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.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JUNE 15, 2010 - 7:00 P.M.

ITEM 11a. ADDED UNDER CONSENT AGENDA

Next Resolution # 4554
Next Ordinance # 1443

7:00 P.M. SESSION

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE – Council Member Carl Jacobson
PRESENTATIONS

a. Presentation to El Segundo Boys Volleyball Team for CIF Championship

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 to open a public hearing and receive public testimony concerning adopting a resolution supporting the proposed issuance of Recovery Zone Facility Revenue Bonds (RZFRB) by the California Municipal Finance Authority (CMFA) in an amount not to exceed $250,000,000, to finance or refinance the acquisition, construction, reconstruction and/or renovation of certain improvements related to the manufacturing of usable fuels and petroleum products at the Chevron El Segundo Refinery located at 324 W. El Segundo Blvd. (Fiscal Impact: None)
Recommendation – (1) Open the public hearing; (2) Take public testimony; (3) Adopt resolution approving CMFA’s issuance of financing for Chevron Corporation’s RZFRB project(s); (4) Alternatively, discuss and take other action related to this item.

2. Consideration and possible action to open a public hearing and receive testimony regarding: 1) an Environmental Assessment for a proposed Categorical Exemption; and 2) a Zone Text Amendment amending the El Segundo Municipal Code (“ESMC”) off-street parking and loading regulations. Applicant: City Initiated. (Fiscal Impact: N/A)
Recommendation – (1) Open the public hearing; (2) Discussion; (3) Introduce and waive first reading of Ordinance for Zone Text Amendment No. 07-02; (4) Schedule second reading and adoption of Ordinance on July 6, 2010 or on the first regularly scheduled meeting thereafter; (5) Alternatively, discuss and take other action related to this item.
3. Receive and file report prepared by the County of Los Angeles regarding transitioning the El Segundo Fire Department’s ("ESFD") services to the Consolidated Fire Protection District of Los Angeles County (aka the Los Angeles County Fire Department). Consideration and possible action to direct staff to undertake further analysis of potential impacts including, without limitation, an analysis pursuant to Elections Code § 9212 regarding an initiative petition currently being circulated that would require, if adopted, that ESFD’s services be performed by the County.

Recommendation – (1) Receive and file report prepared by the County of Los Angeles regarding transitioning ESFD to the County; (2) Consideration and possible action to direct staff to undertake further analysis of the impacts of transitioning ESFD to the County including, without limitation, an analysis under Elections Code § 9212 regarding the initiative petition currently being circulated that would require, if adopted, that ESFD be transitioned to the County; (3) Alternatively, take other related action as directed by Council.

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

4. Consideration and possible action to announce the candidates of the Library Board of Trustees, Senior Citizen Housing Corporation Board, Community Cable Advisory Committee and Environmental Committee. (Fiscal Impact: None)

Recommendation – (1) Announce the appointees to the Library Board of Trustees, Senior Citizen Housing Corporation Board, Community Cable Advisory Committee and Environmental Committee, if any; (2) Alternatively, discuss and take other action related to this item.

E. CONSENT AGENDA

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

5. Warrant Numbers 2577515 to 2577710 on Register No. 17 in the total amount of $581,715.13 and Wire Transfers from 5/20/10 through 6/03/10 in the total amount of $993,013.75.

Recommendation – Approve Warrant Demand Register and authorize staff to release. Ratify: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.
6. Regular City Council Meeting Minutes of June 1, 2010 and Special Meeting Minutes of June 1, 2010.
Recommendation – Approval.

7. Consideration and possible action regarding approval of a Resolution delegating authority for making disability determinations to the City Manager and Human Resources Director pursuant to Government Code § 21173. (Fiscal Impact: None)
Recommendation – (1) Approve attached Resolution; (2) Alternatively, discuss and take other action related to this item.

8. Consideration and possible action to award a standard Public Works Contract to Advance Sewer Technologies, Inc. for the Cleaning and Closed Circuit Television (CCTV) inspection of sewer lines west of Sepulveda Boulevard between El Segundo Boulevard and Imperial Avenue. (Project No.: PW 10-02) and adoption of Plans and Specifications for the CCTV inspection of sewer lines east of Sepulveda Boulevard, between El Segundo Boulevard and Imperial Highway. (Fiscal Impact $183,951.11)
Recommendation – (1) Authorize the City Manager to execute a Standard Public Works Contract in a form as approved by the City Attorney with Advanced Sewer Technologies, Inc., in the amount of $167,228.28; (2) Adopt Plans and Specifications and authorize staff to advertise the project for receipt of construction bids.; (3) Alternatively, discuss and take other action related to this item.

9. Consideration and possible action regarding the second reading and adoption of Ordinance No. 1443 amending regulation of massage establishments within the City of El Segundo. (Fiscal Impact: None)
Recommendation – (1) Waive second reading and adopt Ordinance No. 1443; (2) Alternatively, discuss and take other action related to this item.

10. Consideration and possible action regarding the design and location of a City of El Segundo monument sign provided by the Boeing Corporation at the intersection of Imperial Highway and Sepulveda Boulevard. (Fiscal Impact: None)
Recommendation – (1) Approve the proposed City of El Segundo monument sign design and location at the intersection of Imperial Highway and Sepulveda Boulevard; (2) Alternatively, discuss and take other action related to this item.
11. Consideration and possible action to approve a contract amendment to the employment agreement with Robert Hyland for the position of Director of Human Resources, effective July 1, 2010. (Fiscal Impact: $73,500)

Recommendation – (1) Authorize the City Manager to execute an extension to the contract employment agreement, in a form acceptable to the City Attorney; (2) Alternatively, discuss and take other action related to this item.

