td>
<td>All year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Queens</td>
<td>Queens</td>
<td>All year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Saratoga Springs, Schenectady</td>
<td>Saratoga, Schenectady</td>
<td>7/1 - 8/31</td>
<td></td>
</tr>
<tr>
<td>PA</td>
<td>Philadelphia</td>
<td>Philadelphia</td>
<td>All year</td>
<td></td>
</tr>
<tr>
<td>RI</td>
<td>Jamestown, Middletown, Newport</td>
<td>Newport</td>
<td>3/1 - 11/30</td>
<td></td>
</tr>
<tr>
<td>RI</td>
<td>Providence</td>
<td>Providence</td>
<td>All year</td>
<td></td>
</tr>
<tr>
<td>UT</td>
<td>Park City</td>
<td>Summit</td>
<td>1/1 - 3/31, 12/1 - 12/31</td>
<td></td>
</tr>
<tr>
<td>VA</td>
<td>Cities of Alexandria, Falls Church, and Fairfax; counties of Arlington and Fairfax</td>
<td>All year</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WA</td>
<td>Seattle</td>
<td>King</td>
<td>All year</td>
<td></td>
</tr>
</tbody>
</table>

1 Transition rule. A payor who uses the high-low substantiation method high-cost localities published in the
in Table 1 for an employee during the first 9 months of calendar year 2007 must continue to use the high-low substantiation method for the remainder of calendar year 2007 for that employee. For travel on or after October 1, 2007, and before January 1, 2008, the payor may continue to use the rates and high-cost localities published in Table 1 or the updated rates and revenue procedure that supersedes Revenue Procedure 2006-41, as long as those rates and localities are used consistently during this period for all employees reimbursed under this method. See Transition Rules under How To Use Per Diem Rate Tables for an example.


Table 2. Localities Eligible for $237 ($38 M&E) Per Diem Amount Under the High-Low Substantiation Method (Effective October 1, 2007) 12

<table>
<thead>
<tr>
<th>State</th>
<th>Key City</th>
<th>County and/or Other Defined Location</th>
<th>Effective Date of $237 Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>AZ</td>
<td>Phoenix, Scottsdale</td>
<td>Maricopa</td>
<td>1/1 - 3/31</td>
</tr>
<tr>
<td>AZ</td>
<td>Sedona</td>
<td>City limits of Sedona</td>
<td>3/1 - 4/30</td>
</tr>
<tr>
<td>CA</td>
<td>Napa</td>
<td>Napa</td>
<td>All year</td>
</tr>
<tr>
<td>CA</td>
<td>Palm Springs</td>
<td>Riverside</td>
<td>1/1 - 4/30</td>
</tr>
<tr>
<td>CA</td>
<td>San Diego</td>
<td>San Diego</td>
<td>All year</td>
</tr>
<tr>
<td>CA</td>
<td>San Francisco</td>
<td>San Francisco</td>
<td>All year</td>
</tr>
<tr>
<td>CA</td>
<td>Santa Barbara</td>
<td>Santa Barbara</td>
<td>All year</td>
</tr>
<tr>
<td>CA</td>
<td>Santa Monica</td>
<td>City limits of Santa Monica</td>
<td>All year</td>
</tr>
<tr>
<td>CA</td>
<td>South Lake Tahoe</td>
<td>El Dorado</td>
<td>1/1 - 3/31, 12/1 - 12/31</td>
</tr>
<tr>
<td>CA</td>
<td>Yosemite National Park</td>
<td>Mariposa</td>
<td>All year</td>
</tr>
<tr>
<td>CO</td>
<td>Aspen</td>
<td>Pitkin</td>
<td>1/1 - 4/30, 12/1 - 12/31</td>
</tr>
<tr>
<td>CO</td>
<td>Crested Butte, Gunnison</td>
<td>Gunnison</td>
<td>1/1 - 3/31, 12/1 - 12/31</td>
</tr>
<tr>
<td>CO</td>
<td>Silverthorne, Breckenridge</td>
<td>Summit</td>
<td>1/1 - 3/31, 12/1 - 12/31</td>
</tr>
<tr>
<td>CO</td>
<td>Steamboat Springs</td>
<td>Routt</td>
<td>1/1 - 2/29, 12/1 - 12/31</td>
</tr>
<tr>
<td>CO</td>
<td>Telluride</td>
<td>San Miguel</td>
<td>1/1 - 3/31, 10/1 - 12/31</td>
</tr>
<tr>
<td>CO</td>
<td>Vail</td>
<td>Eagle</td>
<td>All year</td>
</tr>
<tr>
<td>DC</td>
<td>Washington, DC (also the cities of Alexandria, Fairfax, and Falls Church, and the counties of Arlington and Fairfax, in Virginia; and the counties of Montgomery and Prince George's in Maryland)</td>
<td>All year</td>
<td></td>
</tr>
<tr>
<td>FL</td>
<td>Fort Lauderdale</td>
<td>Broward</td>
<td>1/1 - 4/30, 10/1 - 12/31</td>
</tr>
<tr>
<td>FL</td>
<td>Fort Walton Beach, DeFuniak Springs</td>
<td>Okaloosa, Walton</td>
<td>6/1 - 7/31</td>
</tr>
<tr>
<td>FL</td>
<td>Key West</td>
<td>Monroe</td>
<td>All year</td>
</tr>
</tbody>
</table>

Note: The standard ("low") rate of $152 ($107 for lodging and $45 for M&E) applies to all locations within the continental United States (CONUS) not specifically listed below or encompassed by the boundary definition of a listed point.
<table>
<thead>
<tr>
<th>State</th>
<th>Key City</th>
<th>County and/or Other Defined Location</th>
<th>Effective Date of $237 Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>NH</td>
<td>Conway</td>
<td>Carroll</td>
<td>7/1 - 8/31</td>
</tr>
<tr>
<td>NV</td>
<td>Incline Village, Crystal Bay, Reno, Sparks</td>
<td>Washoe</td>
<td>6/1 - 8/31</td>
</tr>
<tr>
<td>NY</td>
<td>Floral Park, Garden City, Glen Cove, Great Neck, Roslyn</td>
<td>Nassau</td>
<td>All year</td>
</tr>
<tr>
<td></td>
<td>Manhattan</td>
<td>Boroughs of Manhattan, Brooklyn, the Bronx, and Staten Island</td>
<td>All year</td>
</tr>
<tr>
<td></td>
<td>Queens</td>
<td>Queens</td>
<td>All year</td>
</tr>
<tr>
<td></td>
<td>Saratoga Springs, Schenectady</td>
<td>Saratoga, Schenectady</td>
<td>7/1 - 8/31</td>
</tr>
<tr>
<td></td>
<td>Tarrytown, White Plains, New Rochelle, Yonkers</td>
<td>Westchester</td>
<td>All year</td>
</tr>
<tr>
<td>PA</td>
<td>Philadelphia</td>
<td>Philadelphia</td>
<td>All year</td>
</tr>
<tr>
<td>RI</td>
<td>Jamestown, Middletown, Newport</td>
<td>Newport</td>
<td>2/1 - 11/30</td>
</tr>
<tr>
<td></td>
<td>Providence</td>
<td>Providence</td>
<td>All year</td>
</tr>
<tr>
<td>UT</td>
<td>Park City</td>
<td>Summit</td>
<td>1/1 - 3/31</td>
</tr>
<tr>
<td>VA</td>
<td>Cities of Alexandria, Falls Church, and Fairfax; counties of Arlington and Fairfax</td>
<td></td>
<td>All year</td>
</tr>
<tr>
<td></td>
<td>Loudon County</td>
<td>Loudon</td>
<td>All year</td>
</tr>
<tr>
<td></td>
<td>Virginia Beach</td>
<td>City of Virginia Beach</td>
<td>6/1 - 8/31</td>
</tr>
<tr>
<td>WA</td>
<td>Seattle</td>
<td>King</td>
<td>All year</td>
</tr>
<tr>
<td>WI</td>
<td>Lake Geneva</td>
<td>Walworth</td>
<td>6/1 - 9/30</td>
</tr>
</tbody>
</table>

1 Transition rule. A payor who uses the high-low substantiation method in Table 2 for an employee during the first 9 months of calendar year 2008 must continue to use the high-low substantiation method for the remainder of calendar year 2008 for that employee, and pay the high-cost localities published in the revenue procedure that supersedes Revenue Procedure 2007-53, as long as those rates and localities are used consistently during this period for all employees reimbursed under this method. See Transition Rules under How To Use Per Diem Rate Tables for...

Table 3. Maximum Federal Per Diem Rates (Effective October 1, 2006 - September 30, 2007)  

Note: The standard rate of $99 ($60 for lodging and $39 for M&E) applies to all locations within the continental United States (CONUS) not specifically listed below or encompassed by the boundary definition of a listed point. However, the standard CONUS rate applies to all locations within CONUS, including those defined below, for certain relocation allowances. (See parts 302-2, 302-4, and 302-5 of 41 CFR.)

<table>
<thead>
<tr>
<th>State</th>
<th>Key City</th>
<th>County and/or Other Defined Location</th>
<th>Effective Dates</th>
<th>Maximum Lodging Rate</th>
<th>Maximum M&amp;E Rate</th>
<th>Maximum Per Diem Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>AL</td>
<td>Birmingham, Shelby</td>
<td>All year</td>
<td>$80</td>
<td>$44</td>
<td>$124</td>
<td></td>
</tr>
<tr>
<td>AL</td>
<td>Gulf Shores, Baldwin</td>
<td>1/1 - 5/31, 6/1 - 7/31, 8/1 - 12/31</td>
<td>68, 107, 88</td>
<td>39, 39, 39</td>
<td>127, 146, 127</td>
<td></td>
</tr>
<tr>
<td>AL</td>
<td>Huntsville, Madison, Limestone</td>
<td>All year</td>
<td>71</td>
<td>44</td>
<td>115</td>
<td></td>
</tr>
<tr>
<td>AR</td>
<td>Hot Springs</td>
<td>All year</td>
<td>73</td>
<td>39</td>
<td>112</td>
<td></td>
</tr>
<tr>
<td>AR</td>
<td>Little Rock</td>
<td>Pulaski</td>
<td>76</td>
<td>54</td>
<td>130</td>
<td></td>
</tr>
<tr>
<td>AZ</td>
<td>Grand Canyon, Flagstaff</td>
<td>Coconino (except city limits of Sedona)</td>
<td>1/1 - 2/28, 3/1 - 10/31, 11/1 - 12/31</td>
<td>65, 81, 65</td>
<td>44, 44, 44</td>
<td>109, 125, 109</td>
</tr>
<tr>
<td>AZ</td>
<td>Kayenta</td>
<td>Navajo</td>
<td>All year</td>
<td>71</td>
<td>54</td>
<td>125</td>
</tr>
<tr>
<td>AZ</td>
<td>Phoenix, Scottsdale</td>
<td>Maricopa</td>
<td>1/1 - 3/31, 4/1 - 5/31, 6/1 - 8/31</td>
<td>141, 109, 74</td>
<td>59, 59, 59</td>
<td>200, 168, 133</td>
</tr>
<tr>
<td>AZ</td>
<td>Sedona</td>
<td>City of Sedona that falls within Yavapai and Coconino Counties</td>
<td>1/1 - 2/28, 3/1 - 5/31</td>
<td>107, 118</td>
<td>64, 64</td>
<td>171, 182</td>
</tr>
<tr>
<td>AZ</td>
<td>Sierra Vista</td>
<td>Cochise</td>
<td>All year</td>
<td>66</td>
<td>39</td>
<td>105</td>
</tr>
<tr>
<td>AZ</td>
<td>Tucson</td>
<td>Pima</td>
<td>1/1 - 3/31, 4/1 - 12/31</td>
<td>119, 83</td>
<td>49, 49</td>
<td>168, 132</td>
</tr>
<tr>
<td>AZ</td>
<td>Yuma</td>
<td>Yuma</td>
<td>All year</td>
<td>71</td>
<td>39</td>
<td>110</td>
</tr>
<tr>
<td>CA</td>
<td>Antioch, Brentwood, Concord, Lafayette, Martinez, Pleasant Hill, Richmond, Contra Costa</td>
<td>All year</td>
<td>104</td>
<td>49</td>
<td>153</td>
<td></td>
</tr>
</tbody>
</table>


7/23/2008
<table>
<thead>
<tr>
<th>Location</th>
<th>County</th>
<th>Season</th>
<th>Rate 1</th>
<th>Rate 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bakersfield,</td>
<td>Kern</td>
<td>All year</td>
<td>70</td>
<td>44</td>
</tr>
<tr>
<td>Delano (Naval Weapons</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Center and Ordnance</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Test Station, China Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Barstow, Ontario,</td>
<td>San</td>
<td>All year</td>
<td>87</td>
<td>59</td>
</tr>
<tr>
<td>Victorville</td>
<td>Bernardo</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Benicia, Dixon,</td>
<td>Solano</td>
<td>All year</td>
<td>87</td>
<td>44</td>
</tr>
<tr>
<td>Fairfield, Vacaville,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vallejo</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brawley, Calexico, El Centro,</td>
<td>Imperial</td>
<td>All year</td>
<td>75</td>
<td>39</td>
</tr>
<tr>
<td>Imperial</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chico, Oroville</td>
<td>Butte</td>
<td>All year</td>
<td>68</td>
<td>39</td>
</tr>
<tr>
<td>Clearlake</td>
<td>Lake</td>
<td>All year</td>
<td>65</td>
<td>44</td>
</tr>
<tr>
<td>Death Valley</td>
<td>Inyo</td>
<td>All year</td>
<td>76</td>
<td>49</td>
</tr>
<tr>
<td>Fresno</td>
<td>Fresno</td>
<td>All year</td>
<td>79</td>
<td>54</td>
</tr>
<tr>
<td>Los Angeles</td>
<td>Los</td>
<td>All year</td>
<td>110</td>
<td>64</td>
</tr>
<tr>
<td>Angeles, Orange,</td>
<td>Angeles,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ventura, Edwards AFS</td>
<td>Angeles</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


7/23/2008
ATTACHMENT G

EL SEGUNDO CITY COUNCIL
AGENDA ITEM STATEMENT

MEETING DATE: August 6, 2008
AGENDA HEADING: Special Orders of Business

AGENDA DESCRIPTION:
Consideration and possible action to receive and file potential new fees (Planning, Building, Plan Check, and Public Works Fees) base on results of the Cost Allocation and Fee Study conducted by Revenue and Cost Specialist, LLC. (Fiscal Impact: TBD)

RECOMMENDED COUNCIL ACTION:

1. Receive and file.
2. Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:
At the May 6, 2008 City Council meeting Revenue and Cost Specialists was awarded the contract to perform a Cost Allocation and Fee Study for the City of El Segundo. The City had not initiated a Fee Study in several years and it is important that the City periodically review its fee structure to insure that the fees are appropriate for the services that the City provides. Revenue and Cost Specialists have concluded their extensive costing study, which included meetings with representatives of all Departments. Based on their findings, the Council is requested to consider recommendations for possible increases in identified fees.

