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 7, 2010 – 5:00 P.M.

Next Resolution # 4675
Next Ordinance # 1447

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:

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) -3- matter

1. City of El Segundo vs. City of Los Angeles, et. al. LASC Case No. BS094279
2. Mike Chidester vs. City of El Segundo WCAB No. LB00391313, LB 00391307, LB00391308, LB00391306, LB00391310, LB00391309
3. Michael White vs. City of El Segundo WCAB No: Unassigned

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

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

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): -1- matters

1. Represented Group: Police Support Services Employees Association (PSSEA), City Employees Association (CEA), Firefighters Association (FFA), Police Managers Association (PMA), Police Officers Association (POA), Supervisory and Professional Employees (S&P) 
   Negotiators: Jack Wayt and Bob Hyland

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov’t Code §54956.8): -0- matters
AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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

7:00 P.M. SESSION

Next Resolution # 4675
Next Ordinance # 1447

CALL TO ORDER

INVOCATION – Pastor Rob McKenna, El Segundo Foursquare Church

PLEDGE OF ALLEGIANCE – Council Member Carl Jacobson
PRESENTATIONS

a. Presentation by the El Segundo Library introducing the “One City, One Book” event during September and October.
b. Presentation to 2010 El Segundo Little League All Stars

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.

1. Applicant’s request for re-consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and off-site consumption of alcohol at an existing convenience store located at 601 North Sepulveda Boulevard. Applicant: Veronica Becerra (Fiscal Impact: N/A)
   
   The applicant requests that the Council reconsider and rescind its previous decision at its August 3, 2010 meeting to file an objection to a new Type 20 ABC license at 601 North Sepulveda Boulevard. The applicant will present information to the Council related to the license request.

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)

2. Consideration and possible action to open a public hearing and receive public testimony concerning the Tax Exempt Revenue Bonds by the California Municipal Finance Authority (CMFA) in an amount not to exceed $25,000,000, to finance the acquisition, rehabilitation, improvement and equipping of certain real property and improvements (consisting of a building located at 1940 E. Mariposa Avenue, El Segundo, California 90245) (Fiscal Impact: None)

Recommendation – (1) Open the public hearing; (2) Take public testimony; (3) Consider whether to adopt resolution approving CMFA’s issuance of financing for Coastal Properties Foundation project(s); (4) Alternatively, discuss and take other action related to this item.
3. Consideration and possible action regarding the presentation of the fiscal year 2010-2011 Preliminary Budget and Five-Year Capital Improvement Plan including discussion and possible direction regarding all city revenues and expenditures. (Fiscal Impact: Revenues of $49.7 million, Expenditures of $53.3 million, with a remaining budget gap of $3.6 million)

Recommendation – (1) Open Public Hearing; (2) Staff presentation of the 2010-2011 Preliminary Budget and Council direction to staff regarding all City revenues and expenditures (includes potential discussion and direction relating to all City Department revenues and expenditures); (3) Continue the Public Hearing to September 21, 2010; (4) Schedule the budget adoption for the September 21, 2010 meeting; (5) Alternatively discuss and take other action related to this item.

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

4. Consideration and possible action to receive and file the Annual Report of the Capital Improvement Program Advisory Committee (CIPAC). Oral presentation will be made by CIPAC Chairman Crista Binder (Fiscal Impact: None)

Recommendation – (1) Receive and file the Annual Report of CIPAC; (2) Receive the oral presentation; (3) 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 2578648 to 2578900 on Register No. 22 in the total amount of $1,006,544.68 and Wire Transfers from 08/06/10 through 08/26/10 in the total amount of $2,637,166.78.

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 August 17, 2010 and Special City Council Meeting of August 20, 2010

Recommendation – Approval.

7. Receive and file report on recently accepted donations from El Segundo Kiwanis Club in the amount of $500 for the purchase of new lockers for the El Segundo Teen Center, and $300 for the Teen Center/R.E.A.C.T Golf Tournament. (Fiscal Impact: None)

Recommendation – (1) Receive and file report on recently accepted donations from El Segundo Kiwanis Club in the amount of $500 for the purchase of new lockers for the El Segundo Teen Center, and $300 for the Teen Center/R.E.A.C.T Golf Tournament. (2) Alternatively, discuss and take other action related to this item.

8. Consideration and possible action regarding the approval of amendments to the Plan of Operations as proposed by the El Segundo Senior Citizens Housing Corporation Board at its July 2010 meeting. (Fiscal Impact: None)

Recommendation – (1) Approval of the amended Plan of Operations; (2) Alternatively, discuss and take other action related to this item.

9. Consideration and possible action regarding the adoption of a Conflict of Interest Code required by The Political Reform Act (Government Code Section 81000 et. seq.) rescinding Resolution No. 4563 and adopting a new resolution approving a new Conflict of Interest Code. (Fiscal Impact: None)

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

10. Consideration and possible action regarding adoption of a resolution authorizing the annual destruction of identified records in accordance with the provisions of Section 34090 of the Government Code of the State of California. (Fiscal Impact: Not to exceed $1,000)

Recommendation – (1) Adopt Resolution authorizing the destruction of certain records; (2) Alternatively, discuss and take other action related to this item.
11. Consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and on-site consumption of alcohol, in conjunction with the operation of a new café and bar/lounge in an existing 16-screen theater located at 831 South Nash Street (Pacific Theaters/ArcLight). Applicant: Beach Cities ArcLight c/o Art Rodriguez (Fiscal Impact: N/A)

Recommendation – (1) Receive and file this report without objecting to a new Type 47 ABC license at 831 South Nash Street; (2) Alternatively, discuss and take other possible action related to this item.

12. Consideration and possible action regarding Adoption of Plans and Specifications for a new Beach Bathroom Facility and Lifeguard Station at the El Segundo Beach (south end of the beach parking lot, at the end of Grand Avenue on Vista Del Mar) Project No.: PW10-09; (Fiscal Impact: $900,000)

Recommendation – (1) Adopt Plans and Specifications; (2) Authorize staff to advertise the project for receipt of construction bids; (3) Alternatively, discuss and take other action related to this item.

13. Consideration and possible action to approve organizational changes in the Public Works Department, which include elimination of the Senior Administrative Analyst position, reclassification of one of two Meter Reader/Repairer positions to Water Maintenance Worker II, and reclassification of the Senior Administrative Specialist position to Administrative Specialist. (Fiscal Impact: Budget savings of approximately $152,999.00)

Recommendation – (1) Approve the elimination of the Senior Administrative Analyst position; (2) Approve the reclassification of one of two Meter Reader/Repairer positions to Water Maintenance Worker II; (3) Approve the reclassification of the Senior Administrative Specialist position to Administrative Specialist; (4) Alternatively discuss and take other action related to this item.

14. Consideration and possible action to award a standard Public Works Contract to ACE Electric, Inc. for Recreation Park Phase III Field Lighting Project. Project No.: PW10-07 (Fiscal Impact: $203,810)

Recommendation – (1) Waive minor irregularities in the bid received from ACE Electric, Inc.; (2) Authorize the City Manager to execute a Standard Public Works Contract in a form as approved by the City Attorney with ACE Electric, Inc., in the amount of $203,810; (3) Alternatively, discuss and take other action related to this item.
15. Consideration and possible action to terminate the current City Manager's contract with Jack Wayt and execute a new City Manager's contract with Jack Wayt for a six month term while the Council conducts a search for a new city manager. Additionally, authorize the Mayor to execute a contract with an executive search firm in an amount not to exceed $25,000. (Fiscal Impact: Approximately $108,000 – City Manager salary, and $20,000 for executive search firm.)

Recommendation – (1) Terminate the existing City Manager's contract effective September 30, 2010; (2) Approve a new contract with the current City Manager for the period of October 1, 2010 through March 31, 2011; (3) Authorize the Mayor to execute a contract with an executive search firm for purposes of recruiting a new city manager to commence work on or about April 1, 2011; (4) Alternatively, discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fuentes –
Council Member Brann –

16. Consideration and possible action to direct staff to prepare documents in preparation for implementing Proposition 218 protest procedures regarding residential trash collection service fees. (Fiscal Impact: Approximately $600,000 in revenue to the General Fund for trash collection services.)

Recommendation – (1) Direct staff to prepare documents in preparation for implementing Proposition 218 protest ballot procedures for residential trash collection service fees.; (2) Alternatively, discuss and take other action related to this item.

Council Member Jacobson –

Mayor Pro Tem Fisher –

Mayor Busch –

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

MEMORIALS –

CLOSED SESSION

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

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:

DATE: Sept. 2, 2010

TIME: 12 noon

NAME: [Signature] 9 009
PRESENTATIONS

a. Presentation by the El Segundo Library introducing the "One City, One Book" event during September and October.

b. Presentation to 2010 El Segundo Little League All Stars
1. Applicant's request for re-consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and off-site consumption of alcohol at an existing convenience store located at 601 North Sepulveda Boulevard. 

Applicant: Veronica Becerra (Fiscal Impact: N/A)

The applicant requests that the Council reconsider and rescind its previous decision at its August 3, 2010 meeting to file an objection to a new Type 20 ABC license at 601 North Sepulveda Boulevard. The applicant will present information to the Council related to the license request.
AGENDA DESCRIPTION:
Consideration and possible action to open a public hearing and receive public testimony concerning the Tax Exempt Revenue Bonds by the California Municipal Finance Authority (CMFA) in an amount not to exceed $25,000,000, to finance the acquisition, rehabilitation, improvement and equipping of certain real property and improvements (consisting of a building located at 1940 E. Mariposa Avenue, El Segundo, California 90245 (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Open the public hearing;
2. Take public testimony;
3. Consider whether to adopt resolution approving CMFA's issuance of financing for Coastal Properties Foundation project(s);
4. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Draft resolution approving CMFA's issuance of bonds

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

ORIGINATED BY: Bill Crowel, Assistant City Manager
REVIEWED BY: Bill Crowel, Assistant City Manager
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
The City Council is asked to consider adopting a resolution allowing tax-exempt bonds to be issued by the California Municipal Finance Authority (the “Authority”) for financing the acquisition, rehabilitation, improvement and equipping of certain real property and improvements for the benefit of the Coastal Properties Foundation, a California nonprofit public benefit corporation (the “Borrower”) known as the Westside Regional Center (“WRC”). To be tax-exempt, bond issues must be approved by an appropriate governmental unit in accordance with Internal Revenue Code (“IRC”) § 147(f) and Section 4 of the Authority’s Joint Powers Agreement (the “Agreement”). Here, the City Council is asked to give approval as the “elected representative” of the city of El Segundo pursuant to IRC § 147(f)(2)(B)(i). There is no legal
requirement, however, for the City to act as the governmental unit that approves this bond issuance; other governmental units can approve the bonds on behalf of the Coastal Properties Foundation. Adopting the draft resolution would only give the City Council’s approval for issuing the bonds in accordance with the IRC; no other approvals are provided. And, the City is not financially or legally liable for the bonds.

In order for the Authority to issue such Bonds, the City must (1) conduct a public hearing allowing members of the public to comment on the proposed Project, and (2) approve of the Authority’s issuance of Bonds on behalf of the proposed financing. Although the Authority (not the City) will be the issuer of the tax-exempt revenue bonds for the Project, the financing cannot proceed without the City being a member of the Authority.

The Authority is a California joint exercise of powers authority created on January 1, 2004, organized and existing under the laws of the State of California (specifically, California Government Code Section 6500 and following). Under the California Government Code, cities are authorized to form by agreement a governmental entity that combines the powers of such entities to perform certain governmental functions specifically outlined in the Agreement. To date, over 100 municipalities, including the City of El Segundo, have become members of CMFA. The Authority is authorized to assist in the financing of exempt facilities projects.