11a. Consideration and possible action to approve Big West Construction Corporation's request to replace Colocho Glass as a subcontractor for Group 39 (Project No. RSI 10-02) of the City’s Residential Sound Insulation Program with Discount Exteriors. (Fiscal Impact: None)

Recommendation – (1) Receive and file correspondence received from Big West Construction Corporation; (2) Approve request and authorize Big West to replace Colocho Glass as a subcontractor for Group 39 (Project No. RSI 10-01) of the City's Residential Sound Insulation Program with Discount Exteriors; (3) Alternatively discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

12. Consideration and possible action to establish an annual Tobacco Retail License Fee. (Fiscal Impact: None)

Recommendation – (1) Provide direction to staff regarding adopting a Tobacco Retail License Fee; (2) Alternatively, discuss and take other action related to this item.

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK
13. Consideration and possible action regarding Council consensus to cancel the July 6, 2010 City Council Meeting. (Fiscal Impact: None)
Recommendation – (1) Approve cancellation of the July 6, 2010 City Council Meeting; (2) Alternatively, discuss and take other action related to this item.

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fuentes –

Council Member Brann –

Council Member Jacobson –

Mayor Pro Tem Fisher –

Mayor Busch –

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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: June 11, 2010
TIME: 11:15 a.m.
NAME: [Signature]
AGENDA DESCRIPTION:
Consideration and possible action to approve Big West Construction Corporation's request to replace Colocho Glass as a subcontractor for Group 39 (Project No. RSI 10-02) of the City's Residential Sound Insulation Program with Discount Exteriors.
(Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Receive and file correspondence received from Big West Construction Corporation;
2. Approve request and authorize Big West to replace Colocho Glass as a subcontractor for Group 39 (Project No. RSI 10-01) of the City's Residential Sound Insulation Program with Discount Exteriors;
3. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Letter from Big West Construction Corporation to City dated June 9, 2010
2. Letter from Colocho Glass to Big West Construction Corporation dated June 10, 2010
3. Letter from Discount Exteriors dated June 9, 2010

FISCAL IMPACT: None
Amount Budgeted: $789,580
Additional Appropriation: N/A
Account Number(s): 116-400-0000-8960

ORIGINATED BY: James S. O'Neill, Program Manager
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
On February 16, 2010, the City Council awarded a contract to Big West Construction Corporation (Big West) for Group 39 of the City's Residential Sound Insulation Program. (Project No. RSI 10-01)

On June 9th and 10th, 2010 the City received the attached documentation requesting authorization to substitute Colocho Glass (dated June 8) and the letter from Colocho Glass to Big West (dated June 9). Big West has also provided a copy of letter from Discount Exteriors documenting that they have agreed to subcontract with Big West for the project (dated June 9).

As it appears Colocho Glass is incapable of performing the subcontracted work, staff recommends that the City Council approve the request from Big West Construction Corporation to replace Colocho Glass as a subcontractor on the project and allow Discount Exteriors to perform such work.
June 8, 2010

James O’Neill
Program Manager
Residential Sound Insulation Program
City of El Segundo
333 Main Street
El Segundo, CA 90245

Subject: Group 39

Reference: Letter from Jay Bardoner (Colocho Glass)

Due to the inability of Colocho Glass to finance the project, I am requesting to substitute Discount Exteriors to perform window and sliding glass door installation. This situation was just recently brought to our attention and we worked with Colocho to try to resolve the situation. It has also been brought to our attention that the partnership is being vacated and that liability insurance is no longer in force.

Since we are to start work on Monday, June 14th, this has created an emergency situation and I have contacted Discount Exteriors and plan to enter a contract with them today. They have all of the data gathered by Colocho from the FMV’s and is prepared to take over this project with no adverse impact anticipated.

If you have any questions, please contact me at 949-795-2219.

Tom Carr
President
Big Wet Construction Corporation
TO: Big West Construction
FROM: COLOCHO GLASS

DATE: 06/09/10

COLOCHO GLASS
NORTH HOLLYWOOD, CA. 91606
CA. LIC. #928937

El Segundo 39

Tom Carr,

Due to financial hardship on Colocho Glass, we will not be able to perform El Segundo Group 39. This in no way means that we will not be able to perform on other contracts. Unfortunately, our financier, was unable to loan us money on this project for our overhead. (i.e. material, payroll, etc)

We are terribly sorry for any inconvenience this may cause, and with great regret, we respectfully withdraw from El Segundo group 39.
We sincerely hope that we can still do business in the future.

Sincerely,
COLOCHO GLASS
JAY BARDOKER

* COLOCHO GLASS DOES NOT OBJECT TO BEING SUBSTITUTED BY DISCOUNT EXTERIORS
To whom it may concern,  

6/9/10

Discount Exteriors has agreed to sub contract with Big West Construction Group for the El Segundo 39 residential sound insulation project. Discount will be responsible for the installation of the vinyl and aluminum sound windows, primary and secondary sliding doors, secondary glass and skylights. All of us at Discount are committed to see that our work is done on schedule and per the specifications. I feel that the information provide to us from Big West including detailed notes and measurement of the above listed items to be installed is well organized and will start us out on the right foot. We look forward to working with Big West and the city of El Segundo on this project.

Lyce Davis