ATTACHED SUPPORTING DOCUMENTS: N/A

FISCAL IMPACT:
Operating Budget: N/A
Amount Requested: N/A
Account Number: N/A
Project Phase: N/A
Appropriation Required: _Yes  X  No

ORIGINATED BY: Deborah Cullen, Director of Finance
DATE: 8/4/08

REVIEWED BY: Jack Wayt, Interim City Manager
DATE: 8/4/08
ATTACHMENT H

EL SEGUNDO CITY COUNCIL

AGENDA ITEM STATEMENT

MEETING DATE: August 6, 2008

AGENDA DESCRIPTION:

Consideration and possible action regarding the approval of funds to design a new or renovated Aquatics Facility based on the results of the upcoming feasibility study. (Fiscal Impact: $300,000.)

RECOMMENDED COUNCIL ACTION:

1) Consider approval of funds to design a new or renovated Aquatics Facility based on the upcoming feasibility study; 2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

On July 15, 2008, City Council approved funding to conduct a feasibility study for the construction and/or renovation of an aquatics facility to meet the community’s aquatics needs as identified in the August 2005 Aquatic Master Plan. That report, which will identify potential site locations and possible pool configurations, is expected to be completed in early 2009. Following its completion, staff will present the report to City Council and host a series of community meetings regarding its findings. Should Council decide to ultimately move forward with construction and/or renovation of an aquatics facility, staff is proposing that $300,000 be earmarked for design purposes.

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT: $300,000

Operating Budget:
Amount Requested: $300,000
Account Number: 001-400-4101-6214
Project Phase:
Appropriation Required: X Yes __ No

ORIGINATED BY: DATE:

Stephanie Katsouleas, Director of Public Works 08/04/08

REVIEWED BY: DATE:

Jack Wayt, Interim City Manager 08/04/08
ATTACHMENT I

EL SEGUNDO CITY COUNCIL
AGENDA ITEM STATEMENT
AGENDA DESCRIPTION:
Consideration and possible action to receive and file the proposed increases to the City's "life line" income threshold for low income families who qualify for City water and sewer services (Fiscal Impact: Sunknow)

RECOMMENDED COUNCIL ACTION:
(1) Receive and file.

BACKGROUND & DISCUSSION:
Currently, residents who qualify for life line financial assistance for City water and sewer services must meet the following household size and income requirements:

$17,950 for 1-2 persons
$20,500 for 3 persons
$23,100 for 4 persons
$25,650 for 5 persons
$2,050 for each additional person

Residents who meet the above income guidelines qualify for a water rate reduction of about 15.7% for the first 4000 cubic ft/month used and a 50% reduction of their total sewer fees. Water use above 4000 cubic ft is charged at the fully loaded rate. This income structure has been effective since 1995, when City Council adopted Resolution 3922.

(Background and discussion continued on the next page)

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT: Sunknow

Operating Budget: $0
Capital Improvement Program: N/A
Amount Requested: $0
Account Number: N/A
Project Phase: N/A
Appropriation Required: No

ORIGINATED BY: Stephanie Katsouleas, Public Works Director
DATE: 08/04/08

REVIEWED BY: Jack Wayt, Interim City Manager
DATE: 08/04/08
BACKGROUND & DISCUSSION: (continued)

Currently, 27 residential households have applied for and now receive life line financial assistance. Based on usage patterns, the cost to the City to provide life line discounts is about $43 per household per year for water service and about $70 per household per year for sewer service, or approximately $3000 annually for all qualifying households combined. The largest life line discount provided is for the first 1000 cubic feet of water used, which is 50% less than the fully loaded rate. The next 3000 cubic feet receive only a 4% discount, and there is no discount for any water usage over 4000 cubic feet. Bi-monthly sewer fees, which are derived from individual water usage, are discounted at 50% irrespective of volume.

The current bi-monthly rate structure is as follows:

<table>
<thead>
<tr>
<th>Cubic Feet of Water Used</th>
<th>Life Line Rate per 100 ft$^3$</th>
<th>Fully Loaded Rate per 100 ft$^3$</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 1000 ft$^3$</td>
<td>$0.6964$</td>
<td>$1.3927$</td>
</tr>
<tr>
<td>1001 – 4000 ft$^3$</td>
<td>$1.3328$</td>
<td>$1.3927$</td>
</tr>
<tr>
<td>4001 – 10,000 ft$^3$</td>
<td>$1.5321$</td>
<td>$1.5321$</td>
</tr>
<tr>
<td>10,001 – 20,000 ft$^3$</td>
<td>$1.6087$</td>
<td>$1.6087$</td>
</tr>
<tr>
<td>20,001 and greater ft$^3$</td>
<td>$1.6857$</td>
<td>$1.6857$</td>
</tr>
</tbody>
</table>

Staff proposes raising the income threshold such that El Segundo’s qualifying criteria are on par with income thresholds recently revised and adopted by several local municipalities and agencies, including Southern California Edison, the Los Angeles Department of Water and Power, City of Santa Monica, and The Gas Co. Newly proposed income guidelines are as follows:

$30,500 for 1-2 persons
$35,800 for 3 persons
$43,200 for 4 persons
$50,600 for 5 persons
$58,000 for 6 persons
$7,400 for each additional person

The proposed changes to the City’s life line program would affect only the qualifying income threshold and not the water usage rate structure identified above. At this time, City staff does not have sufficient information to estimate how many additional households would qualify for and choose to participate in the life line assistance program, but it is anticipated that the participation rate would double at a minimum.
ATTACHMENT J

EL SEGUNDO CITY COUNCIL
AGENDA ITEM STATEMENT

MEETING DATE: August 6, 2008
AGENDA HEADING: Special Orders of Business

AGENDA DESCRIPTION:
Consideration and possible action regarding funding for capital improvement projects for City Hall. (Fiscal Impact: $700,000)

RECOMMENDED COUNCIL ACTION:

1. Authorize funding from Economic Uncertainty Fund to perform improvements to City Hall facilities.
2. Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:
City Hall is in need of numerous improvements to make the current facilities more useful, efficient, and safer. Areas identified for capital improvements are Council Chambers, Human Resources and West Conference room.

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT:
Operating Budget: $0
Amount Requested: $700,000
Account Number: 301-400-8201-8475
Project Phase: N/A
Appropriation Required: X Yes _ No

ORIGINATED BY: Deborah Cullen, Director of Finance
DATE: 08/04/08

REVIEWED BY: Jack Wayt, Interim City Manager
DATE: 8/1/08
<table>
<thead>
<tr>
<th>Department</th>
<th>Division</th>
<th>Old Title</th>
<th>New Title</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recreation &amp; Parks</td>
<td>Operations</td>
<td>Recreation Associate Engineer</td>
<td>Principal Engineer</td>
<td>Senior Civil Engineer</td>
</tr>
<tr>
<td>Public Works</td>
<td>Engineering</td>
<td>Assistant City Engineer</td>
<td>City Engineer</td>
<td>Assistant City Engineer</td>
</tr>
<tr>
<td>Planning &amp; Building Safety</td>
<td>Administration</td>
<td>Police Administration</td>
<td>Police</td>
<td></td>
</tr>
<tr>
<td>Human Resources</td>
<td>Human Resources</td>
<td>HR Specialist</td>
<td>HR Specialist</td>
<td></td>
</tr>
<tr>
<td>Finance</td>
<td>Finance</td>
<td>Finance</td>
<td>Finance</td>
<td></td>
</tr>
<tr>
<td>City Clerk</td>
<td>Administration</td>
<td>Office Specialist II</td>
<td>Accounting Specialist</td>
<td></td>
</tr>
</tbody>
</table>

**52345**

**5999**

**11335**

**6000**

**6000**

**5000**

**1000**

**4000**

**700**

**12000**

**5600**

**6425**

**2008 - 2009 Budget**

**City of El Segundo**

**Attachment B**
Consideration and possible action regarding acceptance of the project for the installation of new carpet at the Park Vista Senior Apartments (615 E. Holly Avenue) and the Lakes Golf Course (400 S. Sepulveda Boulevard)  
(Fiscal Impact: $93,508.68)

RECOMMENDED COUNCIL ACTION:

(1) Accept all work under this contract as complete; (2) Authorize the City Clerk to file a Notice of Completion in the County Recorder's Office; (3) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

On May 6, 2008, the City Council awarded a contract for $93,508.68 to Shaw Industries Inc. to replace the existing carpets at the Park Vista Senior Apartments and the Lakes Golf Course.

All work associated with this Project has now been completed to the satisfaction of the City and staff recommends acceptance of the complete project.

ATTACHED SUPPORTING DOCUMENTS:

Notice of Completion

FISCAL IMPACT: $93,508.68

Capital Improvement Program: N/A
Amount Requested: $93,508.68
Account Number: 503-400-5301-8104 ($19,817.45)
Park Vista Operating Budget ($73,691.23)
Project Phase: Accept the work as complete
Appropriation Required: No

ORIGINATED BY:  
Stephanie Katsouleas, Public Works Director  

REVIEWED BY:  
Jack Wayt, City Manager

DATE: 8/21/08

DATE: 8/26/08
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Installation of New Carpet at the Park Vista Senior Apartments and The Lakes Golf Course

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

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

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

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

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

5. A work of improvement on the property hereinafter described was field reviewed by the City Engineer on August 18, 2008. The work done was: Replacement of the Carpets

6. On September 2, 2008, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.

7. The name of the Contractor for such work of improvement was: Shaw Industries Inc.

8. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: Park Vista Senior Apartments and The Lakes Golf Course

9. The street address of said property is: 615 E. Holly Avenue and 400 S. Sepulveda Boulevard.

Dated: ____________________________

Stephanie Katsouleas
Public Works Director

VERIFICATION

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

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

Executed on _______________, 2008 at El Segundo, California.

Stephanie Katsouleas
Public Works Director
EL SEGUNDO CITY COUNCIL
AGENDA ITEM STATEMENT

MEETING DATE: September 2, 2008
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:

Consideration and possible action regarding final acceptance of construction related to the City’s Residential Sound Insulation Program Group 19 (29 Homes). Project No. RSI 07-01. (Final contract total = $1,134,444.78).

RECOMMENDED COUNCIL ACTION:

Recommendation – (1) Accept the work as complete; (2) Authorize the City Clerk to file the City Planning and Building Safety Director’s Notices of Completion in the County Recorder’s Office; and (3) Alternatively discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

The project is a part of the City’s Residential Sound Insulation (RSI) Program financed by federal grants from the Federal Aviation Administration (FAA) and the settlement agreement with Los Angeles World Airports (LAWA). The RSI Program offers modifications to owners of qualifying residential property in the City of El Segundo that reduce interior sound levels of noise generated by air traffic from neighboring Los Angeles International Airport (LAX). At its meeting on June 5, 2007 the City Council awarded a construction contract to Tron Construction, Inc. for construction related to Group 19. The work has now been completed. The final contract amount based on measured quantities is $1,134,444.78. Staff recommends acceptance of this project.