There is no direct or indirect financial impact to the City of El Segundo as a result of this proposed financing. The Authority will issue tax-exempt revenue bonds on behalf of the Project. The tax-exempt revenue bonds are payable solely out of the revenues derived by the Borrower from the applicable Project. No financial obligations are placed on the City for project financing costs or debt repayment. However, the Authority will charge the Borrower an upfront fee for the issuance of the Bonds. From that fee, the Authority would allocate up to $11,666 to the City of El Segundo for its use toward any municipal purpose. The borrower will be the beneficiary of a charitable donation through a 25% reduction in issuance fees.

It is recommended that the City Council consider whether to adopt the draft resolution. If adopted, the resolution would approve issuance of tax-exempt revenue bonds by California Municipal Finance Authority in an aggregate principal amount not to exceed $25 million, to assist the Coastal Properties Foundation.
RESOLUTION NO. ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO APPROVING THE ISSUANCE OF CALIFORNIA MUNICIPAL FINANCE AUTHORITY REVENUE BONDS (WESTSIDE REGIONAL CENTER PROJECT), SERIES 2010, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $25,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, REHABILITATION, IMPROVEMENT AND EQUIPPING OF AN OFFICE BUILDING AND OTHER RELATED MATTERS.

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

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

A. The California Municipal Finance Authority (the “Authority”) is authorized pursuant to Government Code §§ 6500, et seq. and the terms of a Joint Exercise of Powers Agreement, dated January 1, 2004 (the “Agreement”), among certain local agencies throughout the State of California, including the City of El Segundo (the “City”), to issue revenue bonds for the purpose of promoting economic development in the state of California;

B. The Coastal Properties Foundation, a California nonprofit public benefit corporation or any successor thereto or assign thereof (the “Borrower”), requested that the Authority participate in the issuance of revenue bonds, in one or more series and at one or more times, in an aggregate principal amount not to exceed $25,000,000 (the “Bonds”) for the purpose of financing the acquisition, rehabilitation, improvement and equipping of certain real property and improvements thereon (consisting of a building located within the City of El Segundo (the “City”), at 1940 E. Mariposa Avenue, El Segundo, California 90245) and to pay certain expenses incurred in connection with the issuance of the Bonds (the “Project”);

C. The principal tenant of the Project will be the Coastal Developmental Services Foundation, Inc., known as the Westside Regional Center (“WRC”), which will use the Project primarily in the furtherance of its charitable mission of coordinating services to individuals with developmental disabilities;

D. Pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the “Code”), before their issuance, they are required to be approved by the “applicable elected representative” of the governmental unit on whose behalf such bonds are expected to be issued and by a governmental unit having jurisdiction over the entire area in which any facility financed by such bonds is to be located, after a public hearing held following reasonable public notice;

E. The members of this City Council (“Council”) are the applicable elected representatives of the City;
F. Notice of this public hearing was published in a newspaper of general circulation regarding the Bonds at least 14 days before the public hearing. Such public hearing was conducted on such date, at which time an opportunity was provided to interested parties to present arguments both for and against the issuance of the Bonds;

G. It is intended that this Resolution constitutes the approval of the issuance of the Bonds required by Section 147(f) of the Code and Section 4 of the Agreement.

SECTION 2: The above recitals are true and correct.

SECTION 3: The Council approves the issuance of the Bonds by the Authority. It is the purpose and intent of the Council that this resolution constitute approval of the Bonds for the purposes of (a) Section 147(f) of the Code and (b) Section 4 of the Agreement.

SECTION 4: The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing approved hereby.

SECTION 5: The City Clerk will forward a certified copy of this Resolution and a copy of the affidavit of publication of the hearing notice to:

Russ Trice, Sr. Associate
Fulbright & Jaworski L.L.P.
555 South Flower Street, Forty-First Floor
Los Angeles, California 90071

SECTION 6: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this 7th day of September, 2010.

Eric Busch, Mayor
ATTEST:

Cindy Mortesen,
City Clerk

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

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

Consideration and possible action regarding the presentation of the fiscal year 2010-2011 Preliminary Budget and Five-Year Capital Improvement Plan including discussion and possible direction regarding all city revenues and expenditures. (Fiscal Impact: Revenues of $49.7 million, Expenditures of $53.3 million, with a remaining budget gap of $3.6 million)

RECOMMENDED COUNCIL ACTION:

(1) Open Public Hearing
(2) Staff presentation of the 2010-2011 Preliminary Budget and Council direction to staff regarding all City revenues and expenditures (includes potential discussion and direction relating to all City Department revenues and expenditures)
(3) Continue the Public Hearing to September 21, 2010;
(4) Schedule the budget adoption for the September 21, 2010 meeting;
(5) Alternatively discuss and take other action related to this item

ATTACHED SUPPORTING DOCUMENTS:

1. FY 2010-2011 Preliminary Budget Summary

FISCAL IMPACT: Revenues of $49.7 million, Expenditures of $53.3 million, with a remaining budget gap of $3.6 million

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<td>Account Number(s):</td>
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ORIGINATED BY: Angelina Garcia, Fiscal Services Manager
REVIEWED BY: Deborah Cullen, Director of Finance
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

COMPLETE STAFF REPORT AND ATTACHMENTS TO BE DELIVERED UNDER SEPARATE COVER.
AGENDA DESCRIPTION:

Consideration and possible action to receive and file the Annual Report of the Capital Improvement Program Advisory Committee (CIPAC). Oral presentation will be made by CIPAC Chairman Crista Binder (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

(1) Receive and file the Annual Report of CIPAC; (2) Receive the oral presentation; and (3) Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

CIPAC Recommendations for FY 2010-2011 (Annual Report)

FISCAL IMPACT: None

Amount Budgeted: $0
Additional Appropriation: N/A
Account Number(s): N/A

ORIGINATED BY: Dan Garcia, Assistant City Engineer
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

CIPAC is a 5-member committee appointed by City Council to evaluate and recommend projects to be funded under the City’s FY 2010/11 Capital Improvement Program. In June and July, CIPAC reviewed 10 proposed projects totaling $1,315,000.00, solicited public input and completed project evaluations. The attached annual report presents the final recommendations of the Committee to fully fund or not fund the 10 projects based on this year’s capital budget of $1,010,000. Full funding for only five (5) projects has been recommended due to limited funding availability. The remaining five (5) were not recommended for funding.
CAPITAL IMPROVEMENT PROGRAM
ADVISORY COMMITTEE

RECOMMENDATIONS FOR
FISCAL YEAR 2010-2011

CITY OF
EL SEGUNDO

CAPITAL IMPROVEMENT PROGRAM
ADVISORY COMMITTEE

Chairman: Crista Binder
Vice-Chairman: Chris Powell
Committee Member: A.J. Paz
Committee Member: David Atkinson
Committee Member: Scott Houston
# TABLE OF CONTENTS

Transmittal Memo to Mayor and City Council Members.......................... 2
Capital Improvement Program Overview........................................... 3
2010/11 CIPAC................................................................................. 3
Funding Sources ............................................................................... 4
Project Evaluations and Scoring Criteria............................................ 5
10-Year Plan Purpose ...................................................................... 6
Conclusion .................................................................................... 6
Capital Improvement Project Recommendations for FY 2010-2011 ....... 7

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APPENDIX I: Summary List of Projects
APPENDIX II: Project Detail Sheets
DATE: September 7, 2010

TO: Honorable Mayor and City Council Members

FROM: The Capital Improvement Program Advisory Committee (CIP)

SUBJECT: Capital Improvement Project Recommendations for FY 2010/11

The City of El Segundo is a charming, 5.46 square mile beach community with a dynamic mix of residential and business districts. With a daytime workforce population exceeding 70,000 and a nighttime residential population of approximately 17,000, the City is committed to maintaining the vital infrastructure needed to support this world-class community.

In order to maintain and grow economic development in our region as well as to continue to provide outstanding public services, it is critical that El Segundo continue to invest in streets, sewers, water distribution, street lighting, and emergency services. Such investment also directly benefits the quality of life of our residents through beautiful parks, youth and senior community activities, downtown revitalization and high property values. In order to continue providing exceptional services, it is projected that nearly $87 million will be needed over the next decade to adequately maintain current facilities, provide new infrastructure where needed, implement new technologies for the health and welfare of local citizens, and prepare for a major disaster. Annually, these goals can be achieved through implementation of capital projects identified and recommended by staff and the Capital Improvement Program Advisory Committee (CIPAC) and approved by City Council.
OVERVIEW

The Capital Improvement Program Advisory Committee (CIPAC) is comprised of five members appointed by City Council to four-year terms. Each year beginning in late spring, the committee convenes to review and rank capital projects put forward by both staff and the community through a public input process. The dynamic and well-developed ranking system used considers several factors and benefits which are described on page 5 under Project Evaluation and Scoring Criteria. The ranking system also incorporates the goals established in the Land Use Planning section of the City’s General Plan.

Once rankings are assigned, funding is then allocated to the highest ranking projects based on several considerations, which include:

- The source of funding (general funds, propositions, grants, enterprise funds, etc.);
- Whether the particular funding source has limitations and/or restrictions on the type of project that can be funded;
- Whether other sources of matching funds have already been secured;
- Whether the project needs partial or full funding to be carried out; and
- Whether the project was carried over for consideration from previous years, etc.

The final list of recommended projects is forwarded to City Council, typically in September of each year when the annual fiscal budget is presented and adopted.

2010/11 CIPAC

This year, ten (10) projects worth a combined total of $1,315,500 were submitted to CIPAC for funding consideration and evaluation. The available funding pool for these projects is $1,010,000, which is significantly less than in previous years due to economic factors both locally and nationally. Of the ten projects considered, CIPAC recommended that five projects receive full funding and that the remaining five receive no funding. No projects were recommended for partial funding this year.
FUNDING SOURCES

Available funding sources for the FY 2010/11 Capital Improvement Program (CIP) include the Water Fund, Sewer Fund, Proposition C and Gas Tax, for a total of $1,010,000. No funds were allocated this year from the General Fund, Proposition 1B, Community Development Block Grant, Proposition 42 and Measure R. A summary of the estimated funding sources is as follows:

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Water Fund</td>
<td>$340,000</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$500,000</td>
</tr>
<tr>
<td>Proposition C</td>
<td>$120,000</td>
</tr>
<tr>
<td>Gas Tax</td>
<td>$50,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,010,000</strong></td>
</tr>
</tbody>
</table>

**Water and Sewer Fund**

Sewer rates increase annually according to the 2004 recommendations of the Wastewater Rate Study Task Force and the 2006 Proposition 218 protest ballot process.

Water rates increase annually or semiannually according to the pass through rates set by the West Basin Water District. The pass through rate structure was approved by voters following a 2009 Proposition 218 protest ballot process. Of the ten projects considered, the CIPAC recommended that one project utilize sewer enterprise funds for sewer main repairs and replacement, and that two projects utilize water enterprise funds to: 1) restore the elevated tank restoration and 2) conduct a feasibility study on construction of a new reservoir.

**Proposition C**

Proposition C Funds are earmarked for transit related improvements for roadways carrying fixed transit routes. The November 6, 1990 Los Angeles County Transportation Commission measure increased the sales tax in the county by one half cent to fund transit projects and buses. Of the funds generated, 20% is returned to local jurisdictions for eligible transit, para-transit and related services. These local Prop C funds are distributed to municipalities on a per capita basis. The City uses a portion of its Prop C local return for arterial street improvements and the balance for transit services. Of the ten projects considered, the CIPAC recommended that one project utilize Prop C funds for arterial street rehabilitation.
Gas Tax
The gas tax has traditionally been used for residential street maintenance in El Segundo. This tax is collected at the pump as a surcharge on gasoline purchases. Currently in California, consumers pay a $0.63/gallon surcharge on gasoline and a $0.72/per gallon surcharge on diesel. Those rates also include federal excise taxes. Of the of the ten projects considered, the CIPAC recommended that one project utilize Gas Tax funds for the City’s annual curb and sidewalk repair and replacement program.