ATTACHED SUPPORTING DOCUMENTS:
List of homes in Group 19

FISCAL IMPACT:

| Amount approved by City Council: | $1,311,750.00 |
| Amount Requested: | $1,134,444.78 |
| Account Number: | 116-400-0000-8960 |
| Project Phase: | Group 19 - Acceptance of the work |
| Appropriation Required: | No |

ORIGINATED BY:  
James S. O’Neill, Program Manager  

DATE: August 21, 2008

REVIEWED BY:  
Jack Wayt, Interim City Manager  

DATE:  
8/26/08
<table>
<thead>
<tr>
<th>RSI Number</th>
<th>Project Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>19.01</td>
<td>770 W. Imperial Ave., #51</td>
</tr>
<tr>
<td>19.02</td>
<td>770 W. Imperial Ave., #65</td>
</tr>
<tr>
<td>19.03</td>
<td>770 W. Imperial Ave., #99</td>
</tr>
<tr>
<td>19.04</td>
<td>708 W. Acacia Ave.</td>
</tr>
<tr>
<td>19.05</td>
<td>901 Hillcrest</td>
</tr>
<tr>
<td>19.06</td>
<td>916 Dune St.</td>
</tr>
<tr>
<td>19.07</td>
<td>713 Redwood Ave.</td>
</tr>
<tr>
<td>19.08</td>
<td></td>
</tr>
<tr>
<td>19.09</td>
<td></td>
</tr>
<tr>
<td>19.10</td>
<td></td>
</tr>
<tr>
<td>19.11</td>
<td>444 W. Imperial</td>
</tr>
<tr>
<td>19.12</td>
<td></td>
</tr>
<tr>
<td>19.13</td>
<td></td>
</tr>
<tr>
<td>19.14</td>
<td></td>
</tr>
<tr>
<td>19.15</td>
<td></td>
</tr>
<tr>
<td>19.16</td>
<td>950 Loma Vista</td>
</tr>
<tr>
<td>19.17</td>
<td>654 W. Acacia Ave.</td>
</tr>
<tr>
<td>19.18</td>
<td>650 W. Acacia</td>
</tr>
<tr>
<td>19.19</td>
<td>637 W. Acacia</td>
</tr>
<tr>
<td>19.20</td>
<td>432 W. Acacia</td>
</tr>
<tr>
<td>19.21</td>
<td>210 E. Acacia</td>
</tr>
<tr>
<td>19.22</td>
<td>516 W. Walnut Ave.</td>
</tr>
<tr>
<td>19.23</td>
<td>501 W. Walnut Ave.</td>
</tr>
<tr>
<td>19.24</td>
<td>500 W. Walnut Ave.</td>
</tr>
<tr>
<td>19.25</td>
<td>900 Cedar St., #311</td>
</tr>
<tr>
<td>19.26</td>
<td>945 Sheldon St.</td>
</tr>
<tr>
<td>19.27</td>
<td>317 E. Acacia Ave.</td>
</tr>
<tr>
<td>19.28</td>
<td>420 W. Acacia</td>
</tr>
<tr>
<td>19.29</td>
<td>1449 E. Palm Ave.</td>
</tr>
</tbody>
</table>
Consideration and possible action regarding an amendment to the Circulation Element of the General Plan and direction to authorize the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Circulation Element amendment and environmental review. (Fiscal Impact: Not to Exceed $125,000)

RECOMMENDED COUNCIL ACTION:

1. Provide comments and direction to staff on possible Circulation Element amendment process and scope of work;
2. Authorize the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. in a form approved by the City Attorney, not to exceed $125,000 to prepare an amendment to the Circulation Element, including environmental review; and/or
3. Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

(See next page...)

ATTACHED SUPPORTING DOCUMENTS:

A. Existing Circulation Element Master Plan of Streets (Adopted in 2004)
B. Existing Circulation Element Street Classifications and Standards (Adopted in 2004)
C. GIS Photographs of Grand Avenue Depicting The Existing Right-of-Way Width, the Planned Right-of-Way Width Classified As A Secondary Arterial, And The Potential Right-of-Way Width As A Commercial Collector
D. Existing Circulation Element Recommended Truck Haul Routes (Adopted in 2004)
E. General Schedule for Environmental Processes

FISCAL IMPACT: Not to Exceed $125,000
Operating Budget: General Fund Unallocated Reserves
Amount Requested: $125,000
Account Number: General Fund Unallocated Reserves
Project Phase: N/A
Appropriation Required: _X_ Yes __ No

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

DATE: 8-26-08

REVIEWED BY: Jack Wayt, City Manager

DATE: 8-26-08
The Circulation Element of the General Plan was last updated in September 2004. The Planning and Building Safety Department recommends that the Council direct the Planning Division staff to retain professional consulting services to amend the Circulation Element, including environmental review, to address potential reclassification of Grand Avenue from a Secondary Arterial to a Commercial Collector or similar street classification type for the street segment between the western City boundary and Sepulveda Boulevard and to eliminate the street segment of Grand Avenue between Main Street and Sepulveda Boulevard from the Master Plan of Recommended Truck Haul Routes (see Exhibits A, B and D).

The issue of potentially reclassifying the street classification for a portion of Grand Avenue arose during the recent processing of the MEPS project entitlements by the Planning Division. Planning Division staff concurs that achieving the minimum planned right-of-way width for the Secondary Arterial classification may not be practical for the City to acquire the land and would impact a significant number of parcels and buildings. Furthermore, it is possible that the City's current Commercial Collector street classification or some minor variation of it may be more appropriate for the street segment of Grand Avenue for the portion west of Sepulveda Boulevard to the western City limits since Grand Avenue is no longer planned to extend the entire width of the City to the eastern City boundary. This change occurred with the construction of the new Los Angeles Air Force Base facility and the amendment to the Circulation Element in 2004.

Additional properties and potential future development projects along Grand Avenue would be impacted if the City acquired the land necessary to meet the minimum planned right-of-way width of 98 feet for a Secondary Arterial as the right-of-way is currently only 60 feet in width for most portions of this street segment west of Sepulveda Boulevard except for a small portion in Downtown (see Exhibit C). Exhibit C is a series of aerial photographs that depicts the parcels along Grand Avenue west of Sepulveda with their parcel boundaries delineated in black, the existing right-of-way width in black, the planned right-of-way width as a Secondary Arterial (98 feet, 6 vehicle lanes of travel) in a solid red line, and the planned right-of-way width for a Commercial Collector with a median (80 feet, 4 vehicle lanes of travel) in a dotted red line. If the City were to acquire the necessary dedications to expand the existing street to the planned right-of-way width of 98 feet for a Secondary Arterial, 36 properties (10 commercial/industrial, 25 residential, and 1 public) out of 62 properties along the north side of Grand Avenue and 30 properties (11 commercial/industrial and 19 residential) out of 59 properties along the south side of Grand Avenue have buildings that are located within the planned right-of-way. Therefore, 66 of the total 119 properties along Grand Avenue (55.5%) would have buildings that are located within the planned right-of-way.

Additionally, Public Works staff has recommended that the Master Plan of Recommended Truck Haul Routes be modified to eliminate the street segment of Grand Avenue between Main Street and Sepulveda Boulevard (see Exhibit D) as El Segundo Boulevard is sufficient to meet the Truck Haul Route needs and because the physical condition of Grand Avenue cannot support the truck weights adequately.

For the previous Circulation Element Update, a Request for Proposal was issued to 13 traffic
engineering firms and 10 environmental consultants. The City Council selected Kimley-Horn and Associates, Inc. and Chris Joseph and Associates as the traffic engineering firm and environmental consultant respectively. Since the Circulation Element Update was primarily driven by the work of the traffic engineering firm, the professional services agreement was between the City and Kimley-Horn, with Chris Joseph and Associates as a sub-consultant to Kimley-Horn. As the proposed revision to the Circulation Element is limited in scope, the consultants were vetted through a prior RFP process, and there would be economies of scale and time by using the the original consulting team, Planning Division staff recommends approval of the use of Kimley-Horn and Associates, Inc. and Chris Joseph and Associates as the consulting team, with Kimley-Horn and Associates, Inc. as the lead firm once again. Both firms have been contacted and they are both available to perform the work needed by the City. Kimley-Horn is in the process of preparing a scope of work and budget for the project.

A general timeline for MND’s and EIR’s is provided for the Council’s reference (Exhibit E). If Council directs staff to proceed with the proposed Circulation Element amendment and for the City Manager to execute a Professional Services Agreement to Kimley-Horn and Associates for the Circulation Element amendment and environmental (CEQA) services, then staff would anticipate providing a refined schedule upon conclusion of the initial analysis by the traffic engineers of the existing and future street capacity and street volumes for the portion of Grand Avenue west of Sepulveda Boulevard. The analysis by the traffic engineers and the initial study process will determine the appropriate environmental review (CEQA) process which may result in a negative declaration, mitigated negative declaration, a subsequent EIR or Addendum to the previously certified EIR. Kimley-Horn staff anticipates the initial street analysis could be completed in approximately 1 month from the date of authorization to proceed since no new traffic counts would be needed and taken. Staff would bring back the results of the street analysis to obtain further direction from Council regarding the street reclassification and to provide an update as to the anticipated environmental documentation, timeline, and if any adjustments to the cost are anticipated resulting from the required environmental documentation.

If the proposed amendment requires a Mitigated Negative Declaration or an Addendum to the original previously certified Program EIR for the 2004 Circulation Element Update the anticipated cost of consultant services is not anticipated to exceed $125,000. If the proposed amendment requires a new or subsequent EIR the cost is anticipated to range from $150,000 to $200,000. Staff believes that the project cost would not be likely to exceed $125,000.

Recommendation

The Planning and Building Safety Department recommends that the City Council authorize the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., in a form approved by the City Attorney, note to exceed $125,000 for the Circulation Element amendment and environmental review, and to direct staff to conduct the necessary studies to analyze changes to the Circulation Element of the General Plan relating to the street classification for Grand Avenue and the truck haul route on Grand Avenue west of Sepulveda Boulevard. Public hearings regarding the proposed changes will be conducted once the necessary documents are completed.
Master Plan of Streets
Street Classification and Standards
Grand Avenue - Western City Limit to Richmond Street

Grand Avenue - Virginia Street to Eucalyptus Drive

Grand Avenue Classification in General Plan
- CURRENT PLAN: Secondary Arterial (38' ROW, 19' Dedication)
- MODIFICATION: Collector (Up to 80' ROW, 10-Foot Dedication)
- EXISTING Property Lines (110' to 56' ROW west of Concord St)

EXHIBIT C
EXHIBIT E

Circulation Element Revision

This project will probably require a Focused Environmental Impact Report (EIR). However, this is a general timeline for both a Mitigated Negative Declaration (MND) and an EIR to show the approximate time it takes to complete each. The comparison is based upon using an outside environmental and traffic consultant team. The timeline starts from when the contract has been issued after the budget, scope of work and detailed schedule has been completed. About three to four weeks is needed to develop a scope of work, to develop and negotiate a schedule and budget; to get a contract reviewed, approved, signed and issued. A detailed schedule will be developed with the consultant team that shows each step in the process.

**Mitigated Negative Declaration (MND) Process**

<table>
<thead>
<tr>
<th>Steps</th>
<th>Approximate Time Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Contract Preparation &amp; Council Approval</td>
<td>4 weeks</td>
</tr>
<tr>
<td>2. Draft Project Description, Circulation Element Text Changes, Traffic Analysis, and Initial Study/MND (concurrently):</td>
<td>12 weeks</td>
</tr>
<tr>
<td>3. City staff review Initial Study/MND and returns to Consultant with comments:</td>
<td>2 ½ weeks</td>
</tr>
<tr>
<td>4. Draft Initial Study comments addressed by the Consultant and Resubmitted to the City for review/Public Notice is Prepared:</td>
<td>1 ½ weeks</td>
</tr>
<tr>
<td>5. City Staff reviews revised Initial Study/MND:</td>
<td>1 week</td>
</tr>
<tr>
<td>6. Initial Study/MND is finalized and Public Notice is Published:</td>
<td>1 ½ weeks</td>
</tr>
<tr>
<td>7. 30-day Public Review Period once Notice is Published:</td>
<td>4 ½ weeks</td>
</tr>
<tr>
<td>8. Prepare responses to comments received, if any during public review period. Prepare revisions for Final IS/MND. Distribute Draft Initial Study/MND to Planning Commission. Prepare staff report, ordinance and other required documents. Distribute Planning Commission packet.:</td>
<td>3 weeks</td>
</tr>
<tr>
<td>10. Prepare and Publish Notice for City Council Hearing. Prepare Council Staff report, ordinance and other required documents:</td>
<td>3 weeks</td>
</tr>
<tr>
<td>11. Distribute Council packet and hold City Council Hearing (Adoption of MND and introduction (first reading) of Ordinance):</td>
<td>1 week</td>
</tr>
<tr>
<td>12. Prepare Council staff report conduct second City Council Hearing (waive second reading and adopt the ordinance):</td>
<td>3 weeks</td>
</tr>
<tr>
<td>13. Ordinance that modifies the Circulation Element becomes effective 30 days after adoption:</td>
<td>4 ½ weeks</td>
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8/26/2008 Circulation Element Revision General Timeline
Environmental Impact Report (EIR) or Addendum to EIR Process

Steps

1. Contract Preparation and Council Approval
   Approximate Time Duration
   4 weeks

2. Draft Project Description and Draft/Issue Notice of Preparation (30-day public comment period which runs concurrently with document preparation):
   2 weeks

3. Prepare Circulation Element Text Changes, Traffic Analysis and Administrative Draft of EIR for City to review (concurrently):
   16 weeks

4. Draft Circulation Element Text Changes, Traffic Analysis, and Draft Initial Study/EIR (concurrently):
   2 ½ weeks

5. City staff review Initial Study/EIR/MMRP and returns to Consultant with comments:
   1 ½ weeks

6. Draft Initial Study/EIR comments addressed by the Consultant and Resubmitted to the City for review/Public Notice of Completion/Document Availability is Prepared:
   1 week

7. City Staff reviews revised Initial Study/EIR:
   1 ½ weeks

8. Initial Study/EIR is finalized and Public Notice is Published:
   6 ½ weeks

9. 45-day Public Review Period once Notice is Published:

10. Prepare responses to comments received, if any during public review period. Prepare revisions for Final IS/MND. Distribute Draft Initial Study/MND to Planning Commission. Prepare staff report, ordinance and other required documents. Distribute Planning Commission packet:
   4 weeks

11. Distribute Planning Commission packet and hold Planning Commission Hearing:
   1 week

12. Prepare and Publish Notice for City Council Hearing. Prepare Council Staff report, ordinance and other required documents:
   3 weeks

13. Distribute Council packet and hold City Council Hearing (Certification of EIR and introduction (first reading) of Ordinance):
   1 week

14. Prepare Council staff report conduct second City Council Hearing (waive second reading and adopt the ordinance):
   3 weeks

15. Ordinance that modifies the Circulation Element becomes effective 30 days after adoption:
   4 ½ weeks

Total Weeks:
   52 weeks=12 months
Consideration and possible action to purchase sixteen (16) Sierra Wireless MP881 AirLink GSM modems from Manley Solutions for the Police Department’s patrol fleet using funds from the Citizens’ Option for Public Safety (COPS) grant. (Fiscal Impact: $22,000).

RECOMMENDED COUNCIL ACTION:

1) Approve the purchase of sixteen (16) Sierra Wireless MP881 AirLink GSM modems from Manley Solutions for the Police Department’s patrol fleet using funds from the Citizens’ Option for Public Safety (COPS) grant.
2) Authorize the City Manager to execute a contract, in a form approved by the City Attorney, for such purchase;
3) Alternatively discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

Each of the police department’s patrol division units is currently equipped with Mobile Data Computers (MDC). MDCs are utilized as a tool for sending and receiving information to and from the communications center, as well as information from law enforcement databases and other sources.

The department currently utilizes Sierra Wireless MP-750 modems. These modems are three generations old and have become increasingly ineffective at running current MDC systems and applications. New modems will improve efficiency in MDC operations by allowing the various systems within the MDCs to work faster and allow access to other applications (e.g., field fingerprint readers).

~ Continued on next page ~

ATTACHED SUPPORTING DOCUMENTS:

Quotation from Manley Solutions

FISCAL IMPACT:

Operating Budget: None
Amount Requested: $22,000
Account Number: 120-400-000-8104 (COPS Grant)
Project Phase: N/A
Appropriation Required: Yes X No

ORIGINATED:

David Cummings, Chief of Police

REVIEWED BY:

Jack Wayt, City Manager

DATE: 8-27-08
BACKGROUND & DISCUSSION (continued):

Sierra Wireless MP881 AirLink GSM modems were selected by the City's Executive Technology Review Committee (ETRC) to meet the current and future needs of the police department, since it is the only modem currently on the market that enables a police unit itself to act as a wireless “hot spot.”

Staff requested quotes from AT&T, Sierra Wireless, CDCE, Wireless Mobiledata, Feeney Wireless, and Manley Solutions. Two companies responded with the following quotations for the sixteen (16) modems:

1. CNM Wireless          $25,085.20
2. Manley Solutions      $21,910.29

Manley Solutions provided the lowest quote, therefore, Staff recommends funding the purchase from Manley Solution utilizing COPS grant funding. The specific request to utilize COPS grant monies to upgrade MDC's was approved at the February 20, 2007 City Council Meeting.
**Manley Solutions, Inc.**  
Integration and Mobility Solutions

**Vendor**  
Sales and Marketing  
Manley Solutions, Inc  
27702 Crown Valley Parkway  
Suite D4 #262  
Ladera Ranch, CA 92694  
(877) 2-MANLEY

**Quote for**  
El Segundo Police  
Jeff Leyman  
Sergeant - Administrative Services Division  
348 Main Street  
El Segundo, CA 90245  
310-524-2208

**Shipping Method** | **Terms Requesting** | **Expected Date of Purchase**
--- | --- | ---
Ground (Default) | Net 30 Days | 7/30/08

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<td>AirLink GSM Modem</td>
<td>New technology</td>
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Subtotal: $19,406.30  
Sales Tax 8.25%: $1,649.54  
Total: $21,055.84

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Credit Card # ________________________________
Name as it appears on your card ________________________________
Expiration Date (MM/YY) ________________________________
CVS Code ________________________________
Billing Address ________________________________
Address ________________________________
City ________________________________
State ________________________________
Country ________________________________
Billing Zip Code ________________________________

Authorized by ________________________________  
Date ________________________________

27702 Crown Valley Parkway, Suite D4 #262, Ladera Ranch, CA 92694  
O (877) 2-MANLEY  F (949) 606-4312  
orders@manleysolutions.com
Consideration and possible action for approval of a Public Service Agreement between the City of El Segundo and the South Bay Children's Health Center Association to serve as the administrative and fiscal agent for the South Bay Youth Project to provide counseling services to El Segundo youth and families September 1 through June 30, 2009 (Fiscal Impact: $27,498)

RECOMMENDED COUNCIL ACTION:

1). Approve Public Service Agreement and authorize the Mayor to sign an agreement in a form approved by the City Attorney between the City of El Segundo and South Bay Children's Health Center Association; 2). Alternatively discuss and take other action.

BACKGROUND & DISCUSSION:

For over 30 years, the City of Redondo Beach has acted as the administrative and fiscal agency for the South Bay Youth Project (SBYP), securing counselors and administering referrals for the nine south bay cities participating in the counseling program, including El Segundo residents and their families participating in the program.

Due to grants and participating agency funding not meeting the costs to provide the services, Redondo Beach City staff developed a transition plan and met on numerous occasions with the South Bay Children's Health Center Association (SBCHC) to take over operation of the South Bay Youth Project (SBYP). On June 17, 2008, the Redondo Beach City Council approved a Memorandum of Understanding (MOU) transferring the SBYP to the SBCHC, making them the administrative and fiscal agent overseeing the program.

(Continued on next page)

ATTACHED SUPPORTING DOCUMENTS:

1. Proposed Public Service Agreement between the City of El Segundo and the South Bay Children's Health Center for the South Bay Youth Project
2. June 23, 2008, Letter from Redondo Beach to El Segundo

FISCAL IMPACT: $27,498

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<td>Project Phase:</td>
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<tr>
<td>Appropriation Required:</td>
<td>X Yes __ No</td>
</tr>
</tbody>
</table>

ORIGINATED BY:  \(\text{Mark Brunette, Director of Recreation and Parks}\)  

REVIEWED BY:  \(\text{Jack Wayt, Interim City Manager}\)
DISCUSSION AND BACKGROUND....continued

Dan Smith, Executive Director of the South Bay Youth Project (SBYP) and the city of El Segundo's contact for the SBYP has been working with Christina Harris, Executive Director of the South Bay Children's Health Center Association (SBCHC), to continue to ensure a smooth transition of the SBYP’s operation.

Attachment #1 is the proposed agreement between the South Bay Children's Health Center (SBCHC) and the City of El Segundo to contract for counseling services for El Segundo residents at an annual cost of $27,498 for a period of ten months beginning September 1, 2008 through June 30, 2009, with a two-year extension option. Services to be provided are the same as with past agreements for the South Bay Youth Project (SBYP). The proposed agreement has been reviewed and approved by the City Attorney’s office.

Attachment #2 is the June 23, 2008 formal letter from Redondo Beach City Manager Bill Workman to El Segundo Interim City Manager Jack Wayt, notifying the city of El Segundo of Redondo Beach's intent to transfer administration and fiscal oversight of the South Bay Youth Project (SBYP) to the South Bay Children's Health Center (SBCHC). The letter explains and provides Redondo Beach’s reasons for the transfer of the South Bay Youth Project (SBYP) to the South Bay Children's Health Center (SBCHC).
THIS AGREEMENT FOR COUNSELING SERVICES ("Agreement") is entered between the City of El Segundo, a general law city and municipal corporation (EL SEGUNDO), and the South Bay Children's Health Center Association, a non-profit corporation, (SBCHC), acting as the sponsoring agency for THE SOUTH BAY YOUTH PROJECT (SBYP), with reference to the following:

EL SEGUNDO participants in a program known as the SBCHC, a non-profit agency SBCHC;

SBCHC makes licensed therapists available to counsel a diverse range of problems, including, without limitation, family or school problems, substance abuse, physical or sexual abuse, parental neglect, or inadequate supervision. Referrals are received from schools, law enforcement agencies, parents and youth.

SBCHC possesses the knowledge, expertise, and experience to provide the program services necessary for the successful operation of the counseling program and is desirous of furnishing these services;

NOW, THEREFORE, in consideration of the foregoing recitals each of the parties herein set forth, the parties hereto do mutually agree as follows:

1. SERVICES

SBCHC will utilize EL SEGUNDO funds to contract for counseling services for El Segundo residents for a period of ten months beginning September 1, 2008 through June 30, 2009. The following services will be provided in accordance with the conditions herein set forth:

A. Conduct initial assessments of high-risk youth and their families and recommend appropriate counseling services; and/or

B. Refer high-risk youth and their families to professional, bona-fide therapists for further consultation, if necessary and where appropriate.

C. Maintain individual counseling caseload.

D. Network with El Segundo Teen Center, El Segundo Unified School District, El Segundo Police Department and other local entities.

The above services must be provided to the City of El Segundo residents. All client information, name, address, age, phone and recommendations will remain on file. Invoicing to EL SEGUNDO for all referrals and direct counseling services are to be included in ten (10) separate payments of 2,749.80 over the ten (10) month period.
SBCHC will cause therapists licensed pursuant to California law including, without limitation, marriage and family therapists (Bus. & Prof. Code § 1980), educational psychologists (Ed. Code § 49423), or clinical psychologists (Health & Safety Code § 1316.5) (collectively, "Counselors"), to assess persons seeking counseling services to determine their therapy needs, if any. Counselors may provide services that include, without limitation, individual, family or group counseling; crisis intervention; substance abuse evaluation; education and treatment; parent education; assessment for inpatient treatment.

The counselor is under the direct supervision of SBCHC. Confirmation of services available; schedule and assignments are developed by the Recreation Superintendent. Hours of operation are Monday through Friday, four (4) hours per day. Community networking, school site visits, Teen Center visits are to be conducted on an as needed basis, throughout the stated ten (10) month frame.

2. TIME OF PERFORMANCE

   A. Said services contracted with SBCHC under this Agreement shall be provided for ten months per year, for a ten month period commencing September 1, 2008 and ending June 30, 2009.

   B. EL SEGUNDO has the option to extend the term of this Agreement for up to two additional terms of one-year each. Each option may be exercised upon EL SEGUNDO providing written notice to SBCHC not less than 15 days prior to the expiration of the underlying term.

3. PRIVACY RIGHTS

The services provide by SBCHC under this Agreement are protected by California law including, without limitation, the psychotherapist-patient privilege (Evidence Code § 1014). In addition, this Agreement anticipates that SBCHC will provide services to minors whose records are protected from disclosure by various provisions of California law (including, without limitation, Welfare & Institutions Code § 824). Accordingly, SBCHC agrees that it will use its best efforts to secure all patient records and prevent their disclosure to the extent provided by applicable law.

4. PUBLIC RECORDS ACT

The Parties acknowledge that they are public entities subject to the Public Records Act (Gov’t. Code §§ 6250-6276.48) and that this Agreement, and documents ancillary to this Agreement, must generally be disclosed upon request. However, the Parties agree that patient records drafted pursuant to the terms of the Agreement are specifically excluded from disclosure under Government Code §§ 6254(c), 6254(k), and 6276.36. Accordingly, the Parties agree that such records will not be released except as otherwise provided by law.
5. **COMPENSATION AND METHOD OF PAYMENT**

EL SEGUNDO shall reimburse SBCHC (10) times per year in an amount not to exceed $2,749.80 per payment, which shall constitute full and complete satisfaction of the obligations under this Agreement, totaling at $27,498 annually. Payments shall be made by EL SEGUNDO to SBCHC in installments pursuant to the following: After services have been rendered by SBCHC, a detailed invoice (exhibit A) on form provided by EL SEGUNDO shall be submitted to EL SEGUNDO. EL SEGUNDO will then process payment to SBCHC based upon said invoice. Payment will be made to SBCHC in the amount of the invoice as approved by EL SEGUNDO.

6. **CONFLICT OF INTEREST**

No person performing services for the EL SEGUNDO in connection with this Agreement shall have a financial or other personal interest other than his or her employment or retention by the EL SEGUNDO in any contract or subcontract in connection with this Agreement. No officer or employee of such person retained by the EL SEGUNDO shall have any financial or other personal interest in any real property in which the plans of said property are being checked in connection with this Agreement.

7. **PROGRAM EVALUATION AND REVIEW**

SBCHC shall make performance, financial, and all other records pertaining to this Agreement available to EL SEGUNDO personnel, and allow said EL SEGUNDO personnel to inspect and monitor its facilities and program operations. SBCHC agrees to submit to EL SEGUNDO all data necessary for complete program evaluation. SBCHC agrees to submit to EL SEGUNDO quarterly reports.

8. **TERMINATION AND TERMINATION COSTS**

This Agreement may be terminated at any time by either party upon giving thirty (30) days notice in writing to the other party. EL SEGUNDO will give SBCHC ten days before terminating this Agreement upon the termination, suspension, or substantial reduction in funding for this Agreement or if, for any reason, the timely completion of the work under this Agreement is rendered improbable, infeasible, or impossible. In such event, SBCHC shall be compensated for all services rendered and all necessarily incurred costs performed in good faith in accordance with the terms of this Agreement that have not been previously reimbursed to the date of said termination.

9. **LIABILITY AND INSURANCE**

   A. EL SEGUNDO shall not assume any liability for direct payment of any salaries, wages or other compensation to any SBCHC personnel or subcontractor performing services hereunder for EL SEGUNDO, or any liability other than provided for in this Agreement.
B. EL SEGUNDO shall not be liable for compensation for indemnity to any SBCHC employee or subcontractor for injury or sickness arising out of his/her employment, or for any negligent actions of SBCHC or its employees.

C. All persons employed in the performance of this Agreement will be acting in an independent capacity and not as agents, employees, partners, joint ventures, or associates of one another. Employees of SBCHC, and as such shall not, for any purposes, be considered employees of EL SEGUNDO and, therefore, shall have no right to any EL SEGUNDO service, civil service, or other EL SEGUNDO status. No EL SEGUNDO employee benefits shall be available to SBCHC in connection with the performance of this Agreement.