PROJECT EVALUATION and SCORING CRITERIA

In addition to the initial kick-off meeting held on May 20th, CIPAC held three additional sessions to discuss and evaluate the ten proposed projects (June 17, July 15 and August 5). The July 15th meeting also included the advertised Public Workshop although no public input was received or projects proposed at the workshop.

The criteria used to score and rank each project include:

➢ **Health and Safety (0-10 points):** Degree to which the improvement would mitigate harm to the community (catastrophic, personal injury, property).

➢ **System Condition (0-5 points):** Degree to which the improvement maintains the useful life of the system (sidewalks, streets, sewer, water, storm drain, and communications).

➢ **Return on Investment (0-5 points):** Degree to which the improvement results in savings, efficiencies or mitigates significant future costs.

➢ **Joint Agreement/Legal Requirement (0-5 points):** Degree to which the City is required to implement the project by law.

➢ **Coordination Opportunity (0-5 points):** Degree to which the improvement can be completed with another project to generate savings or efficiencies in the use of time, labor and materials.

➢ **Community Interest (0-5 points):** This score is used when the project is given special consideration based upon substantial community interest where other project categories do not necessarily apply. The project will include a community impact statement to justify the project score.
10-YEAR PLAN PURPOSE

In 2007, the CIPAC Committee recommended and the City Council adopted a 10-Year, $87 million Infrastructure and Maintenance Program. However, the extent of and cost associated with those infrastructure needs have not been met given the current budget crisis. As the City's infrastructure continues to age and deteriorate, operational costs will undoubtedly increase as efforts are redirected toward repairing system failures rather than maintaining the system before failures occur. Significant capital will still be required to effectively maintain the system in serviceable condition while responding to unanticipated system failures. Long term financial planning is critical if we are to meet our short and long term infrastructure maintenance objectives.

CONCLUSION

CIPAC completed its evaluation of the ten proposed capital improvement projects and respectfully submits its list of priority projects recommended for funding this year. The CIPAC recommends that City Council receive and file the FY 2010/11 CIP Recommendations and Annual Report.

The table on the following page summarizes CIPAC's recommendations for FY 2010/11.
## Projects Recommended For Funding By CIPAC

5 Projects  
$1,010,000 Total Funding

<table>
<thead>
<tr>
<th>Request</th>
<th>Summary of Project</th>
</tr>
</thead>
</table>
| 1. $500,000 | **Sewer Main Replacement**  
Based on the upcoming results of the video inspection and condition assessment of 25 miles of the City’s sewer lines, this project will begin repairs and rehabilitation on the City’s most serious sewer main problems. |
| 2. $240,000 | **Elevated Reservoir Painting**  
This project will provide for recoating and maintenance of the City’s elevated reservoir to extend its useful life. |
| 3. $100,000 | **New Potable Water Reservoir Feasibility Study**  
El Segundo’s water department provides potable water to more than 5000 customers, who collectively use approximately 8.6 million gallons per day. Combined, the City’s two reservoirs and one elevated tank store just over 9 million gallons. Therefore, the City effectively has a potable water storage capacity equal to one day’s use, which is well below the recommended volume of 1.5 times daily demand. This project will help the City identify where a new potable water reservoir could be designed and constructed and what constraints would exist as each proposed location. |
| 4. $50,000 | **Curb and Sidewalk Replacement Citywide**  
This project will replace sidewalks and curbs damaged by tree roots at various locations throughout the city. |
| 5. $120,000 | **Arterial Streets Rehabilitation Program**  
This project will implement the City’s annual Arterial Streets Rehabilitation program, which is implemented according to the highest priority streets in need of repair and/or annual slurry seal. |
## Projects NOT Recommended For Funding By CIPAC

### 5 Projects
$305,500 Total Request

<table>
<thead>
<tr>
<th>Request</th>
<th>Summary of Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.</td>
<td><strong>Fire Station #1 Dispatch Fire Station Alerting System</strong>&lt;br&gt;This project proposes to upgrade the Fire Department’s Alerting System at Station 1 from a radio controlled frequency dispatch to a web-based alerting system (similar to what is used in Station 2). The project would also allow for zoned dispatch and ramped wake-up during sleeping hours.</td>
</tr>
<tr>
<td>7.</td>
<td><strong>Fire Station #1 Diesel Exhaust Removal System Replacement</strong>&lt;br&gt;This project proposes to upgrade the current diesel exhaust removal system and make it compatible with the system in Station 1. Currently, the exhaust system is old and difficult and costly to maintain.</td>
</tr>
<tr>
<td>8.</td>
<td><strong>Library Exterior Window Replacement</strong>&lt;br&gt;This project proposes to replace four exterior leaky windows which are showing initial signs of mold.</td>
</tr>
<tr>
<td>9.</td>
<td><strong>Fire Station #1 Kitchen Remodel</strong>&lt;br&gt;This project proposes to upgrade the kitchen in Fire Station 1, which is 23 years old and beyond its useful life. Cabinets and counter tops constructed of inexpensive particle board are broken, delaminating, and not closing properly. Hinges often break and are in need of repair. The flooring is also deteriorating. Flooring is part ceramic tile, part inexpensive linoleum, and part unfinished bare concrete.</td>
</tr>
<tr>
<td>10.</td>
<td><strong>Police Department: Watch Commander Officer Renovation</strong>&lt;br&gt;This project proposes to retrofit the Watch Commander’s and Watch Sergeant’s office, which can be reconfigured to be a more effective and efficient area for the successful management of police operations. The furniture, fixtures and layout do not accommodate supervisory overview during static or tactical situations.</td>
</tr>
</tbody>
</table>
APPENDIX I

Project Summary Sheet
## CIPAC Recommendations for FY 2010-11

<table>
<thead>
<tr>
<th>Project</th>
<th>Requested Amount</th>
<th>CIPAC Score</th>
<th>General Fund</th>
<th>Sewer</th>
<th>Water</th>
<th>Gas Tax</th>
<th>Prop C</th>
<th>Funds Allocated to Date</th>
<th>Recommended Amount</th>
<th>Shortfall for FY 10/11</th>
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<td>Sewer Main Repair and Replacement</td>
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<td>1,200,000</td>
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<td>210,000</td>
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<td>New Potable Water Reservoir Feasibility Study</td>
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<td>Curb and Sidewalk Repair</td>
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<td>120,000</td>
<td>120,000</td>
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<td>120,000</td>
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<td>2,000</td>
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<td>2,000</td>
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<tr>
<td>Library Window Replacement</td>
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<td>3</td>
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<td>50,000</td>
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<tr>
<td>Fire Station #1 Kitchen Remodel</td>
<td>75,000</td>
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<td>75,000</td>
<td>75,000</td>
<td>75,000</td>
<td>75,000</td>
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<tr>
<td>Police Station Watch Commander Office Renovation</td>
<td>75,000</td>
<td>1</td>
<td>75,000</td>
<td>75,000</td>
<td>75,000</td>
<td>75,000</td>
<td>75,000</td>
<td>75,000</td>
<td>0.00</td>
<td>75,000</td>
</tr>
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</table>

**Total Project Requests**

| | $1,315,000 | $0 | $506,000 | $440,000 | $70,000 | $120,000 | $0 | $1,010,000 | $0 |

Available Funding by Source of Funds

| | $0 | $506,000 | $440,000 | $70,000 | $120,000 | $0 | $1,010,000 | $0 |

Balance of available funding

| | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
APPENDIX II

Project Detail Sheets
CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 2010/2011

PROJECT TITLE | Sewer Line Repair

REQUESTING DEPARTMENT | Public Works Department – Wastewater Division

DESCRIPTION

Perform as-needed sewer line repairs of problems identified by CCTV inspection.

JUSTIFICATION

The City's wastewater system consists of approximately 50 miles of pipe and 1,050 manholes. The majority of these pipes are constructed of vitrified clay and range in size from 6-inch to 24-inch in diameter. The system was constructed over the years based on the development needs of the City and approximately 60% of the lines are now over 50 years old.

The City has currently begun a CCTV inspection of its entire collection system and this work is anticipated to be completed within the next few months. Staff anticipates that some problems identified during this inspection process will require immediate repair and wishes to earmark a portion of this year's CIPAC funds toward these repairs. Once the CCTV inspection has been completed and a thorough evaluation has been performed, staff will return with a more detailed schedule for sewer rehabilitation. This $500,000 staff is requesting will provide for the immediate repair of approximately 2,000 linear feet of sewer line.

GENERAL PLAN REFERENCE | LU7

CIPAC COMMENTS

<table>
<thead>
<tr>
<th>ESTIMATED COST</th>
<th>FUNDS ALLOCATED TO DATE</th>
<th>EXPENSES TO 9/30/10</th>
<th>FY 2010/11</th>
<th>FY 2011/12</th>
<th>FY 2012/13</th>
<th>FY 2013/14</th>
<th>FY 2014/15</th>
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</thead>
<tbody>
<tr>
<td>$500,000 SS</td>
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<td>0</td>
<td>$500,000 SS</td>
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<td>0</td>
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CIPAC scored the project as follows:

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<thead>
<tr>
<th>Score</th>
<th>HS</th>
<th>SC</th>
<th>ROI</th>
<th>LG</th>
<th>CO</th>
<th>CI</th>
<th>TOT</th>
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<tr>
<td>5</td>
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FUNDING SOURCES

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<tr>
<th>DESCRIPTION</th>
<th>COST</th>
<th>ESTIMATED COST</th>
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<tbody>
<tr>
<td>G. General/Capital Improvement Fund</td>
<td>1. DESIGN &amp; PLANS</td>
<td>10,000</td>
</tr>
<tr>
<td>W. Water Fund</td>
<td>2. CONSTRUCTION</td>
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<tr>
<td>GT. Gasoline Tax Fund</td>
<td>3. MANAGEMENT/INSPECTION</td>
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<tr>
<td>D. Developer Contributions</td>
<td>4. CONTINGENCIES</td>
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<tr>
<td>C. C.D.B.G.</td>
<td>5. OTHER (LIST)</td>
<td></td>
</tr>
<tr>
<td>A. Asset Forfeiture Fund</td>
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<td></td>
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<tr>
<td>GR. Grant/Other Agencies</td>
<td></td>
<td></td>
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<tr>
<td>IR. Infrastructure Replacement</td>
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</tr>
<tr>
<td>SS. Sewer Fund</td>
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<td>TOTAL 500,000 SS</td>
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</tbody>
</table>

All costs shown in current dollars

CIPAC FORM 2010-2011
CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 2010/2011

PROJECT TITLE
Water Elevated Reservoir Painting

REQUESTING DEPARTMENT
Public Works – Water Division

DESCRIPTION
To repaint/recoat the elevated reservoir.

JUSTIFICATION
An inspection of the elevated reservoir in 2010 revealed that its structural integrity is in good condition. However, cosmetic repairs are necessary to repair and prevent future corrosion and improve safety. The paint has chipped off in several areas and caused rusting due to exposure to the salt air. Repainting and maintenance repairs are recommended to prevent deterioration and to extend the useful life of the reservoir.

The proposed project includes interior and exterior coating, repair of rust throughout and corrosion on rivet seams and other localized areas; overflow remediation; and repair of handrails, grates, interior ladders, vent, unprotected openings, and FAA warning lights.