D. 1. SBCHC agrees to indemnify and save harmless EL SEGUNDO, its elected and appointed officials, officers, agents, and employees against any and all claims, liability, judgments, costs or expenses including all reasonable costs necessary to defend a lawsuit, including attorney fees, investigators, filing fees, transcripts, court reporters and other reasonable costs necessary of investigation and defense resulting solely from the wrongful or negligent acts or omissions of SBCHC, its agents, subcontractors, and employees arising from work performed pursuant to Section I of this Agreement. SBCHC shall cause each counselor providing services hereunder to agree to indemnify, defend, and hold harmless both SBCHC and EL SEGUNDO from and against any and all claims, liability, loss, damage, expense, and costs arising out of this Agreement, except for such loss or damage caused by SBCHC’s or EL SEGUNDO’s sole negligence or willful misconduct.

2. SBCHC agrees that every professional provider of services with whom the City contracts on behalf of SBCHC shall have professional liability insurance which shall be in full force and effect during the period of the contract.

3. SBCHC agrees to name EL SEGUNDO as additionally insured on said insurance policy or policies and will provide a certificate or certificates of insurance as proof of coverage with a written “Notification of Cancellation” period of not less than 30 days. SBCHC will require its insurer to modify such certificates to delete any exculpatory working stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word “endeavor” with regard to any notice provisions.

10. STATUS OF THE SOUTH BAY CHILDREN’S HEALTH CENTER

SBCHC is an independent contractor in all respects in the performance of this Agreement.

11. SUBCONTRACT

Any subcontracts entered into by SBCHC for services to be rendered toward the completion of SBCHC'S portion of this Agreement shall be for SBCHC'S benefit alone.
EL SEGUNDO shall assume no liability for said subcontract. SBCHC agrees to provide a list of all subcontractors to be used in connection with services to be rendered toward the completion of its portion of this Agreement to EL SEGUNDO within ten (10) working days of execution of this Agreement.

12. **AMENDMENTS**

This Agreement may be amended so long as such amendment is in writing and agreed upon by both EL SEGUNDO and SBCHC.

13. **DEFAULT**

In the event SBCHC is in default under the terms of this Agreement, it is expressly agreed that EL SEGUNDO shall have no obligation or duty to continue compensating SBCHC for any work performed after the noticed date of default.

14. **REIMBURSEMENT**

Each party agrees that in the event of an arbitrator’s determination that a party is in default in the performance of this Agreement, said party will reimburse the other for all expenses (including attorney’s fees, investigators, transcripts, court reporters, and other reasonable costs) incurred by such party in connection with enforcement of its rights under this Agreement.

15. **REQUEST FOR FINAL PAYMENT**

EL SEGUNDO reserves the right to withhold ten percent (10%) of the contract amount on a completed project until a Certification of Completion is issued by EL SEGUNDO or COUNTY Project Directors, or their designees, which certificate shall not be unreasonably withheld.

16. **NOTICES**

Notices shall be given pursuant to this Agreement by personal service on the party to be notified, or by written notice upon such party deposited in the custody of the United States Postal Service addressed as follows:

A. CITY: City of El Segundo  
   Recreation and Parks Department  
   350 Main Street  
   El Segundo, California 90245  
   Phone: (310)524-2880  
   Attn: Judy Andoe, Recreation Superintendent

B. SOUTH BAY CHILDREN’S HEALTH CENTER/SOUTH BAY YOUTH PROJECT:
June 23, 2008

Mr. Jack Wayt
Interim City Manager
City of El Segundo
350 Main Street
El Segundo, CA 90245

Dear Mr. Wayt:

The purpose of this letter is to give you formal written notification of the transfer of South Bay Youth Project (SBYP) to the South Bay Children’s Health Center (SBCHC) effective July 1, 2008. We also request that the Community Development Block Grant – Professional Service Agreement (#3603) and the Public Service Agreement – Youth Counselor (#07-090) be transferred to the SBCHC.

The following will provide some background to this request.

The City of Redondo Beach has served as the administrative and fiscal agency for the South Bay Youth Project (SBYP) for over thirty years. During that time, the SBYP has provided tens of thousands of youth and their families counseling and related services for nine South Bay Cities: Redondo Beach, El Segundo, Manhattan Beach, Hermosa Beach, Lomita, Rolling Hills, Rolling Hills Estates, Rancho Palos Verdes, and Palos Verdes Estates.

In the past few years, the cost to provide these services has been greater than the funding available from grants and the participating cities. A structural change in the operation of the SBYP was necessary to continue to provide these services in the future.

On April 15, 2008, the City Council authorized staff to explore alternative operating options for the South Bay Youth Project. Staff developed five options for Council consideration at the May 20, 2008 City Council meeting. At that meeting, Council asked staff to develop a transition schedule and MOU with SBCHC before taking formal action to approve the operation transfer.

Since that time, City staff members have met with the South Bay Children’s Health Center on numerous occasions and have been impressed by the SBCHC’s dedication to their clientele and the similarity of SBCHC’s mission to
that of the SBYP. The SBCHC Board and staff are committed to maintaining the SBYP’s integrity of services and multi-city brand and have offered to open seats on their Board to allow for new members from the Friends of the SBYP and former SBYP administrators. City and SBCHC staff members have analyzed a variety of transition issues to ensure a smooth transfer of counseling clients and have gone through every grant contract and associated expenditure reimbursement process to address any potential financial concerns.

At the June 17, 2008 Redondo Beach City Council meeting the Council approved a Memorandum of Understanding (MOU) transferring South Bay Youth Project Operations to the South Bay Children’s Health Center (see attached).

SBCHC will be the new administrative and fiscal agent for the SBYP. Christina Harris is the Executive Director of the South Bay Children’s Health Center and is available to answer any questions (310-316-1212).

Please let me know if you have any questions or concerns. My phone number is 310-372-1171 x 2791.

Dan Smith, is also working with the SBCHC to ensure a smooth transition and is available for any specific SBYP concerns. His phone number is 310-318-0639.

Sincerely,

Bill Workman
City Manager

cc: Gary Chicots, Director of Planning and Building Safety
    Kimberly Christensen, Planning Manager
    Richard Burnette, Director of Parks and Recreation
    Judy Andoe, Parks Superintendent
Consideration and possible action regarding the presentation of fiscal year 2007-2008 Third Quarter Financial Budget Review. (Fiscal impact: None)

RECOMMENDED COUNCIL ACTION:

1) Receive and file Fiscal Year 2007-2008 Third Quarter Financial presentation
2) Alternatively discuss and take other action related to this item

BACKGROUND & DISCUSSION:

The focus of the FY 2007-2008 third quarter financial review is to assess revenues and expenditures in all funds for the period of October 1, 2007 through June 30, 2008. This report analyzes the estimated totals for revenues, operational and capital expenditures in all funds for the period of October 1, 2007 through September 30, 2008.

(Please see attached pages marked "Background and Discussion").

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT: None

Operating Budget: 105,080,300
Amount Requested:
Account Number:
Project Phase:
Appropriation Required: Yes X No

ORIGINATED BY: DATE:
Deborah Cullen, Director of Finance 8/27/08

REVIEWS BY: DATE:
Jack Wayt, City Manager 8-27-08
REVENUES

General Fund Revenues

The following is an analysis of General Fund revenues by the ten major categories:

a. **Property Taxes**

Currently staff is estimating this category to come in slightly below budget and will continue to monitor the potential impact of the County-wide delinquency pool. Delinquencies are allocated to all cities within the county on a pro rata basis. As of the end of the third quarter the City has not received any pro rata delinquencies.

b. **Other Taxes (Includes Sales, Utility User's, Transient Occupancy and Other Taxes)**

The projection for this category is to exceed budget by as much as 8% based on historical trends.

A positive impact in this category is unexpected revenue received in the Gas Utility User's Tax and Telephone Utility Tax. The FY 2007-2008 budget anticipated that there would be a significant revenue reduction in Gas Utility User's Tax due to the uncertainty of the operational status of the local power plant, and based on that information we significantly reduced the revenue projections. Currently the City is receiving sporadic revenue from this source and is ahead of target by about $640,724. It is still very difficult to project this revenue source so staff is projecting this revenue remain flat until yearend. Additionally, the Telephone Utility Tax budgeted revenue was eliminated in FY 2007-2008 based on legal challenges that threaten our UUT ordinance however at the end of the third quarter the City has received in reference to the Federal Excise Tax, specifically the FET exemptions and exclusions. As a result of numerous federal lawsuits successfully brought by taxpayers against the IRS, the IRS in 2006 issued a Notice directing the telephone companies to discontinue collecting FET on long distance. This ruling resulted in a 75% to 80% reduction in the FET base. The final appellate court decision could occur as early as mid 2009 and the outcome might result in the complete loss of Telephone Utility Tax. Staff will continue to closely monitor these two revenue streams.

Sales Tax revenue is up 4.6% compared to the first three quarters of last fiscal year. Currently, taxable sales for Los Angeles County and its cities have declined 3.5% for the first quarter of 2008 (Jan-March). Economists expect sales to continue to decline and initial reports indicate that second-quarter receipts for sales occurring April through June of 2008 will continue to be impacted by downward pressure. We budgeted $1.350 million or 16% increase over prior year actuals and at this time staff anticipates coming in slightly over this target.

The City is still benefitting from the new sales tax revenue generated from Plaza El Segundo however this revenue base will annualize in the fourth quarter of Fiscal Year 2007-2008. Therefore it is anticipated revenues in this category will flatten through the remainder of this
fiscal year and into Fiscal Year 2008-2009.

Transient Occupancy Tax continues to reflect steady growth in tourism and travel and is estimated to come in ahead of target with budget. This revenue source is up approximately $160,000 or 4.5% for the first nine months of FY 2007-2008 compared to the same period last fiscal year mainly attributable to an increase in occupancy and rate increases.

Also included in this category are Franchise Taxes, Cogenerated Electric and all other utility user's taxes which are trending positively at 84.4% of budget received and are expected to end the year slightly ahead of budget.

c. **Business License Taxes**

Continued strong growth in this category is anticipated and the City has received $9.646 million or 105% of the budget through June 30, 2008. Businesses receive a 50% credit on their business license based on actual Sales and Use Tax the City receives during the period of July to June of the previous year. This credit can offset the business license tax up to 100% of the business license tax liability for the next Fiscal Year.

d. **Other Licenses and Permits and Charges for Services**

These two categories combined are expected to come in higher than budget. When forecasting for FY 2007-2008 it was anticipated that the housing and construction slowdown would impact this revenue category and continued growth in Plan Check Fees would taper off toward the end of this fiscal year. Currently Plan Check Fees are at 144% of budget which is 49% of this revenue category, and while we still anticipate a slowdown in this category, it appears that Plan Check Fees will exceed budget.

e. **Fines and Forfeitures**

This category is currently expected to come in slightly under budget. The City has received approximately $346,000 or 70.4% of budget through June 30, 2008.

f. **Interest and Rentals**

This category is currently on target with budget. Total Revenues in this category are 92.2% with 75% of the fiscal year complete.

**Total Revenues**

Overall, General Fund revenues are expected to end the year slightly ahead of budget.

Revenues in all other funds appear to be on target with the exception of the Golf Course Fund, which is tracking at 70% of revenue received through June 30, 2008.
General Fund Expenditures

The General Fund expenditures through June 30th, 2008 are trending 1% below FY 2007-2008 budget. Expenditures are slightly above prior year third-quarter results by 5.42%. Continuing rising labor costs are evident again in this fiscal year. The following is an analysis of General Fund expenditures by major categories:

A. Elected Officials and Administrative Support Services

This category which consists of the City Council, City Clerk, City Treasurer, City Manager office, Finance and Human Resources, is currently under budget by 13% primarily resulting from a reduction in expenses within City Attorney, Information Services and Human Resources divisions. In comparison to first three quarters of last fiscal year, expenses are 4.85% higher than last year due to additional administration related to City elections.

B. Nondepartment

Nondepartment expenditures are currently on target with budget. Expenditures are currently 9.6% lower than prior year third-quarter expenditures.

C. Public Safety

The Police Department is currently trending on budget and is expected to come in slightly below budget at year-end. This is primarily due to the continuing recruitment and retentions issues.

The Fire Department is currently over budget by 4% in the first three quarters of FY 2007-2008. Expenditures are expected to be slightly over budget at year-end driven by higher than expected overtime for the Fire Suppression division.

D. Planning and Building Safety

This department which consists of Planning and Building Safety is continuing to experience increased growth in planning applications and building permits. During the year adjustments to the adopted budget increased $1.2 million in support of these activities. Expenditures are expected to be within budget at fiscal year-end. Increased activity is also reflected in the General Fund revenues with increased planning revenues such as Zoning and Planning fees, Plan Check fees, Plan retention fee, Energy Plan Check fees, and Planning Service Fees.
E. Public Works

This department'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.

Other fund operations in this department include Gas Tax, Facilities Maintenance and the Water Fund.

Public Works is currently under budget by 1.7% for FY 2007-2008 and 3.5% below budget in comparison to third quarter of the prior year.

F. Recreation and Cultural

The Recreation and Cultural services function includes the Recreation and Parks Department and the Library Department. The Recreation and Parks Department expenditures have increased 9.4% over the same period last year; however, the expenditures are 5.5% under budget through the third quarter and remain on target to end the year within budget.

The Library is currently under 4% of the expenditure budget through the first three quarters of the FY 2007-2008 and projected to be on budget for the year.

Total General Fund Estimated Expenditures

With 75% of the fiscal year complete, General Fund expenditures are on target with budget and there are no adjustments needed at this time.

Expenditures, fund balances and retained earnings in all other funds appear to be on target with budget.

Proprietary Funds:

Liability Insurance Fund

The Liability Insurance Fund expenditures are 13.5% below third-quarter budget and are expected to meet the year-end target.

Golf Course Fund

The Golf Course Fund expenditures are 3% below budget and on target to meet year-end budget. The City's management company, Donovan, Lane and Associates, has continued to make a number of operational improvements which have resulted in a reduction in operational expenses and is focused on improving the long-term economic viability of the Golf Course.
BACKGROUND & DISCUSSION (CONTINUED)

With the changes that Donovan, Lane, and Associates continue to make, together with the termination of the debt service requirement on the bonds in August 2012 and the increase in rates for the Golf Course and Driving Range, the Golf Course will be in a better position to meet the long-term objective of breaking even on an annual basis.

**Water and Sewer Funds**

Both the Water Fund and Sewer Fund are expected to end the year slightly under budget.

**Workers’ Compensation Fund**

The Workers’ Compensation Fund expenditures are projected to be on target at year-end.

**Conclusion**

Third Quarter actuals show General Fund revenues of 90.9% of budget with 75.0% of the fiscal year complete and General Fund expenditures on target with budget.
Consideration and possible action to adopt and waive second reading of an ordinance amending the El Segundo Municipal Code (ESMC) with regard to local campaign financing and signs.

RECOMMENDED COUNCIL ACTION:

(1) Waive second reading and adopt an ordinance amending ESMC §§ 1-9-2, 1-9-3, 1-9-5, and 15-18-10(G) regulating local election campaigns; (2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION

At the August 19, 2008 Council Meeting, the City Council introduced the attached draft ordinance that amends portions of the ESMC relating to campaign financing and political signs local elections.

ATTACHED SUPPORTING DOCUMENTS:

Draft Ordinance

FISCAL IMPACT:

Operating Budget: 
Amount Requested: 
Account Number: 
Project Phase: N/A
Appropriation Required: _Yes _X No

ORIGINATED: 
Mark D. Hensley, City Attorney

Reviewed By: 
Jack Wayt, City Manager

DATE: 
8-27-08
Proposed Changes

As summarized below, the draft Ordinance addresses the following issues:

1. Name and Phone numbers on campaign signs

The ESMC already requires "campaign literature" to include the name, street address, and city of every person who contributes 25% or more of manufacturing costs associated with such campaign literature. Proposed changes to ESMC § 1-9-2 and 1-9-5 would clarify that "campaign literature" includes political signs for local elections. Additionally, a phone number would be required to be printed on campaign literature.

2. Candidates' contribution of own funds

In Buckley v. Valeo (1976) 424 U.S. 1, the United States Supreme Court determined that limiting a candidate's expenditure of his/her own money in support of his/her campaign was an unconstitutional infringement upon the candidate's First Amendment rights. The draft ordinance would amend ESMC § 1-9-2 to clarify this issue.

3. Increasing the limit on contributions

The ESMC currently prohibits persons from making annual contributions of $500 or more to any candidate. The draft ordinance raises this amount and caps contributions at $750.

4. Timing for erecting political signs

The draft ordinance adds a provision to ESMC § 15-18-10(G) that essentially prohibits more than two political signs from being erected more than 45 days before a local election. The ESMC currently does not restrict the number of political signs that can be erected; its only limitation is that such signs be removed 48 hours after the local election.

Note that this proposed regulation may be vulnerable to a First Amendment challenge. A similar but potentially distinguishable restriction was held to be unconstitutional in City of Antioch v. Candidates' Outdoor Graphic Service (1982) 557 F.Supp. 52 (a copy of which is attached with the staff report). The municipal code at issue in that case, however, generally banned all signs except for a 45 day window before a local election when it allowed campaign signs. In contrast, the ESMC currently allows two temporary signs (including political signs) to be erected as a matter of right year-round. During elections, the ESMC allows an unlimited number of campaign signs to be erected (the ESMC currently does not impose a time limitation before which campaign signs may not be erected). Accordingly, the proposed amendment would just clarify that 45 days prior to an election that only two signs (including political signs) are allowed on a parcel.
Given that the City's ordinance does allow political signs on a year-round basis and only restricts the number of political signs that are posted when there is no pending election, the proposed ordinance is distinguishable from that in the Antioch and may therefore be legally defensible since it provides a year-round opportunity for property owners to place political signs on their property.
ORDINANCE NO. _____

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE §§ 1-9-2, 1-9-3, 1-9-5, AND 15-18-10(G) RELATING TO LOCAL ELECTION REGULATIONS.

The city council of the city of El Segundo does ordain as follows:

SECTION 1: The city council finds and declares as follows:

A. The ability to contribute time and money to local political campaigns is a legitimate and important means of participating in the political process.

B. Large monetary contributions, however, may give at least the appearance that candidates for elective office may be unduly influenced through financial means.

C. It is in the public interest that the City have a means by which all persons within the community have a fair and equitable opportunity to participate in local government whether by elected office or through other means.

D. To assist with the goal of providing an even playing field to all candidates seeking elective office, and to engender public trust in the political process, the City Council enacted regulations for campaign contributions as set forth in Chapter 9 to Title 1 of the El Segundo Municipal Code ("ESMC") entitled Campaign Contributions and consisting of §§ 1-9-1 to 1-9-8.

E. When adopting this Ordinance, the City Council considered, among other things, the California Supreme Court's decision in Griset v. Fair Political Practices Commission (1994) 8 Cal.4th 851, cert. den. 15 S.Ct. 1794, and the cases cited therein. The regulations adopted by this Ordinance are intended to balance individual's First Amendment rights with the electorate's right to be fully informed and the public interest in preventing corruption in local elections.

F. By adopting these regulations, the City intends to fully inform voters regarding candidate and campaign viewpoints; to assist voters with

Page 1 of 6

August 25, 2008
distinguishing between accurate and deceptive information; deter defamatory statements; prevent corruption; and assist law enforcement.

G. The City has a compelling interest to promote an informed electorate; deter corruption in local elections; and gather evidence to facilitate enforcement of local election regulations. Accordingly, it is in the public interest to adopt regulations imposing strict disclosure requirements upon, among other things, unsolicited campaign literature that is distributed during the course of local political campaigns.

SECTION 2: ESMC § 1-9-2 is amended to read as follows:

“1-9-2: Definitions. Except as otherwise stated below, the words and phrases used in this Chapter generally have the same meanings as in the California Election Code, the Political Reform Act, and those regulations promulgated by the Fair Political Practices Commission. In addition, unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this chapter:

A. “Campaign literature” means unsolicited circulars, pamphlets, letters, posters, political signs, or other reproduced matter referring to an election, candidate, or any ballot measure. Campaign literature does not include other campaign paraphernalia such as, without limitation, pencils, buttons, or similar items.

B. “Contribution” means a payment, loans and extensions of credit (other than those made by financial institutions), a payment of a loan from a financial institution by a third party, or an enforceable promise to make a payment, except to the extent that full and adequate consideration is received, unless it is clear from the surrounding circumstances that it is not made for political purposes. An expenditure made at a candidate’s, committee’s, or elected officer’s direction is a contribution to the candidate, committee, or elected officer, unless full and adequate consideration is received for making the expenditure.

1. “Contribution” includes purchasing tickets for events such as dinners, luncheons, rallies, and similar fund-raising events; granting discounts or rebates not extended to the public generally or
granting discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; and paying compensation by any person for the personal services or expenses of any other person if such services are rendered or expenses incurred on behalf of a candidate or committee without payment of full and adequate consideration.

2. "Contribution" also includes any transfer of anything of value received by a committee from another committee. The term does not include amounts received under an enforceable promise to the extent such amounts were previously reported as a contribution. However, these amounts will be reported in the appropriate campaign statement.

3. "Contribution" does not include volunteer personal services or payments made by any individual for his or her own travel expenses if such payments are made voluntarily without any understanding or agreement that they will be directly or indirectly repaid to him.

4. In accordance with Buckley v. Valeo (1976) 424 U.S. 1, a candidate's direct contribution to his or her campaign is not regulated by this Chapter.

C. "Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, controlled committee, or committee.

SECTION 3: ESMC § 1-9-3 is amended to read as follows:

"1-9-3: Anonymous Contributions Prohibited; Contribution Limit.

A. It is unlawful for any person to make, and any candidate, controlled committee, or committee to solicit or accept, any anonymous contribution in a local election.

B. For local elections, it is unlawful for any person to make a contribution to a candidate, controlled committee, committee, that exceeds seven hundred
SECTION 4: ESMC § 1-9-5 is amended to read as follows:

"1-9-5: Anonymous Mailings Prohibited:

A. It is unlawful for any person, candidate, or committee to send any unsolicited piece of mail supporting or opposing any candidate or ballot measure in a local election that does not comply with the requirements of Government Code section 84305 or, if a slate mailer, Government Code section 84305.5.

B. In addition to the requirements of Government Code section 84305 or, if applicable, Government Code section 84305.5, campaign literature including, without limitation, mailers, must include the name and telephone number of any person contributing twenty five percent (25%) or more of the cost for producing the campaign literature. The text identifying such persons must conform with the requirements of Government Code section 84305 or, if applicable, Government Code section 84305.5."

SECTION 5: ESMC § 15-18-10(G) is amended to read as follows:

"G. Political: Political signs are allowed in any zone subject to the following:

1. Such signs cannot exceed four (4) square feet in area.

2. Except as otherwise allowed by this Chapter, such signs cannot be erected more than forty-five (45) days before the election or ballot measure for which they are intended.

3. Except as otherwise allowed by this Chapter, such signs must be removed not later than forty eight (48) hours after the election or ballot measure for which they are intended."

SECTION 6: 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 7: 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 8: This Ordinance will become effective thirty (30) days following its passage and adoption.

PASSED AND ADOPTED this ____ day of ________, 2008.

____________________
Kelly McDowell, Mayor

ATTEST:

STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES ) SS
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 Mortensen, City Clerk

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

By:
Karl H. Berger
Assistant City Attorney
ORDINANCE NO. ___

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE §§ 1-9-2, 1-9-3, 1-9-5, AND 15-18-10(G) RELATING TO LOCAL ELECTION REGULATIONS.

The city council of the city of El Segundo does ordain as follows:

SECTION 1: The city council finds and declares as follows:

A. The ability to contribute time and money to local political campaigns is a legitimate and important means of participating in the political process.

B. Large monetary contributions, however, may give at least the appearance that candidates for elective office may be unduly influenced through financial means.

C. It is in the public interest that the City have a means by which all persons within the community have a fair and equitable opportunity to participate in local government whether by elected office or through other means.

D. To assist with the goal of providing an even playing field to all candidates seeking elective office, and to engender public trust in the political process, the City Council enacted regulations for campaign contributions as set forth in Chapter 9 to Title 1 of the El Segundo Municipal Code ("ESMC") entitled Campaign Contributions and consisting of §§ 1-9-1 to 1-9-8.

E. When adopting this Ordinance, the City Council considered, among other things, the California Supreme Court’s decision in Griset v. Fair Political Practices Commission (1994) 8 Cal.4th 851, cert. den. 15 S.Ct. 1794, and the cases cited therein. The regulations adopted by this Ordinance are intended to balance individual’s First Amendment rights with the electorate's right to be fully informed and the public interest in preventing corruption in local elections.

F. By adopting these regulations, the City intends to fully inform voters regarding candidate and campaign viewpoints; to assist voters with
distinguishing between accurate and deceptive information; deter
defamatory statements; prevent corruption; and assist law enforcement.

G. The City has a compelling interest to promote an informed electorate;
deter corruption in local elections; and gather evidence to facilitate
enforcement of local election regulations. Accordingly, it is in the public
interest to adopt regulations imposing strict disclosure requirements upon,
among other things, unsolicited campaign literature that is distributed
during the course of local political campaigns.

SECTION 2: ESMC § 1-9-2 is amended to read as follows:

"1-9-2: Definitions. Except as otherwise stated below, the words and
phrases used in this Chapter generally have the same meanings as in the
California Election Code, the Political Reform Act, and those regulations
promulgated by the Fair Political Practices Commission. In addition, unless the
contrary is stated or clearly appears from the context, the following definitions will
govern the construction of the words and phrases used in this chapter:

A. "Campaign literature" means unsolicited circulars, pamphlets, letters,
posters, political signs, or other reproduced matter referring to an election,
candidate, or any ballot measure. Campaign literature does not include
other campaign paraphernalia such as, without limitation, pencils, buttons,
or similar items.

B. "Contribution" means a payment, loans and extensions of credit (other
than those made by financial institutions), a payment of a loan from a
financial institution by a third party, or an enforceable promise to make a
payment, except to the extent that full and adequate consideration is
received, unless it is clear from the surrounding circumstances that it is
not made for political purposes. An expenditure made at a candidate's,
committee's, or elected officer's direction is a contribution to the
candidate, committee, or elected officer, unless full and adequate
consideration is received for making the expenditure.

1. "Contribution" includes purchasing tickets for events such as
dinners, luncheons, rallies, and similar fund-raising events; granting
discounts or rebates not extended to the public generally or
granting discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; and paying compensation by any person for the personal services or expenses of any other person if such services are rendered or expenses incurred on behalf of a candidate or committee without payment of full and adequate consideration.

2. "Contribution" also includes any transfer of anything of value received by a committee from another committee. The term does not include amounts received under an enforceable promise to the extent such amounts were previously reported as a contribution. However, these amounts will be reported in the appropriate campaign statement.

3. "Contribution" does not include volunteer personal services or payments made by any individual for his or her own travel expenses if such payments are made voluntarily without any understanding or agreement that they will be directly or indirectly repaid to him.

4. In accordance with Buckley v. Valeo (1976) 424 U.S. 1, a candidate's direct contribution to his or her campaign is not regulated by this Chapter.

C. "Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, controlled committee, or committee.

SECTION 3: ESMC § 1-9-3 is amended to read as follows:

"1-9-3: Anonymous Contributions Prohibited; Contribution Limit.

A. It is unlawful for any person to make, and any candidate, controlled committee, or committee to solicit or accept, any anonymous contribution in a local election.