GENERAL PLAN REFERENCE  LU 7

CIPAC COMMENTS

<table>
<thead>
<tr>
<th>ESTIMATED COST</th>
<th>FUNDS ALLOCATED TO DATE</th>
<th>EXPENSES TO 9/30/10</th>
<th>FY 2010/11</th>
<th>FY 2011/12</th>
<th>FY 2012/13</th>
<th>FY 2013/14</th>
<th>FY 2014/15</th>
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<td>$240,000 W</td>
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<td>$240,000 W</td>
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CIPAC SCORE

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<th>Score</th>
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<th>SC</th>
<th>ROI</th>
<th>LG</th>
<th>CO</th>
<th>CI</th>
<th>TOT</th>
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<td>0</td>
<td>1</td>
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<td>12</td>
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FUNDING SOURCES  COST  BREAKDOWN

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<th>ESTIMATED COST</th>
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<tbody>
<tr>
<td>1. DESIGN</td>
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</tr>
<tr>
<td>2. CONSTRUCTION</td>
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<td>3. MANAGEMENT/INSPECTION</td>
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<td>4. CONTINGENCIES</td>
<td>$10,000</td>
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<td>5. OTHER (LIST)</td>
<td>soils engineer rep. survey</td>
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<td>TOTAL</td>
<td>$240,000</td>
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</table>

All costs shown in current dollars
CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 2010/2011

PROJECT TITLE
New Potable Water Reservoir Feasibility Study

REQUESTING DEPARTMENT
Public Works Department – Water Division

DESCRIPTION
Feasibility Study for New Reservoir

JUSTIFICATION
El Segundo’s water department provides potable water to nearly 5000 customers throughout the year, who collectively use between 9000-10,000 acre-ft annually, or roughly 8.6 million gallons per day. Combined, the City’s two reservoirs and one elevated tank store just over 9 million gallons. Therefore, the City effectively has a potable water storage capacity equal to one day’s use. All three storage tanks are located in the water yard adjacent to Hill Top Park on Lomita St.

In the event of an earthquake or other disaster, the City’s existing facilities are not capable of providing more than one day’s water supply. Additionally, because all three tanks are co-located next to each other, the ability to provide a secondary source of water is limited should these systems be compromised. The City would like to investigate the feasibility of constructing an additional 5 MG reservoir at an alternate site, both to provide additional daily storage and to increase protection of our water supply in the event of an emergency or other disaster. The Feasibility Study would evaluate potential locations, reservoir size options, the additional infrastructure (if any) that would needed, probable cost of construction, operational considerations, etc.

GENERAL PLAN REFERENCE
LU7

CIPAC COMMENTS

<table>
<thead>
<tr>
<th>ESTIMATED COST</th>
<th>FUNDS ALLOCATED TO DATE</th>
<th>EXPENSES TO 9/30/10</th>
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<th>FY 2011/12</th>
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CIPAC scored the project as follows:

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<th>SC</th>
<th>ROI</th>
<th>LG</th>
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<td>1</td>
<td>0</td>
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</table>

FUNDING SOURCES

| G. General/Capital Improvement Fund |
| W. Water Fund |
| GT. Gasoline Tax Fund |
| D. Developer Contributions |
| C. C.D.B.G. |
| A. Asset Forfeiture Fund |
| GR. Grant/Other Agencies |
| IR. Infrastructure Replacement |
| SS. Sewer Fund |

DESCRIPTION

1. DESIGN & PLANS
2. CONSTRUCTION
3. MANAGEMENT/INSPECTION
4. CONTINGENCIES
5. OTHER (LIST) Feasibility Study

COST - ESTIMATED COST

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ESTIMATED COST</th>
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</thead>
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<tr>
<td>5. OTHER (LIST) Feasibility Study</td>
<td>$100,000 W</td>
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</table>

TOTAL $100,000 W

All costs shown in current dollars
CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 2010/2011

PROJECT TITLE | Curb and Sidewalk Repair Citywide
REQUESTING DEPARTMENT | Public Works Department – Engineering Division

DESCRIPTION

Curb and Sidewalk Repair Citywide

JUSTIFICATION

Curb and sidewalk are displaced by tree roots and other causes creating potential trip hazards. Locations for curb and sidewalk requiring repair are generated throughout the year by field surveys from the Street Maintenance Division and requests from residents. Each year the amount of work identified for repair exceeds the funding allocated. Additional funding would enable the Street Maintenance Division to reduce the backlog of resident's requests and City surveys. It is estimated that every 20 years 10% of a street's concrete curbs and sidewalk must be replaced. This results in approximately $50,000 of concrete work needed annually.

GENERAL PLAN REFERENCE | LU7

CIPAC COMMENTS

CIPAC SCORE : HS : 3  SC : 5  ROI : 1  JL : 0  CO : 0  CI : 0  Total Score : 9

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FUNDING SOURCES

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COST - BREAKDOWN

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All costs shown in current dollars

CIPAC FORM 2010 – 2015
COST - BREAKDOWN

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<td>3. MANAGEMENT/INSPECTION</td>
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<td>4. CONTINGENCIES</td>
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<td>5. OTHER (LIST) Soils Engineer Rep. Survey</td>
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All costs shown in current dollars
CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 2010/2011

PROJECT TITLE | Fire Station #1 Dispatch Fire Station Alerting System

REQUESTING DEPARTMENT | Fire Department

DESCRIPTION
Replace Existing Fire Station #1 Fire Station Alerting System with Modern Alerting System

JUSTIFICATION
The Fire Department has experienced several missed calls because the poor performance of the existing Fire Alarm Alerting System. Current system is over 20 years old and is based on a radio tone page system which is antiquated alerting method. New system would rely on TCP/IP Computer network for alerting rather than radio waves (radio would become the back-up alerting method to the TCP/IP alerting in the new system). This system is consistent with the newly installed system at Fire Station #2, and allows for zoned-dispatching by alerting only those units that need to respond rather than entire Station. System will also provide light indicator of alarms and night time illumination for firefighters to safely walk to the apparatus. New system also provides a ramped wake up during sleeping hours rather than suddenly startling firefighters from sleep (an important safety consideration that has shown to reduce heart attacks amongst firefighters). This is a critical piece of equipment that we rely on for dispatch to life threatening emergencies and cannot be unreliable.

CURRENT SYSTEM RELIANCE
Current system relies on a radio designed to be installed in a vehicle to receive radios signals and alert station and has been undependable recently resulting in missed dispatches.

GENERAL PLAN REFERENCE

CIPAC COMMENTS

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<th>ESTIMATED COST</th>
<th>FUNDS ALLOCATED TO DATE</th>
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All costs shown in current dollars

CIPAC FORM 2009 – 2010
CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 2010/2011

PROJECT TITLE | Fire Station #1 Diesel Exhaust Removal System Replacement

REQUESTING DEPARTMENT | Fire Department

DESCRIPTION
Replace Diesel Exhaust Removal System At Fire Station #1

JUSTIFICATION
Current diesel exhaust removal system is 20 years old. Difficult and costly to maintain and is breaking down often. New system installed at new Fire Station 2 is incompatible making movement of Fire Engines from Station to Station impossible (new system requires an adapter that is welded on to exhaust). New system is more powerful and has fewer moving parts.

GENERAL PLAN REFERENCE

CIPAC COMMENTS

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<th>ESTIMATED COST</th>
<th>FUNDS ALLOCATED TO DATE</th>
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All costs shown in current dollars

CIPAC FORM 2009 – 2010
CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 2010/2011

PROJECT TITLE  | Library Exterior Window Replacement

REQUESTING DEPARTMENT  | Public Works – Facilities Maintenance Division

DESCRIPTION

To replace four leaking exterior windows at the City Library

JUSTIFICATION

Four large exterior windows at the City Library have developed leaks and are beginning to cause mold issues inside the building. Staff has made numerous attempts to seal these leaks; however they have not been successful. An evaluation by an outside window contractor has determined that due to age the windows cannot be sealed and must be replaced in order to prevent the leaks. Staff is recommending replacement of these windows to prevent future repairs and problems associated with mold and water related damage.

GENERAL PLAN REFERENCE

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All costs shown in current dollars

CIPAC FORM 2010 – 2011
CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 2010/2011

PROJECT TITLE           Fire Station #1 Kitchen Remodel

REQUESTING DEPARTMENT  Fire Department

DESCRIPTION
Remodel Existing Kitchen At Fire Station #1

JUSTIFICATION
Kitchen is 23 years old, last modified in 1987. Cabinets constructed of inexpensive particle board which are broken, delaminating, not closing properly, insides stained, hinges break, & often in need of repair. Flooring is part ceramic tile, part inexpensive linoleum, and part unfinished bare concrete. Counter tops are laminated particle board and are delaminating, swelling from water damage and stained. Raw wood areas on cabinets and countertops highly susceptible to bacteria and mold. Salvaged office equipment used as additional counter and cabinet space.

GENERAL PLAN REFERENCE

CIPAC COMMENTS

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<th>ESTIMATED COST</th>
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FUNDING SOURCES

| G. | General/Capital Improvement Fund |
| W. | Water Fund                        |
| GT. | Gasoline Tax Fund                |
| D. | Developer Contributions           |
| C. | C.D.B.G.                          |
| A. | Asset Forfeiture Fund            |
| GR. | Grant/Other Agencies             |
| IR. | Infrastructure Replacement       |

DESCRIPTION | COST BREAKDOWN | ESTIMATED COST
---|----------------|----------------|
1. DESIGN | 2. CONSTRUCTION | $10,000 | $115,000 |
3. MANAGEMENT/INSPECTION | 4. CONTINGENCIES | 5. OTHER (LIST) Soils Engineer Rep. Survey | TOTAL | $125,000 |

All costs shown in current dollars

CIPAC FORM 2009 – 2010
CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 2010/2011

PROJECT TITLE  Watch Commander Officer Renovation

REQUESTING DEPARTMENT  Police Department

DESCRIPTION

The purpose of this project is to remodel the Watch Commander and Watch Sergeant Office to enhance the effectiveness and efficiency of the Patrol Division.

JUSTIFICATION

With the transition of El Segundo’s public safety dispatch services to a regional center located in Hawthorne, the Watch Commander’s and Watch Sergeant’s office will need to be a more effective and efficient area for the successful management of police operations. Although the current footprint is satisfactory in size, the furniture, fixtures and layout do not accommodate supervisory overview during static or tactical situations.

The proposed work includes moderate construction to close a window and move a doorway. Additionally, furniture and fixtures will be included to make the area more user friendly.

GENERAL PLAN REFERENCE

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<td>IR. Infrastructure Replacement</td>
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1. DESIGN
2. CONSTRUCTION
3. MANAGEMENT/INSPECTION
4. CONTINGENCIES
5. OTHER (LIST) Soils Engineer Rep. Survey

TOTAL $47,500

All costs shown in current dollars  CIPAC FORM 2009 – 2010
# CITY OF EL SEGUNDO
## PAYMENTS BY WIRE TRANSFER
### 8/06/10 THROUGH 8/26/10

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**DATE OF RATIFICATION: 9/07/10**

TOTAL PAYMENTS BY WIRE:

2,637,166.78

Certified as to the accuracy of the wire transfers by:

[Signature]
Deputy City Treasurer

Date: 8/26/10

[Signature]
Director of Finance

Date: 8/30/10

City Manager

Date

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 17, 2010 – 5:00 P.M.

5:00 P.M. SESSION

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

ROLL CALL

Mayor Busch - Present
Mayor Pro Tem Fisher - Present
Council Member Brann - Present
Council Member Fuentes - 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:

Mark Hensley, City Attorney, stated that Council would be meeting in closed session pursuant to the items posted on the agenda.