B. For local elections, it is unlawful for any person to make a contribution to a candidate, controlled committee, committee that exceeds seven hundred
fifty dollars ($750) in a calendar year."

SECTION 4: ESMC § 1-9-5 is amended to read as follows:

“1-9-5: Anonymous Mailings Prohibited:

A. It is unlawful for any person, candidate, or committee to send any unsolicited piece of mail supporting or opposing any candidate or ballot measure in a local election that does not comply with the requirements of Government Code section 84305 or, if a slate mailer, Government Code section 84305.5.

B. In addition to the requirements of Government Code section 84305 or, if applicable, Government Code section 84305.5, campaign literature including, without limitation, mailers, must include the name and telephone number of any person contributing twenty five percent (25%) or more of the cost for producing the campaign literature. The text identifying such persons must conform with the requirements of Government Code section 84305 or, if applicable, Government Code section 84305.5.”

SECTION 5: ESMC § 15-18-10(G) is amended to read as follows:

“G. Political: Political signs are allowed in any zone subject to the following:

1. Such signs cannot exceed four (4) square feet in area.

2. Except as otherwise allowed by this Chapter, such signs cannot be erected more than forty-five (45) days before the election or ballot measure for which they are intended.

3. Except as otherwise allowed by this Chapter, such signs must be removed not later than forty eight (48) hours after the election or ballot measure for which they are intended."

SECTION 6: 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.

Page 4 of 6
SECTION 7: 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 8: This Ordinance will become effective thirty (30) days following its passage and adoption.

PASSED AND ADOPTED this ___ day of __________, 2008.

__________________________
Kelly McDowell, Mayor
ATTEST:

STATE OF CALIFORNIA  )
COUNTY OF LOS ANGELES  ) SS
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

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

By: ______________________________________
Karl H. Berger
Assistant City Attorney
Consideration and possible action to approve termination of a contract with Republic Intelligent Transportation Services, Inc. for maintenance of the City's traffic signals and traffic control services. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

(1) Authorize the City Manager to terminate the maintenance agreement with Republic Intelligent Transportation Services, Inc.; (2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

On May 6, 2008, City Council approved a contract with Republic Intelligent Transportation Services, Inc. to retrofit 996 traffic lamps with more energy efficient LED lights and to provide maintenance of the City's traffic signals and traffic control services at its intersections (services currently provided by the Los Angeles County Department of Public Works). The LED lights were replaced with great success this summer and the maintenance portion of the contract was set to begin August 1, 2008. However, staff delayed the start date for maintenance/traffic control in order to more investigate the financial impacts and operational constraints of switching from the County to Republic for these services. Closer review of the contract confirmed that Republic's hourly billing rates for its employees are higher than those charged by the County for comparable positions and services, thus resulting in greater financial liability to the City for maintenance of its signals and intersections. For this reason, staff recommends cancelling the remaining tasks in Republic's maintenance agreement and instead continuing with the ongoing County maintenance/traffic control contract already in place.

ATTACHED SUPPORTING DOCUMENTS:
None

FISCAL IMPACT: NONE

Operating Budget: NA
Capital Improvement Program: NA
Amount Requested: NA
Account Number: NA
Project Phase: NA
Appropriation Required: NA

ORIGINATED BY: Stephanie Katsouleas, Director of Public Works
DATE: 08/27/08

REVIEWED BY: Jack Wayt, City Manager
DATE: 8-27-08
Consideration and possible action to approve Vesting Tract Map No. 64579, a 14,298 square foot, 2-lots merged to 1-lot subdivision property located at 215 and 223 Penn Street. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

(1) Approve and Accept Final Vesting Tract Map No. 64579; (2) Authorize the City Engineer and City Clerk to sign and record said Map; (3) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

Vesting Tract Map No. 64579 was approved by the Planning Commission on May 25, 2006 (Resolution No. 2602) merging two-lots into one encompassing 14,298 square feet to allow the construction of an eight-unit condominium development. The conditions of approval have been satisfied to the satisfaction of the Department of Planning and Building Safety and the Tract Map is ready for approval by the City Council. After Council approval, the map will be sent for recordation at the Los Angeles County Recorders Office.

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT: NONE

Operating Budget: NA
Capital Improvement Program: NA
Amount Requested: NA
Account Number: NA
Project Phase: NA
Appropriation Required: NA

ORIGINATED BY:  
Dan Garcia, Assistant City Engineer  08/27/08

REVIEWED BY:  
Jack Wayt, City Manager  8/27/08
EL SEGUNDO CITY COUNCIL

AGENDA ITEM STATEMENT

MEETING DATE: September 2, 2008

AGENDA DESCRIPTION:

Consideration and possible action to introduce and waive first reading of ordinances amending the City's purchasing policies, adding regulations for executing contracts, and disposing surplus property. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Introduce and waive first reading of Ordinance to amend, in its entirety, El Segundo Municipal Code ("ESMC") Chapter 1-7 regulating purchasing procedures;

2. Introduce and waive first reading of Ordinance to add a new Chapter 1-7A to the ESMC establishing procedures for executing contracts;

3. Introduce and waive first reading of Ordinance to add a new Chapter 1-7B to the ESMC regulating the disposition of surplus property;

4. Alternatively, take such additional, related, action that may be desirable.

BACKGROUND & DISCUSSION:

The City's current purchasing policies were adopted in 1988. The proposed ordinances would help update the City's purchasing policies and create greater efficiency.

After carefully considering the need for fiscal controls, twenty years of inflation, and current City needs and practices, staff recommends an number of changes to the El Segundo Municipal Code ("ESMC"). If implemented, these changes will increase efficiency and allow the Purchasing Division to better serve the needs of all City Departments.

(Continued on next page)

ATTACHED SUPPORTING DOCUMENTS:

Draft Ordinance

FISCAL IMPACT:

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

ORIGINATED:

DATE:

Deborah Cullen, Finance Director

8/24/08

REVIEWED BY:

DATE:

Jack Wayt, City Manager

8/27/08

13
a. **Revise Purchasing and Bid Limits (Ordinance)** – Presently, no bidding is required for purchases of goods and equipment up to $7,500. Staff recommends adjusting the bidding threshold to $10,000 with no multiple quotes required. Based on the Consumer Price Index (CPI), $7,500 in 1988 is equivalent to $13,670 today. This revision conservatively adjusts for CPI and affords staff the opportunity to expedite purchases.

Through an analysis of authorized purchase orders over the last year, it was determined that 14.1% of purchases were between $10,000 and $25,000. In terms of total dollars spent, these purchases through FY 2007-2008 accounted for only 1.2% of total purchases. Currently purchases over $10,000 require City Council approval. Adoption of the proposed ordinance would allow purchases of up to $25,000 be awarded by the City Manager to improve administrative efficiency.

The following indicates current and proposed purchasing methods and approval thresholds:

### Current Process:

<table>
<thead>
<tr>
<th>Limits</th>
<th>Action</th>
<th>Authority to Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to $2,500</td>
<td>No bidding required</td>
<td>Purchasing Officer</td>
</tr>
<tr>
<td>$2,500 to $7,500</td>
<td>No bidding required, although encouraged</td>
<td>Purchasing Officer</td>
</tr>
<tr>
<td>$7,500 to $10,000</td>
<td>Informal Bid Process</td>
<td>Purchasing Officer</td>
</tr>
<tr>
<td>Greater than $10,000</td>
<td>Formal Bid Process</td>
<td>City Council</td>
</tr>
</tbody>
</table>

### Proposed Process:

<table>
<thead>
<tr>
<th>Limits</th>
<th>Action</th>
<th>Authority to Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to $2,500</td>
<td>No bidding required</td>
<td>Department Director</td>
</tr>
<tr>
<td>Over $2,500 up to $10,000</td>
<td>No bidding required</td>
<td>Department Director</td>
</tr>
<tr>
<td>Over $10,000 up to $25,000</td>
<td>Informal Bid Process</td>
<td>City Manager</td>
</tr>
<tr>
<td>Greater than $25,000</td>
<td>Formal Bid Process</td>
<td>City Council</td>
</tr>
</tbody>
</table>

b. **Define Bid Procedures (Ordinance)** – This ordinance outlines bid procedures to ensure that depending on the amount and type of purchase being made, the proper bid procedures are followed.

c. **Establishment of Procedures for Executing Contracts on the City’s behalf (Ordinance)** – This ordinance establishes that the City Council must approve all contracts over $25,000 and authorizes the mayor or other officer to sign on the city’s behalf. It also delegates the authority to execute contracts to staff as follows: Department Directors up to $2,500 and City Manager up to $25,000.
d. **Declaration and Award of Surplus (Ordinance)** – Authorize the Purchasing Officer to declare and select method of disposal for Surplus items up to $25,000 in value. Currently all surplus disposal must be declared by the City Council.

e. **Reporting** – Upon approval and adoption of newly approved ordinances, staff will provide City Council a quarterly accounting for contract purchase orders valued greater than $10,000 and up to $25,000 for the following year.
ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 7 TO TITLE 1 OF THE EL SEGUNDO MUNICIPAL CODE ("ESMC") IN ITS ENTIRETY TO ESTABLISH PURCHASING PROCEDURES FOR CITY PURCHASES AND SERVICES.

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

SECTION 1: Chapter 7 to Title 1 of the El Segundo Municipal Code ("ESMC") is amended in its entirety to read as follows:

"Chapter 7

PURCHASING

Sec. 1-7-1. Purpose.
Sec. 1-7-2. Definitions.
Sec. 1-7-3. Purchasing Officer Designated.
Sec. 1-7-4. Purchasing Officer's Powers and Duties.
Sec. 1-7-5. Encumbering Funds.
Sec. 1-7-6. Requisitions.
Sec. 1-7-7. Purchasing – Up to $10,000.
Sec. 1-7-8. Purchasing – Over $10,000 and up to $25,000.
Sec. 1-7-9. Purchasing – $25,000 and above.
Sec. 1-7-10. Waiver.
Sec. 1-7-11. Cooperative Purchasing.
Sec. 1-7-12. Emergency Purchasing.
Sec. 1-7-13. Segmentation Prohibited.
Sec. 1-7-14. Inspection.
Sec. 1-7-15. Professional Services.

Sec. 1-7-1. Purpose.

This chapter is adopted for the purpose of authorizing city officers to procure services, supplies, and equipment and establishing the manner by which such actions may occur. Nothing in this chapter is intended to, nor does it, apply to public works projects as defined by state law.

Sec. 1-7-2. Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this chapter:

A. "Contract" may include a purchase order, contract, or professional
services contract as the context may dictate.

B. “Supplies” includes general services; equipment, and other office supplies. “Supplies” does not include professional services.

Sec. 1-7-3. Purchasing Officer Designated.

The city manager is designated as the city’s purchasing officer. By written designation, the city manager may delegate purchasing officer responsibilities to another appointed officer. Supplies for city departments must be purchased in accordance with this code, those administrative regulations promulgated pursuant to this chapter, and such additional regulations that the city council may adopt.

Sec. 1-7-4. Purchasing Officer’s Powers and Duties.

In addition to those powers granted by applicable law, the purchasing officer has the authority and duty to:

A. Purchase or contract for supplies;

B. Promulgate administrative rules and regulations to implement the purposes of this chapter and as approved by the city manager;

C. Prescribe and maintain such forms as necessary for the proper operation of this purchasing system;

D. Supervise the inspection of all supplies purchased under this chapter, in order to ensure conformance with city specifications;

E. Maintain current bidder’s list, vendor catalogs, files and such other records as needed to perform job duties;

F. Perform such other tasks as may be necessary for the proper conduct of purchasing of supplies.

Sec. 1-7-5. Encumbering Funds.

Except as otherwise provided, the purchasing officer may not purchase supplies unless there is an unencumbered appropriation in the fund account against which such purchase would be charged.

Sec. 1-7-6. Requisitions.

All city departments must submit requisitions for supplies to the purchasing officer.
Sec. 1-7-7. Purchasing – Up to $10,000.

Purchases made for supplies with an estimated value of up to $10,000 may be purchased on the open market without bidding requirements.

Sec. 1-7-8. Purchasing – Over $10,000 and up to $25,000.

Purchases made for supplies with an estimated value over $10,000 and up to $25,000 require the following:

A. Purchases must, whenever possible, be based upon at least three (3) bids and be awarded to the lowest responsible bidder;

B. Bids must be written;

C. The purchasing officer or department directors may solicit such bids.

D. Notices inviting informal bids must be mailed, electronically mailed, or faxed at least ten (10) days before the deadline for submitting bids to all vendors on the city’s list for the category supplies being sought and to such other vendors as the purchasing officer deems appropriate.

E. The notice soliciting bids must describe the supplies needed in general and generic terms, identify security required for the bid, how bid specifications can be obtained, and designated the deadline and place for submitting informal bids.

F. The purchasing officer may require bidders to secure bids and performance in a manner approved by the purchasing officer and in a form approved by the city attorney. Unsuccessful bidders are entitled to the return of bid security within sixty (60) days after the date of the award.

G. Bids must be submitted to the city clerk’s office in a sealed envelope and be clearly marked as a bid along with the bidder’s name and project number written on the outside of the envelope. The city clerk’s office will open properly submitted bids at the time and place stated in the notice inviting bids. A written record and tabulation must be made at the time all bids are received and then opened.

H. Bids may be evaluated based upon bid amount, compliance with bid specifications, responsibility of the bidder, and any other
reasonable matter identified in the notice soliciting bids, this code, or any other rule or regulation promulgated to implement this chapter.

I. If the city does not receive any bids, the purchasing officer may act as follows, provided the requesting department concurs:

1. Abandon the purchase;

2. Re-bidding the purchase on an informal basis; or

3. Purchase the supplies on a direct negotiated contract.

J. If the purchasing officer determines bids are unacceptably high, or specifications were misleading, the purchasing officer may reject any bids presented and the item may be rebid.