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov’t Code §54956.9(a) -1- matter

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.
APPOINTMENT AND PERFORMANCE EVALUATION OF PUBLIC EMPLOYEE (Gov't. Code § 54957) -0- matter

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -1- matters

Represented Group: Police Support Services Employees Association (PSSEA), City Employees Association (CEA), Firefighters Association (FFA), Police Managers Association (PMA), Police Officers Association (POA), Supervisory and Professional Employees (S&P)

Negotiators: Jack Wayt and Bob Hyland

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -2- matters

City Property: 2161 El Segundo Boulevard, El Segundo (Fire Station No. 2)
City Negotiators: City Manager, Assistant City Manager
Negotiating Party: Wiseburn School District or Brian Sweeney
Under Negotiation: Price and Terms (potential lease or sale)

City Property: APN #4155-614-900 (Storm Water Detention Basin)
City Negotiators: City Manager
Negotiating Party: El Segundo Unified School District
Under Negotiation: Price and Terms (potential lease or sale)

Council recessed at 6:50 p.m.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 17, 2010 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Father Alexei Smith, St. Andrews Russian Greek Catholic Church

PLEDGE OF ALLEGIANCE – Council Member Don Brann

PRESENTATIONS - NONE

ROLL CALL

Mayor Busch - Present
Mayor Pro Tem Fisher - Present
Council Member Brann - Present
Council Member Fuentes - 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.

Elizabeth Diaz, resident, spoke, in favor on transitioning to Los Angeles County Fire.

Frank Silva, resident, spoke in favor of transitioning to Los Angeles County Fire.

Wyndell Phillips, California Attorney representing the City Employees Association, spoke in favor of finding solutions for saving employee jobs.

Steven Eno, resident, spoke regarding placement of tax measures on the ballot.

Linda Cruz, resident, spoke, in favor of transitioning to Los Angeles County Fire.

Fred Curcio, resident, spoke in favor of transitioning to Los Angeles County Fire.
Dennis Poore, resident, support examining alternatives that will keep City services intact, including transitioning to Los Angeles County Fire Department, to balancing the budget.

Peter Lewis, resident, spoke in support of retaining public safety level and transitioning to Los Angeles County Fire.

Peggy Tyrell, resident, spoke against transitioning to Los Angeles County Fire Department. Also spoke regarding the El Segundo Soccer fields.

Gregorio Daniel, International Brotherhood of Teamsters Local 911, stated that until Council decided whether or not to transition to Los Angeles County Fire, there would not be a clear picture of impacts to employee groups.

Bill Schultz, resident, spoke in favor of transitioning to Los Angeles County Fire Department.

Joe Hardy, resident and representing the Hacienda Hotel, thanked Council for their decision regarding the Transient Occupancy Tax.

Liz Garnholz, resident, spoke regarding Transient Occupancy Tax. Also spoke regarding the recent Los Angeles Times article on public employee salaries and questioned why El Segundo did not respond to the salary information request in a timely manner. Also spoke in favor of salary reductions,

Loretta Frye, resident, spoke against transitioning to Los Angeles County Fire Department.

Mark Rener, resident, spoke regarding costs for transitioning to Los Angeles County Fire Department.

Ann Mazuke, resident, spoke against transitioning to Los Angeles County Fire Department. Also spoke in favor of raising the Transient Occupancy Tax.

Veronica Becerra, representing the 603 Sepulveda Boulevard business, spoke regarding Council's protest of an off-site alcohol permit and requested Council revisit their decision.

Mike Robbins, resident, spoke regarding the excessive salary and benefits for public safety employees.

Jason Van Biezen, spoke regarding the “South Bay Open Carry” organization. Requested Council oppose AB1934.

Ron Swanson, resident and business owner, spoke regarding transitioning to Los Angeles County Fire and said he wanted to see the results of concessions with labor unions, charging for Trash pick-up, UUT tax increase and other options.
Rod Spackman, Chevron, spoke regarding item on Zoning changes to Plaza El Segundo.

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Jacobson, SECOND Mayor Pro Tem Fisher 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)

1. Consideration and possible action to conduct a public hearing regarding the proposed revisions made to the Police Services Fee Schedule. (Fiscal Impact: None)

Mayor Busch stated that this was the time and place to conduct a public hearing regarding proposed revisions made to the Police Services Fee Schedule. (Fiscal Impact: None)

Clerk Domann stated that proper notice had been given in a timely manner and that no communications had been received in the City Clerk’s Office.

Mitch Tavera, Police Chief, gave a report.

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Fuentes to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Fisher to adopt Resolution No. 4674 adopting a new fee schedule for the El Segundo Police Department to recover costs incurred from providing various public services. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

ITEM NO. 10 BROUGHT FORWARD ON THE AGENDA

10. Consideration and possible action regarding the presentation of fiscal year 2009-2010 third quarter Financial Review and presentation of the fiscal year 2010-2011 Preliminary Budget. (Fiscal Impact: None)

Deborah Cullen, Finance Director, gave a presentation.

Council consensus to receive and file FY 2009-2010 Third Quarter Financial staff report

Presentation of the fiscal year 2010-2011 Preliminary Budget scheduled for September 7, 2010.
C. UNFINISHED BUSINESS

2. Continuation of Council’s consideration to transition 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), including possible action to direct staff to proceed with negotiations with the Los Angeles County Fire Department for annexation of the El Segundo Fire Department to the Fire District pursuant to the Los Angeles County Board of Supervisors authorization of the attached Feasibility Study. Additionally, the Council will consider 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.

Jack Wayt, City Manager, Introduced Debbie Aguirre, Chief, Planning Division, and Daryl L. Osby, Chief Deputy, from Los Angeles County Fire.

Chief Osby and Aguirre gave a presentation and responded to Council questions.

Council recessed at 9:58 p.m.

Council reconvened at 10:03 p.m. with all members present.

MOTION by Council Member Brann to direct staff to proceed with negotiations with the Los Angeles County Fire Department for annexation of the El Segundo Fire Department to the Fire District pursuant to the authorization of Los Angeles County Board of Supervisors.

Mayor Busch proposed amending the motion to proceed and move forward with the Fiscal Year 2010-2011 budget as if the El Segundo Fire Department was not transitioning to Los Angeles County Fire and proceed with negotiations in November with the Los Angeles County Fire for potential annexation of the El Segundo Fire Department to the Fire District pursuant to the authorization of Los Angeles County Board of Supervisors.

MOTION by Council Member Brann to amend his original motion to proceed with negotiations with Los Angeles County Fire in November 2010 and proceed with planning the Fiscal Year 2010-2011 budget not expecting any financial benefit from the outcome of the negotiations, SECONDED by Mayor Busch. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MAYOR BUSCH, MAYOR PRO TEM FISHER, COUNCIL MEMBERS BRANN AND FUENTES: NOES: COUNCIL MEMBER JACOBSON. 4/1

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.

3. Approved Warrant Numbers 2578445 to 2578647 on Register No. 21 in the total amount of $1,003,769.44 and Wire Transfers from 7/23/10 through 8/05/10 in the total amount of $2,470,874.79. Authorized staff to release. Ratified: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.


5. Approved a five-year bulk rate Agreement No. 4084 between the City and Time Warner for cable television services to the residents of Park Vista. (Fiscal Impact: None) Authorized the City Manager to execute a five-year bulk rate agreement between the City and Time Warner.

6. Authorized the City Clerk to file the Notice of Completion in the County Recorder’s Office and authorized the City Manager, or designee, to accept completion of work for 26 homes related to the City's Residential Sound Insulation Program’s Group 38 and close out Project No. RSI 09-19. (Final Contract Amount: $746,207.09)

7. Waived second reading and adopted Ordinance No. 1446 approving Environmental Assessment EA No. 863 and Zone Text Amendment ZTA 10-03 to amend the C-4 (Commercial Center) Zone to allow: 1) medical and dental offices, not to exceed 5,000 square feet as permitted uses, and 2) automobile sales and service centers, not to exceed 70,000 square feet as a conditionally permitted use; and adopting Development Agreement No. 10-01 (Fourth Amendment to Development Agreement No.03-01 with Rosecrans-Sepulveda Partners, 2, LLC and PES Partners, LLC for the Plaza El Segundo development project located at 710-860 South Sepulveda Boulevard, 700-740 Allied Way, and 2003-2015 East Park Place to allow the following uses: 1) a certified Farmer’s Market to operate one day per week from 8 a.m. to 3 p.m.; 2) Medical and Dental Offices, not to exceed a total of 5,000 square feet of floor area; 3) an Automobile Sales and Service Center, not to exceed 70,000 sq. ft.; and to allow the entire Plaza El Segundo Development (Phase 1) to be considered as a single parcel for the purpose of meeting the El Segundo Municipal Code minimum parking requirements and to eliminate the requirement for individual parcels to have parking covenants recorded to transfer parking between parcels within the Phase 1 Development. Applicant: PES Partners, LLC. (Fiscal Impact: None).

8. PULLED FOR DISCUSSION BY COUNCIL MEMBER FUENTES

9. PULLED FOR DISCUSSION BY COUNCIL MEMBER FUENTES
MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Fuentes to approve Consent Agenda Items 3, 4, 5, 6, and 7. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

8. Consideration and possible action regarding a request for Community Challenge Grant funds from the Department of Housing and Urban Development for the proposes of updating the General Plan and Zoning Regulations. (Fiscal Impact: Grant award of $640,000 with $160,000 commitment of City matching funds)

9. Consideration and possible action regarding a request for Transportation Investment Generating Economic Recovery (TIGER II) grant funds for (1) infrastructure improvements to El Segundo Blvd. between Whiting St. and Aviation Blvd. and extension of Park Place between Nash Street and Sepulveda Blvd. (Fiscal Impact: $550,000 in grant monies as match)

MOTION by Council Member Fuentes, SECONDED by Council Member Jacobson to approve the request for Community Challenge Grant funds from the Department of Housing and Urban Development for the proposes of updating the General Plan and Zoning Regulations and authorize the submittal of the grant application and commitment of $160,000 in matching funds and in-kind staff time; and approve the request for Transportation Investment Generating Economic Recovery (TIGER II) grant funds for (1) infrastructure improvements to El Segundo Blvd. between Whiting St. and Aviation Blvd. and extension of Park Place between Nash Street and Sepulveda Blvd. and authorize the submittal of a TIGER II grant application for infrastructure improvements to El Segundo Blvd. between Whiting and Aviation Blvd. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS – ITEM NO. 10 WAS MOVED FORWARD ON THE AGENDA

11. Consideration and possible action regarding the sale of City property located at 2161 E. El Segundo Boulevard (former Fire Station Number 2) and a determination that the sale of the property is categorically exempt from the California Environmental Quality Act based on Environmental Assessment No. 860. (Fiscal Impact: revenue of not less than $1,575,000)

Bill Crowe, Assistant City Manager gave a report.

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Fuentes to authorize the City Manager to enter into Purchase Agreement No. 4085 for the property. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MAYOR BUSCH, MAYOR PRO TEM FISHER, COUNCIL MEMBERS FUENTES AND JACOBSON; NOES: COUNCIL MEMBER BRANN. 4/0

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 Fuentes – Stated that this was the last weekend for drama presentation at Recreation Park.

Council Member Brann – Stated he would be going to the Big Creek Power Plant for a study trip.

Council Member Jacobson – NONE

Mayor Pro Tem Fisher – NONE

Mayor Busch – NONE

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.

Mike Robbins, resident, spoke regarding union contracts.

Peggy Tyrell, resident, asked how current salaries would be affected if the Fire Department transitioned to Los Angeles County.

Mark Rener, resident, spoke regarding Firefighter shift schedules and pay rates.

Lilly Craig, resident, thanked Council for all the time that they have put into budget and fire issues.

Connie Copperas, resident, spoke regarding the uniqueness of the City of El Segundo and urged Council not to transition to County Fire.

Liz Garnholz, resident, spoke on the negotiation process with Los Angeles County.

Loretta Frye, resident, spoke regarding City special events and against transitioning to Los Angeles County Fire.

MEMORIALS – NONE
The City Council moved into closed session at 11:17 p.m. pursuant to the items posted on the agenda.

The City Council moved to open session at 12:14 a.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION – NONE

ADJOURNMENT at 12:15 a.m.

Cathy Domann, Deputy City Clerk
SPECIAL MEETING OF THE EL SEGUNDO CITY COUNCIL
FRIDAY, AUGUST 20, 2010 – 7:00 A.M.

7:00 A.M. SESSION

CALL TO ORDER – Mayor Busch at 7:00 a.m.

PLEDGE OF ALLEGIANCE – Council Member Don Brann

ROLL CALL

Mayor Busch - Present
Mayor Pro Tem Fisher - Present
Council Member Brann - Present
Council Member Fuentes - Present
Council Member Jacobson - Present - arrived 7:01 a.m.

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.

Liz Garnholz, resident, spoke regarding the budget. She asked Council to look to the past when looking toward the future for fiscal responsibility. She also questioned why the City Treasurer’s and City Clerk’s salaries had not been reduced.

Council Member Fisher responded to the question regarding the City Treasurer’s and City Clerk’s salaries stating, the intent of council reducing their salaries was more of a symbolic statement.

Council Member Jacobson responded to the question regarding the City Treasurer’s and City Clerk’s salaries stating, the reduction was voluntary, Council could not necessarily reduce their salaries before the next election.

Mark Hensley, City Attorney responded to Council Member Jacobson’s statement, saying he would have to look into the matter. He stated that he was not sure Council could or could not reduce the City Treasurer’s and City Clerk’s salaries.

Mayor Busch responded to the question regarding the City Treasurer’s and City Clerk’s salaries stating, everything would be reviewed when looking to reduce the budget deficit.

Marc Rener, resident, spoke regarding past lack of fiscal responsibility and asked Council to be fiscally responsible when making its decisions.

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

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -1-matters

Represented Group: Police Support Services Employees Association (PSSEA), City Employees Association (CEA), Firefighters Association (FFA), Police Managers Association (PMA), Police Officers Association (POA), Supervisory and Professional Employees (S&P), Management and Confidential Group

    Negotiators: Jack Wayt and Bob Hyland

OPEN SESSION

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.

No Public Communication

ADJOURNMENT at 8:30a.m.

Mona Shilling, Clerk Pro Tem
AGENDA DESCRIPTION:

Receive and file report on recently accepted donations from El Segundo Kiwanis Club in the amount of $500 for the purchase of new lockers for the El Segundo Teen Center, and $300 for the Teen Center/R.E.A.C.T Golf Tournament. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Receive and file report on recently accepted donations from El Segundo Kiwanis Club in the amount of $500 for the purchase of new lockers for the El Segundo Teen Center, and $300 for the Teen Center/R.E.A.C.T Golf Tournament.

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

ATTACHED SUPPORTING DOCUMENTS:

1. None

FISCAL IMPACT: None

Amount Budgeted: $0
Additional Appropriation: N/A
Account Number(s): N/A

ORIGINATED BY: Meredith Petit, Recreation Superintendent
REVIEWED BY: Bob Cummings, Recreation & Parks Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

The Recreation & Parks Department Staff accepted a donation in the amount of $500 from The El Segundo Kiwanis Club to support the Recreation & Parks Department. Recreation Staff earmarked the money for one (1) new locker unit at the Teen Center to be available for resident teens.

The El Segundo Kiwanis Club made an additional donation in the amount of $300 to support the First Annual Teen Center/R.E.A.C.T Golf Tournament. These funds have not yet been appropriated and were deposited to the Teen Center Trust Fund.

The Recreation and Parks Department would like to thank the El Segundo Kiwanis Club for their generous donations and continued support.
AGENDA DESCRIPTION:

Consideration and possible action regarding the approval of amendments to the Plan of Operations as proposed by the El Segundo Senior Citizens Housing Corporation Board at its July 2010 meeting. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Approval of the amended Plan of Operations.
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Redlined version of the Plan of Operations as amended by the Housing Corporation Board.

FISCAL IMPACT: None

- Amount Budgeted: $
- Additional Appropriation: N/A
- Account Number(s):

ORIGINATED BY: Meredith Petit, Recreation Superintendent
REVIEWED BY: Bob Cummings, Recreation and Parks Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

On May 6, 1986, the City Council approved an Operating Agreement between the City and the El Segundo Senior Citizens Housing Corporation (the “Corporation”). The Agreement delegated specified duties and functions to the Corporation with respect to the Park Vista housing facility, but the City retained ultimate control and authority over the facility.

The Operating Agreement required the Corporation to prepare a Plan of Operations for the facility to govern various aspects of the facility’s operation, including resident eligibility standards, application procedures, procedures for selecting tenants, etc. The Board of the Housing Corporation reviews the Plan of Operations periodically for necessary revisions. Revisions must be approved by the City Council prior to becoming effective.

At its July 2010 meeting, the Housing Corporation Board approved several amendments, both substantive and non-substantive, to the Plan of Operations and directed staff to forward the proposed amendments to the City Council for its consideration. The substantive amendments may be summarized as follows:

1. Eligibility Requirements.
   A. Age. The minimum age requirements for residents and co-residents have been modified to reflect an increase from 55 to 62. This change was already
unanimously approved by the City Council on April 6, 2004. The Plan of Operations is being physically updated for the first time since then, so that modification is indicated in the attached redline. The Housing Corporation Board discussed the minimum age requirements at its July 2010 meeting and was unanimously in favor of keeping the minimum age set at 62.

B. **Income/Net Worth.** Park Vista strives to afford quality living accommodations at a reasonable cost. The income/net worth requirements are based on a formula that combines 5% of an applicant’s total net worth with the applicant’s annual income. The maximum allowable combined income and net worth for a one person household was increased from $30,000 to $45,000. For a two-person household, the formula was changed. The existing formula only considers the applicant’s (the primary resident’s) net worth (5% of it) and his or her annual income and sets the maximum combined amount at $35,000. The Board approved a modification in the formula that will take into consideration the net worth and annual income of the proposed co-resident. Under the formula proposed by the Board, the maximum allowable combined income of the applicant and the co-resident plus 5% of the combined net worth of the applicant and co-resident will be $50,000. The proposed revisions also clarify that the net worth and/or annual income of any live-in, permitted health care resident shall not be counted toward the maximum income/net worth threshold. The Board arrived at the new income/net worth levels after reviewing and considering the most recently published statistical data available regarding average household income levels in the region.

C. **Residency.** The Board modified the residency section of the Eligibility Requirements to make clear that Park Vista is not an assisted living or managed care facility. The Board also added a new requirement to specify that Park Vista is intended only for use as a primary residence. Primary residence is defined as the place where the tenant resides for a minimum of 75% of each calendar year, not counting absences due to hospitalization or other necessary medical treatment.

2. **Application Procedure.** Non-substantive changes were made to this section to delete reference to the library as a location where Park Vista Handbooks are made available.

3. **Resident Selection Procedure.** The Board modified this section to specifically allow existing residents to make one unit-to-unit move by right during the tenancy. Additional moves may be permitted by the Board for good cause. If a resident requests a move to another available unit, the resident is responsible for all costs incurred by the Corporation in preparing the resident’s existing unit for a subsequent tenant.

4. **Rental Rates.** Non-substantive changes were made to this section to indicate that Park Vista strives to afford quality accommodations at “an affordable cost,” as opposed to “the lowest possible cost.”

5. **General Maintenance.** Non-substantive changes were made to this section to remove unnecessary references to full time janitorial duties.

6. **Insurance.** Non-substantive changes were made to this section to remove an unnecessary reference to liability insurance policy limits. Language was also added to remind residents that the property’s insurance does not cover any resident’s personal property and to encourage residents to secure a renter’s insurance policy.

7. **Management.** Non-substantive changes were made to this section to delete unnecessary and inaccurate references to the types of employees employed by the management company.
IV.

PLAN OF OPERATIONS
1. DESCRIPTION

The El Segundo Senior Citizen Housing Project was developed and is wholly owned by the City of El Segundo. It is operated by the El Segundo Senior Citizen Housing Corporation and its Board of Directors.

The El Segundo Senior Housing Project “Park Vista”, is located at 615 East Holly Avenue. There are 96 units available, divided among efficiency apartments of 414 square feet; small one-bedroom apartments of 520 square feet; large one-bedroom apartments of 610 square feet; handicapped units of 537 square feet and a two bedroom management unit. All units are furnished with carpets, drapes, refrigerators and ranges. Each unit has an individual patio or balcony. The common outdoor areas are pleasantly landscaped. Features include elevators, laundry facility and meeting and recreation rooms.

The maximum number of Residents in each apartment is two. Rents are substantially lower than rents for comparable units in the area.

Due to the limited number of units available the apartments are assigned as they become vacant.
2. ELIGIBILITY REQUIREMENTS

Eligibility requirements for application for residency at Park Vista are based on age, income and El Segundo residency. These criteria as well as a general description of the project and application procedures are detailed in the following pages.

Great care has been taken in the development of criteria, application forms, and the structuring of the application process and selection procedures to ensure an objective and fair Resident selection process. This procedure is detailed in this section as is the Resident selection system. The procedure has been developed to ensure a process which is both fair and equitable, and which offers prospective residents both privacy and assistance as is practical in the process.

Applications will be accepted at the Park Vista Office only. Upon review of the application, the prospective Resident’s name will be placed on the waiting list. When a unit becomes available the prospective Resident at the top of the waiting list will be notified for an in-person interview with the manager and a walk through of the apartment. A move-in date will be discussed at that time.

There are three main eligibility requirements that must be met in order to reside in these apartments.

1. **AGE** – The applicant must be **55-62** or older. Any co-Resident must be at least **62** years of age unless:

   a. The co-Resident is a live-in, paid caregiver Permitted Health Care Resident as defined by California Civil Code section 51.3, or

   b. The co-Resident will also be on the Rental Agreement and has previously lived with the applicant. If the co-Resident is on the Rental Agreement and previously lived with the applicant, he or she can reside at Park Vista if he or she is **55-65** years or older, or was a spouse of the senior citizen, or provided primary economic or physical support to the senior citizen.

2. **INCOME/NET WORTH** – Maximum allowable combined incomes and net worth are as follows: For a one person household, five percent (5%) of an applicant’s total net worth plus the applicant’s annual income cannot exceed **$3045,000**; for a two person household, five percent (5%) of the applicant’s and proposed co-resident’s combined total net worth plus their annual income cannot exceed **$4550,000**. These amounts are subject to change. The net worth and/or annual income of a Permitted Health Care Resident as defined in California Civil Code section 51.3 shall not be counted towards the income threshold.
3. RESIDENCY – Applicants must be residents of the City of El Segundo at the time of application. For purposes of this requirement, a “Resident of the City of El Segundo” is a person who has resided in the City of El Segundo at least one year prior to submitting an application.

Additionally, Park Vista is not an elder-assisted living or managed care facility. A single apartment resident must be physically and mentally able to care for himself/herself, or be able to make alternate provisions for any necessary care at the resident’s expense. In the case of joint tenancy, both residents must be able to care for themselves, or one of the co-residents must be able to fully care for both residents as necessary, or the residents must be able to make alternate provisions for necessary care at their own expense.

Park Vista is intended only for use as a primary residence. “Primary residence” is defined as that place where the tenant resides for a minimum of 75% of each calendar year. Any tenant failing to meet this requirement is subject to eviction. Absences from the unit due to hospitalization or other necessary medical treatment shall not be considered as absences for purposes of this requirement.
3. APPLICATION PROCEDURE

I. Applications can be obtained from Park Vista. Park Vista is open from 9:00AM-5:00 PM Monday through Friday.

II. Handbooks and criteria are available at the library, Joslyn Center and Park Vista.

III. Completed Applications should be returned to the Park Vista office. A waiting list for occupancy will be maintained at the Park Vista office.

IV. Evaluation of Application

A. Evaluation of applications will be made according to the eligibility criteria discussed in Section 2, “Eligibility Requirements”.