K. The purchasing officer may reject all bids or award the purchase contract to the best qualified bidder whose bid or proposal fulfills the purpose intended according to criteria designated in the solicitation, provided that the contract award amount is within the unencumbered appropriation for that item. The purchasing officer may waive any minor bid irregularities.

L. If a successful bidder refuses to comply with, or fails to execute, a contract issued by the city within ten (10) days after being awarded the contract, the city may cancel the award and retain any bid security. Compliance with contract requirements includes, without limitation, submission of insurance documentation. Should this occur, the purchasing officer may award the contract to the next lowest responsible bidder.

Sec. 1-7-9. Purchasing — $25000 and above.

Purchases made for supplies with an estimated value of $25000 or more require the following:

A. Notices inviting informal bids must be posted at city hall and mailed, electronically mailed, or faxed at least ten (10) days before the deadline for submitting bids to all vendors on the city’s list for the category supplies being sought and to such other vendors as the purchasing officer deems appropriate.

B. The notice soliciting bids must describe the supplies needed in general and generic terms, identify security required for the bid, how bid specifications can be obtained, and designated the
C. The purchasing officer may require bidders to secure bids and performance in a manner approved by the purchasing officer and in a form approved by the city attorney. Unsuccessful bidders are entitled to the return of bid security within sixty (60) days after the date of the award.

D. Bids must be submitted to the city clerk’s office in a sealed envelope and be clearly marked as a bid along with the bidder’s name and project number written on the outside of the envelope. The city clerk’s office will open properly submitted bids at the time and place stated in the notice inviting bids. A written record and tabulation must be made at the time all bids are received and then opened.

E. Bids may be evaluated based upon bid amount, compliance with bid specifications, responsibility of the bidder, and any other reasonable matter identified in the notice soliciting bids, this code, or any other rule or regulation promulgated to implement this chapter.

F. The department seeking the supplies, will make a recommendation to the city council regarding the award of a contract based upon the department’s and purchasing officer’s evaluation.

G. If the city does not receive any bids, the city council may:

1. Abandon the purchase;

2. Authorize rebidding the purchase on an informal basis; or

3. Authorize purchasing the supplies on a direct negotiated contract.

H. If the city council determines bids are unacceptably high, or specifications were misleading, the purchasing officer may reject any bids presented and the item may be rebid.

I. The city council may reject all bids or award the purchase contract to the best qualified bidder whose bid or proposal fulfills the purpose intended according to criteria designated in the solicitation, provided that the contract award amount is within the unencumbered appropriation for that item. The city council may waive any minor bid irregularities.
J. If a successful bidder refuses to comply with, or fails to execute, a contract issued by the city within ten (10) days after being awarded the contract, the city may cancel the award and retain any bid security. Compliance with contract requirements includes, without limitation, submission of insurance documentation. Should this occur, the city council may award the contract to the next lowest responsible bidder.

Sec. 1-7-10. Waiver.

The city council may waive the purchasing procedures otherwise required by this chapter when required or desirable and in conformance with state law. For purposes of example, and not limitation, the city council may waive bidding requirements for obtaining supplies that are available from only one vendor as supported by appropriate documentation.

Sec. 1-7-11. Cooperative Purchasing.

The procedures set forth above need not be followed where the purchasing officer identifies a cooperative competitive bidding procedure, being prepared by and processed through another local, state, or federal governmental agency. Under such circumstances, the purchasing officer may join into an existing written purchase contract obtained within the last twelve (12) months through a competitive bidding process prepared by and awarded by another local, state or federal governmental agency. City Council consent is required for such arrangements where the estimated value of the supplies is $25,000 or more.

Sec. 1-7-12. Emergency Purchasing.

The city manager or acting city manager may authorize emergency purchases without observing the bidding procedures set forth in this chapter upon a finding that such purchases are required for the immediate protection of public health, safety, or welfare and that there is an immediate or imminent emergency. A declaration of emergency as set forth in this code is conclusive evidence of such an event. The city manager or acting city manager must provide a report to the city council at its next special or regular meeting regarding such emergency purchases which set forth the circumstances requiring such action.

Sec. 1-7-13. Segmentation Prohibited.

It is unlawful to knowingly take action to separate purchases into smaller units or segments solely for the purpose of evading the competitive formal or informal bidding requirements set forth in this chapter.

Sec. 1-7-14. Inspection.
The Purchasing Officer or department requesting the item shall inspect all deliveries of supplies and equipment to assure conformance with the contract or order specifications.

Sec. 1-7-15. Professional Services.

The city manager may contract for professional services in an amount not to exceed $25000. The manner by which such professional services are selected and contracted may be prescribed by administrative policy and procedures promulgated by the city manager.”

SECTION 2: Repeal of any provision of the ESMC, or any other City resolution or ordinance 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 3: 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 4: 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 5: This Ordinance will take effect on the 31st day following its final passage and adoption.

PASSED AND ADOPTED this ____ day of ________, 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
ORDINANCE NO. ____

AN ORDINANCE ADDING A NEW CHAPTER 7A TO TITLE 1 OF THE EL SEGUNDO MUNICIPAL CODE (“ESMC”) ESTABLISHING PROCEDURES FOR EXECUTING CONTRACTS ON THE CITY’S BEHALF.

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

SECTION 1: A new Chapter 7A entitled “Execution of Contracts,” consisting of §§ 1-7A-1 to 1-7A-6, is added to Title 1 of the El Segundo Municipal Code (“ESMC”) to read as follows:

"CHAPTER 7A

EXECUTION OF CONTRACTS

Sec. 1-7A-1 PURPOSE.
Sec. 1-7A-2 GENERALLY.
Sec. 1-7A-3 CITY COUNCIL AUTHORITY.
Sec. 1-7A-4 EMERGENCY CONTRACTING.
Sec. 1-7A-5 SIGNATURE AUTHORITY.
Sec. 1-7A-6 EMPLOYMENT CONTRACTS.

Sec. 1-7A-1 PURPOSE.

This chapter is adopted pursuant to the city’s general and specific contracting powers and, without limitation, Government Code § 40602 for the purpose of setting forth the requirements to bind the city by contract.

Sec. 1-7A-2 GENERALLY.

The city is not bound by any contract unless the contract is in writing, approved as to form by the city attorney, and signed on behalf of the city by an officer or officers as set forth in this chapter. Any such officer must sign a contract on the city’s behalf when directed to do so by the city council.

Sec. 1-7A-3 CITY COUNCIL AUTHORITY.

Unless otherwise provided in this code, a resolution, or ordinance, the city council must approve all contracts and direct the mayor, or other officer, to sign a contract on the city’s behalf.

Sec. 1-7A-4 EMERGENCY CONTRACTING.
In the event of a declared state of emergency, the city manager may bind the city, with or without a written contract, for the acquisition of equipment, materials, supplies, labor, services or other items.

Sec. 1-7A-5 SIGNATURE AUTHORITY.

In accordance with Government Code § 40602, the following officers are authorized to sign contracts on the City’s behalf:

A. The Mayor;
B. The city manager when directed to do so by the city council, resolution, ordinance, or any provision of this code;
C. The city manager for contracts up to $25000;
D. Department directors for contracts up to $2500.

Sec. 1-7A-6 EMPLOYMENT CONTRACTS.

The provisions of this Chapter do not apply to the employment of any person by the City at a regular salary."

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 take effect on the 31st day following its final passage and adoption.
PASSED AND ADOPTED this ____ day of ________, 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
ORDINANCE NO. ___

AN ORDINANCE ADDING CHAPTER 7B TO TITLE 1 OF THE EL SEGUNDO MUNICIPAL CODE ENTITLED "DISPOSITION OF SURPLUS PROPERTY."

The city council of the city of El Segundo does ordain as follows:

SECTION 1: A new Chapter 7B, entitled "Disposition of Surplus Property," and consisting of §§ 1-7B-1 to 1-7B-6, is added to Title 1 of the El Segundo Municipal Code ("ESMC") to read as follows:

"CHAPTER 7B

DISPOSITION OF SURPLUS PROPERTY

Sec. 1-7B-1. Authority.
Sec. 1-7B-2. Property without salvage value.
Sec. 1-7B-3. Property valued over $25,000.
Sec. 1-7B-4. Records.
Sec. 1-7B-5. Donations.
Sec. 1-7B-6. Proceeds of sale.

Sec. 1-7B-1. Authority.

The purchasing officer is authorized to sell or dispose of surplus personal property having a salvage value in the open market. Property disposition may occur by public auction, competitive sealed bids, or exchange or trade in for new goods. The sale or lease of surplus personal property to a governmental, public, or quasi-public agency may be without advertisement for or receipt of bids.

Sec. 1-7B-2. Property without salvage value.

Surplus personal property without salvage value, as determined by the purchasing officer, should be disposed of in a manner that salvages recyclable components.

Sec. 1-7B-3. Property valued over $25,000.
The City Council must direct disposition of surplus personal property with a value estimated at $25,000 or greater based upon a recommendation from the purchasing officer.

Sec. 1-7B-4. Records.

The purchasing officer must keep regular logs showing surplus personal property disposed of, the method of disposal, and the amounts recovered from its disposal and maintain records for public inspection relative to the disposal of surplus personal property for a period of time in compliance with state law and the city’s records retention schedule.

Sec. 1-7B-5. Donations.

Upon the advance written approval of the city manager, surplus personal property may be donated to governmental, public or quasi-public agencies, charities, or non-profit organizations.

Sec. 1-7B-6. Proceeds of sale.

Proceeds from the sale of surplus personal property must be deposited into the appropriate city fund."

SECTION 2: 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 3: 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 4: This Ordinance will take effect on the 31st day following its final passage and adoption.
PASSED AND ADOPTED this ___ day of ________, 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
RECOMMENDED COUNCIL ACTION: (1) Direct City staff to prepare an amendment to the El Segundo Municipal Code that would provide for the incidental monthly sale of no more than three at any one time and no more than eight automobiles per month by auto repair and maintenance facilities located within the Medium Manufacturing (MM) and Small Business (SB) zones; (2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:
The El Segundo Municipal Code permits Automobile Services in the Medium Manufacturing (MM) and Small Business (SB) zones, subject to a Conditional Use Permit if a three hundred foot minimum distance is provided from any residentially zoned property. Additionally, the Municipal Code defines Automobile Services as including accessory uses that allow for retail sales and services, and storage of tires, car parts and other automobile supplies.

It is recommended that the City Council give City staff direction to prepare a zoning regulation amendment that would permit the incidental monthly sale of no more than three at any one time and no more than eight automobiles per month in those zones where Automobile Services are currently an allowed use.

ATTACHED SUPPORTING DOCUMENTS:
Municipal Code Sections 15-6C-5 (Conditional Uses) and Section 15-6C-6 (Prohibited Uses) – Small Business District; Section 15-6D-5 (Conditional Uses) and Section 15-6D-6 (Prohibited Uses) – Medium Manufacturing District; and Section 15-1-6 (Definitions) Automobile Service Uses

FISCAL IMPACT: NONE

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

ORIGINATED BY:

DATE:

Eric Busch, Mayor Pro Tem

REVIEWED BY:

DATE:

Jack Wayt, City Manager

8-27-08
15-6C-5: USES SUBJECT TO CONDITIONAL USE PERMIT:

The following uses shall be allowed subject to obtaining a conditional use permit, as provided by chapter 23 of this title:

A. Automobile service uses, if a three hundred foot (300') minimum distance from any residentially zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

B. Freight forwarding.

C. Outdoor dining, exempting cafes, outdoor dining at restaurants and drive-through restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-through restaurant, but not exceeding two hundred (200) square feet of floor area.

D. Service stations, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

E. Other similar uses approved by the director of community, economic and development services, as provided by chapter 22 of this title. (Ord. 1308, 9-21-1999; amd. Ord. 1315, 1-18-2000; Ord. 1395, 5-16-2006)
15-6C-6: PROHIBITED USES:

A. Automobile dismantling businesses.

B. Automobile service uses located within three hundred feet (300') of any residentially zoned property. This distance criteria does not apply to properties east of Sepulveda Boulevard.

C. Drive-through restaurants located west of Sepulveda Boulevard. (Ord. 1308, 9-21-1999)
15-6D-5: USES SUBJECT TO CONDITIONAL USE PERMIT:

The following uses shall be allowed subject to obtaining a conditional use permit, as provided by chapter 23 of this title:

A. Automobile service uses, if a three hundred foot (300') minimum distance from any residentially zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

B. Freight forwarding.

C. Outdoor dining, exempting cafes, outdoor dining at restaurants and drive-through restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-through restaurant, but not exceeding two hundred (200) square feet of floor area.

D. Service stations, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

E. Other similar uses approved by the director of community, economic and development services, as provided by chapter 22 of this title. (Ord. 1308, 9-21-1999; amd. Ord. 1315, 1-18-2000; Ord. 1395, 5-16-2006)
15-6D-6: PROHIBITED USES:

A. Automobile dismantling businesses.

B. Automobile service uses located within three hundred feet (300') of any residentially zoned property. This distance criteria does not apply to properties east of Sepulveda Boulevard.

C. Drive-through restaurants located west of Sepulveda Boulevard. (Ord. 1308, 9-21-1999)
15-1-6: DEFINITIONS:

The following words and phrases, when used in this Title, shall have the meanings respectively ascribed to them in this Chapter:

AUTOMOBILE DISMANTLING: The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts.

AUTOMOBILE SERVICES: Automobile repair and maintenance, which includes body and fender work, engine overhauling and replacement, transmission work, automobile painting, and car washing, and may also include as accessory uses: retail sales and services, and storage of tires, car parts and other automobile supplies.