B. If the completed application satisfies the eligibility criteria, the Applicant will be placed on the waiting list in order of date of application.

V. Notification Process

A. The Board notifies eligible applicant that a unit is available.

B. Park Vista manager sets up personal interview and conducts a walk through.

C. Park Vista manager is responsible for Rental Agreement signing and taking required deposit to hold unit.

D. Park Vista manager sets up move in date.

E. Those ineligible for residency shall be notified.
4. **RESIDENT SELECTION PROCEDURE**

1. Person or persons must meet age, income and residency requirements before submitting an application.

2. If eligibility criteria are satisfied, an applicant will be placed on the waiting list according to the date his/her application was submitted.

3. Names will be selected from the waiting list in order by date of application.

4. When a vacancy occurs, those residing in Park Vista will be given the option of changing units, providing they meet move-in rules and cost requirements. **An existing resident may change units only once by right during his or her tenancy. Upon application to the Board, a resident may be allowed an additional move for good cause. A determination of good cause shall be in the sole discretion of the Board. Any resident requesting a move shall be responsible for all costs necessary to prepare that resident’s existing unit for a subsequent tenant.**

5. If an applicant turns down an offered apartment two (2) times, the applicant’s name will be placed at the bottom of the waiting list.

6. Upon notification, the apartment manager will conduct a walk through and an interview. A move-in date will be set at that time.

7. When it is an applicant’s turn for consideration for residency based upon that applicant’s position on the waiting list, if the applicant does not have a satisfactory credit history, the application will be denied and will receive no further consideration.
5. RENTAL RATES

In keeping with the intent of the City Council in the development of the Senior Housing Project, and to provide a quality living opportunity at the lowest-possible affordable cost, a range of rental fees has been established. These rates were designed to reflect a realistic approach in the operational needs of the property, ensure a proper operating budget and maintain an appropriate maintenance reserve.

The rental schedules established for Park Vista reflect the cost necessary to meet (a) the annual operating budget for the current year of operation, (b) an appropriate operational reserve, and (c) a sinking fund to be known as “Replacement Reserve” for the replacement of major components of the property, (appliances, roof, carpet, etc.) over an assumed 3 to 30 year life.

Rates are subject to annual-periodic review and change. The Park Vista Site Manager can provide a list of current rental rates.
6. GENERAL MAINTENANCE

The policy established by the Board in conjunction with the management company has been designed to ensure the highest standards of maintenance.

A full-time janitor is employed by the management company to assure a high standard of cleanliness is kept in all common areas. Items under janitorial supervision include but are not limited to—

- Landscaped Areas
- Garage Area
- Sidewalks and Patios
- Trash Removal
- Lobby and common areas, including halls

Requests for maintenance are filed in writing by the Residents. A log is kept of all work requested and completed. Most requests are handled within a three-day period.

Particular attention will be given to preventative maintenance procedures which are designed to ensure the extension of the useful lives of the fixtures and equipment of the facility. Routine inspections are conducted annually of all apartments. The preventative maintenance philosophy is reflected in the Operating Budget which contains a specific section for maintenance expenses.

An annual physical inspection of units and grounds is conducted by management and a written report is submitted to the Board with findings and recommendations.

An annual physical inspection is made by the Board.
7. INSURANCE

The Board recognizes the need to appropriately insure the Senior Housing Facility and therefore, maintains the following policy:

1. Total replacement cost of the building is insured against loss;

2. One Million Dollars of Public liability insurance is provided, with the El Segundo Senior Citizen Housing Board and City Council of the City of El Segundo as named insured.

3. Loss of rental income due to fire or other damage is included insurance coverage;

4. Earthquake insurance is currently not provided.

5. The Board’s Directors and Officers insurance is presently provided. Park Vista’s insurance does not cover the contents within any unit or any resident’s personal property. Residents are encouraged to obtain a renter’s insurance policy to protect personal belongings.
8. MANAGEMENT

The Board recognized the need for appropriate day-to-day management of the property and Resident support services. To this end a management company which employs a Site Manager, Relief Manager, Custodian and Maintenance Team, has been contracted to provide management services for Park Vista Apartments. Management services are provided pursuant to the terms and conditions of the Management Agreement, a copy of which is maintained by the Board.
EL SEGUNDO CITY COUNCIL
AGENDA STATEMENT

MEETING DATE: September 7, 2010
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:
Consideration and possible action regarding the adoption of a Conflict of Interest Code required by The Political Reform Act (Government Code Section 81000 et. seq.) rescinding Resolution No. 4563 and adopting a new resolution approving a new Conflict of Interest Code. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Adopt Resolution;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Resolution

FISCAL IMPACT: None

Amount Budgeted: $  
Additional Appropriation: N/A  
Account Number(s): N/A

ORIGINATED BY: Cathy Domann, Deputy City Clerk  
REVIEWED BY: Cindy Mortesen, City Clerk  
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
The California Government Code requires that no later than July of each even numbered year, the City Council shall direct the City Clerk to review and recommend changes to the Conflict of Interest Code to be adopted no later than October 1, 2010.

Since the most recent update of the Code in August 2008, the City Clerk has reviewed the current Code and is recommending the following changes resulting from the addition or deletion of designated positions pursuant to Government Code 87302:

The addition of the Deputy Fire Chief, new class specification approved by Council on September 16, 2008 (Resolution No. 4567) and the deletion of Plans Examiner and Senior Planner because the class specifications have been reclassified.
RESOLUTION NO.

A RESOLUTION ADOPTING THE 2010 CONFLICT OF INTEREST CODE FOR THE CITY OF EL SEGUNDO IN ACCORD WITH THE POLITICAL REFORM ACT.

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

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


B. Section 18730 of the FPPC Regs. sets forth a standard conflict of interest code that may be adopted by local agencies.

C. On or about July 2010 City Clerk's Office conducted a review of the City's conflict of interest code in accord with Government Code § 87306.5 and determined that changes to the code, were needed at that time.

D. To fulfill its obligations under the PRA and FPPC Regs., the City Council will repeal Resolution 4563, adopted August 5, 2008, and adopt a new conflict of interest code as set forth below.

SECTION 2: Pursuant to FPPC Regs. § 18730, the City of El Segundo adopts a Conflict of Interest Code to read as follows:

"CONFLICT OF INTEREST CODE FOR THE CITY OF EL SEGUNDO

A. Incorporation of Standard Code.

Under the terms of the Political Reform Act (Gov't Code §§ 81000 et seq.) and regulations promulgated by the Fair Political Practices Commission (2 Cal. Code of Regs. §§ 18700, et seq.), the City is required to adopt a conflict of interest code. The City of El Segundo incorporates by reference 2 Cal. Code of Regs. § 18730, and its amendments, into this Conflict of Interest Code including, without limitation, the designation of officials and employees and the disclosure categories set forth below (collectively, "the Conflict of Interest Code").

B. Filing of Statements

Designated officials, officers and employees must file Statements of Economic Interest (Form 700) with the City Clerk or Deputy City Clerk. After receiving Statements of Economic Interests from City Council members, the City Treasurer, Planning Commission members, City Attorney, and City Manager, the City Clerk or Deputy City
Clerk, must forward the original to the Fair Political Practices Commission and retain a copy for the City’s files.

Under Government Code § 82011(c), the City Council is the code reviewing body with respect to the Conflict of Interest Code.

C. Review Procedure

Under Government Code § 87306.5, not later than July 1 of each even numbered year, the City Council must direct the City Clerk, or Deputy City Clerk, to review the Conflict of Interest Code. The City Clerk or Deputy City Clerk must submit an amended Conflict of Interest Code to the City Council if a change in the Conflict of Interest Code is necessitated by changed circumstance. If changes are not required, the City Clerk or Deputy City Clerk must submit a written statement to that effect to the City Council not later than October 1 of the same year.

D. Designated Positions

The following positions entail the making or participation in the making of decisions that may have a foreseeable material effect on the officials or officer’s financial interests.

COUNCIL, COMMISSIONS, COMMITTEES, & BOARDS

* Members of the City Council
* Members of the Planning Commission
  Members of the Aviation Safety and Noise Abatement Committee
  Members of the Capital Improvement Program Advisory
  Members of the Community Cable Advisory Committee
  Members of the Economic Development Advisory Council
  Members of the Environmental Committee
  Members of the Investment Advisory Committee
  Members of the Library Board of Trustees
  Members of the Recreation & Parks Commission
  Members of the Senior Housing Board

OFFICE OF THE CITY MANAGER:

* City Manager
  Assistant City Manager
  Information Systems Manager

OFFICE OF THE CITY ATTORNEY:

* City Attorney
  Assistant City Attorney
OFFICE OF THE CITY CLERK:

City Clerk
Deputy City Clerk

OFFICE OF THE CITY TREASURER:

* City Treasurer
Deputy City Treasurer

FINANCE DEPARTMENT:

Director of Finance
Fiscal Services Manager
Accounting Manager
Business Services Manager
Purchasing Agent

FIRE DEPARTMENT

Fire Chief
*Deputy Fire Chief (New Class Specification)*
Battalion Chief(s)

HUMAN RESOURCES DEPARTMENT:

Director of Human Resources
Human Resources Manager

LIBRARY DEPARTMENT:

Director of Library Services
Librarian
Senior Librarian(s)

PLANNING & BUILDING SAFETY DEPARTMENT:

Director of Planning & Building Safety
Planning Manager
Building Safety Manager
Residential Sound Insulation Manager
Assistant Planner
Associate Planner
Building Inspector(s)
Construction Coordinator(s)  
Plan Check Engineer  
Planning Technician  
**Plans Examiner (Delete)**  
Principal Planner  
Property Owner Coordinator  
Senior Building Inspector(s)  
Senior Plan Check Engineer  
**Senior Planner(s) (Delete)**

POLICE DEPARTMENT

Police Chief  
Police Captain(s)

PUBLIC WORKS DEPARTMENT

Director of Public Works  
Assistant City Engineer  
General Services Manager  
Streets Supervisor  
Water Supervisor  
Wastewater Supervisor

RECREATION AND PARKS DEPARTMENT

Director of Recreation and Parks  
Parks Superintendent  
Recreation Superintendent

* Listed in the code for information purposes only. These positions file under Government Code Section 87200 with the Fair Political Practices Commission.

CONSULTANTS:

All consultants except those included by the City Manager in accordance with the following procedure:

The City Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that requires the consultant to fully comply with the disclosure requirements described in this section. Such written determination must include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager determination is a public record and must be retained for public inspection in the same manner and location as this conflict of interest code.
E. Disclosure Requirements

Designated employees must disclose all interests as required by the Political Reform Act and regulations promulgated thereto. When a new position classification is created by the Human Resources Department for City Council approval, the Human Resources Department will recommend that the City Council decide whether the new position will be required to file a Statement of Economic Interest and be included as a designated position in the Conflict of Interest Code.

When the City Council establishes a Commission, Committee, or Board, the City Council will decide whether the members of the Commission, Committee or Boards be included as a designated position in the Conflict of Interest Code and the members of the Commission, Committee or Board so designated by the City Council, will be required to file a Statement of Economic Interest.”

SECTION 3: Resolution No. 4563 (adopted August 5, 2008) and any other resolution or policy purporting to establish a conflict of interest code, are superseded by this Resolution and thus repealed in their entirety.

SECTION 4: Repeal of any provision of any resolution or policy herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Resolution’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 Resolution.

SECTION 5: The City Clerk will certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

SECTION 6: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this 7th day of September, 2010.

ATTEST:

Cindy Mortesen, City Clerk

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

By:
Karl H. Berger, Assistant City Attorney
AGENDA DESCRIPTION:
Consideration and possible action regarding adoption of a resolution authorizing the annual destruction of identified records in accordance with the provisions of Section 34090 of the Government Code of the State of California. (Fiscal Impact: Not to exceed $1,000)

RECOMMENDED COUNCIL ACTION:
1. Adopt Resolution authorizing the destruction of certain records;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Resolution with Attachments

FISCAL IMPACT: Included in Adopted Budget

<table>
<thead>
<tr>
<th>Amount Budgeted:</th>
<th>$1,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Appropriation:</td>
<td>N/A</td>
</tr>
<tr>
<td>Account Number(s):</td>
<td>001-400-1301-6214</td>
</tr>
</tbody>
</table>

ORIGINATED BY: Cathy Domann, Deputy City Clerk
REVIEWED BY: Cindy Mortesen, City Clerk
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
Each year various Departments need to transition older documents to storage or destruction and make space for the new records. By reviewing the older records and inventorying the current ones, available storage space is used more efficiently.

Documents from the City Clerk’s Office (unsuccessful bids and requests for proposals, election material, closed contracts and agreements, agenda packets archived in document imaging database, and miscellaneous administrative and duplicate records) are proposed to be destroyed.

In addition, documents from the Finance Department (miscellaneous reports, invoices, check stubs, bank statements, journal entries, financials from The Lakes, etc.), the Fire Department (emergency medical service reports, copies of invoices and purchase orders), Police Department (citations, miscellaneous correspondence, impound reports, crime reports and records subpoenas), and the Treasury (cancelled checks, deposit slips, bank statements and wires, miscellaneous investments, and credit card backup) are proposed to be destroyed in accordance with Government Code Section 34090.
BACKGROUND AND DISCUSSION – CONTINUED

All listed records meet the required retention schedule adopted by City Council, Resolution No. 4471, and the City Attorney has given written approval for the destruction of these records.
RESOLUTION NO.

A RESOLUTION AUTHORIZING THE DESTRUCTION OF PUBLIC RECORDS IN ACCORDANCE WITH THE CALIFORNIA GOVERNMENT CODE.

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

SECTION 1: The City Council finds as follows:

A. Certain documents from the City Clerk’s Office, Finance Department, Fire Department, Police Department, and Treasury are proposed to be destroyed in accord with Government Code § 34090;

B. The City Attorney gave written approval for the destruction of these records pursuant to Government Code § 34090;

C. Based upon the documents presented to it for destruction, it does not appear to the City Council that these records need be retained and are occupying valuable storage space.

SECTION 2: Pursuant to Government Code § 34090, the City Council approves the destruction of the records referred to in attached Exhibit “A,” which is incorporated by reference, and authorizes the City Clerk to dispose of the records in any lawful manner.

SECTION 3: Upon destroying these documents, the City Clerk is directed to complete a certificate verifying the destruction of these records and file the certificate with the City’s official records.

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

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

PASSED AND ADOPTED this 7th day of September 2010.

Eric K. Busch, Mayor
ATTEST:

______________________________
Cindy Mortesen,
City Clerk

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

By: ___________________________
    Karl H. Berger
    Assistant City Attorney
EXHIBIT A
CITY OF EL SEGUNDO

RECORDS DESTRUCTION FORM

The records listed below are scheduled to be destroyed, as indicated on the Retention Schedule adopted by the City Council (Resolution 4291 adopted 12/17/02, Amended 06/07/06 by Resolution 4471):

<table>
<thead>
<tr>
<th>Records Description</th>
<th>Start Date</th>
<th>End Date</th>
<th>Box #</th>
<th>Retention Period</th>
<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Records Requests</td>
<td>2006</td>
<td>2006</td>
<td>17</td>
<td>3 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Misc. Correspondence</td>
<td>2006</td>
<td>2007</td>
<td>17, 18</td>
<td>3 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>City Clerk Budget Worksheets</td>
<td>2004</td>
<td>2006</td>
<td></td>
<td>Working drafts when no longer needed</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Miscellaneous Election Documents (notices, expenditures, equipment &amp; supplies, etc.)</td>
<td>2002</td>
<td>2002</td>
<td>18</td>
<td>3 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Public Records Requests</td>
<td>2006</td>
<td>2007</td>
<td>19</td>
<td>3 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>FPPC Campaign Filings Thomas Properties &amp; Kilroy Realty Corp., Independent Expenditures 2002 Election</td>
<td>2002</td>
<td>2002</td>
<td>19</td>
<td>Election + 5 Years</td>
<td>City Clerk</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

[Signature]
Department Head

8-17-10
Date

APPROVED FOR DESTRUCTION:

[Signature]
City Attorney

7/13/2010
Date

I HEREBY CERTIFY that the items listed above are approved for destruction on 8-17-10 in accordance with City policies and procedures:

Cindy Mortesen, City Clerk

[Signature]
CITY OF EL SEGUNDO

RECORDS DESTRUCTION FORM

The records listed below are scheduled to be destroyed, as indicated on the Retention Schedule adopted by the City Council (Resolution 4291 adopted 12/17/02, Amended 06/07/06 by Resolution 4471):

<table>
<thead>
<tr>
<th>Records Description</th>
<th>Start Date</th>
<th>End Date</th>
<th>Box #</th>
<th>Retention Period</th>
<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposition 218 Water Rate Increase – protest ballots</td>
<td>11-3-09</td>
<td>11-3-09</td>
<td>1 &amp; 2</td>
<td>6 months</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Bids (Unsuccessful) - See Attached</td>
<td>1997</td>
<td>2002</td>
<td>1, 8, 9, 10, 11, 14</td>
<td>Closure + 2 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Completed/Expired Contracts - See Attached</td>
<td>1997</td>
<td>1999</td>
<td>3</td>
<td>10 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Request for Proposals - See Attached</td>
<td>2001</td>
<td>2002</td>
<td>4-7, 12</td>
<td>Audit + 5 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>City Council Agenda Packets (Scanned into Document Imaging Database)</td>
<td>1999</td>
<td>1999</td>
<td>15, 16</td>
<td>10 Years</td>
<td>City Clerk</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

__________________________
Department Head

8-17-10
Date

APPROVED FOR DESTRUCTION:

__________________________
City Attorney

7/13/2010
Date

I HEREBY CERTIFY that the items listed above are approved for destruction on

in accordance with City policies and procedures:

__________________________
Cindy Mortesen, City Clerk

Date
### DOCUMENTS FOR DESTRUCTION

**6/2010**

#### BOX 1

<table>
<thead>
<tr>
<th>BIDS</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>PW 98-03</td>
<td>Annual Curb and Sidewalk Improvements</td>
<td>Completed 11/3/99</td>
</tr>
<tr>
<td>PW 98-01</td>
<td>Removal and Replacement of UST &amp; Fueling System City Maintenance Facility</td>
<td>Completed 12/31/99</td>
</tr>
<tr>
<td>PW 97-32</td>
<td>Roller Rink in City Recreation Park</td>
<td>Completed 12/31/98</td>
</tr>
<tr>
<td>PW 97-30</td>
<td>Playground Upgrades Recreation Park &amp; Acacia Park</td>
<td>Completed 1/2/00</td>
</tr>
<tr>
<td>PW 97-24</td>
<td>Sanitary Sewer Manhole Lining</td>
<td>Completed 12/31/98</td>
</tr>
<tr>
<td>PW 98-23</td>
<td>Plunge Pool Deck Surfacing</td>
<td>Completed 12/31/98</td>
</tr>
<tr>
<td>PW 97-17</td>
<td>Pavement Rehab</td>
<td>Completed 12/31/98</td>
</tr>
<tr>
<td>PW 98-16</td>
<td>Reroof City Buildings</td>
<td>Completed 12/31/98</td>
</tr>
<tr>
<td>PW 97-14</td>
<td>Storm Drain Washington Street</td>
<td>Completed 12/31/98</td>
</tr>
<tr>
<td>PW 98-06</td>
<td>Trenchless Rehab Sewe Main Virginia Street</td>
<td>Completed 1/28/99</td>
</tr>
<tr>
<td>PW 99-05</td>
<td>Douglas Street Pavement Rehabilitation</td>
<td>Completed 1/31/99</td>
</tr>
<tr>
<td>PW 97-12</td>
<td>Repair and Modernizing Elevator Joslyn Center</td>
<td>Completed 12/31/98</td>
</tr>
<tr>
<td>PW 98-04</td>
<td>Storm Drain 500 Block of Washington Street</td>
<td>Completed 3/2/99</td>
</tr>
<tr>
<td>PW 98-07</td>
<td>Re-Roof Joslyn Community Center</td>
<td>Completed 5/5/99</td>
</tr>
<tr>
<td>PW 98-09</td>
<td>Refurbishment &amp; Cleaning Air Conditioning Duct Work City Library</td>
<td>Completed 4/7/99</td>
</tr>
</tbody>
</table>

#### BOX 2

<table>
<thead>
<tr>
<th>BIDS</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>PW 98-11</td>
<td>Roller Hockey Rink Phase II</td>
<td>Completed 1/31/99</td>
</tr>
<tr>
<td>PW 99-03</td>
<td>Civic Center Emergency Generator Replacement</td>
<td>Completed 6/30/99</td>
</tr>
<tr>
<td>PW 99-04</td>
<td>Trenchless Rehabilitation of Sewer Mains</td>
<td>Completed 1/3/00</td>
</tr>
<tr>
<td>FN 98-02</td>
<td>No Bid West Basin Water Rights</td>
<td>Completed 2/19/98</td>
</tr>
<tr>
<td>PD 98-02</td>
<td>PD Video Surveillance System</td>
<td>Bid Opening 5/26/98</td>
</tr>
<tr>
<td>FD 98-01</td>
<td>Fire Department Telesquirt Pumper</td>
<td>Bid Opening 1/29/98</td>
</tr>
<tr>
<td></td>
<td>Completion Date UNK</td>
<td></td>
</tr>
<tr>
<td>PW 98-07</td>
<td>Parking Circulation RFP</td>
<td>Completed 6/30/98</td>
</tr>
<tr>
<td>PD 99-01</td>
<td>Removal and Install Lockers</td>
<td>Completed 1999</td>
</tr>
<tr>
<td>RP 98-05</td>
<td>Non Linear Editing Video Equipment</td>
<td>Completed 1998</td>
</tr>
<tr>
<td>RP 98-06</td>
<td>RFP Park Vista Maint.</td>
<td>Completed 1998</td>
</tr>
<tr>
<td>FN 98-08</td>
<td>Lease of Water Pumping Rights West Basin RFP - Contract 2693</td>
<td>Expired 6/30/00</td>
</tr>
</tbody>
</table>

#### BOX 3

**Expired/Completed Contracts**

<table>
<thead>
<tr>
<th>Contract</th>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2738</td>
<td>12/31/99</td>
<td>Acts of Creation – Library</td>
</tr>
<tr>
<td>2706</td>
<td>7/13/99</td>
<td>Mary Weiss – Farmer’s Market Consultant</td>
</tr>
<tr>
<td>2705</td>
<td>11/3/99</td>
<td>Wagner Events – Downtown Events Coordinator</td>
</tr>
<tr>
<td>2690</td>
<td>8/15/00</td>
<td>Industrial Contracting Engineers, Inc. - Lease Agreement</td>
</tr>
<tr>
<td>2689</td>
<td>12/31/99</td>
<td>Don Lewis – Interim Assistant City Manager</td>
</tr>
<tr>
<td>2684</td>
<td>12/31/99</td>
<td>PMW Associates – Organizational Audit Planning and Bldg. Safety</td>
</tr>
<tr>
<td>2680</td>
<td>12/31/99</td>
<td>Patrick Murray, Inc. – City Hall Space Utilization Study</td>
</tr>
<tr>
<td>2675</td>
<td>4/8/99</td>
<td>PKF Consulting – Market Demand Downtown Study</td>
</tr>
<tr>
<td>2665</td>
<td>9/22/99</td>
<td>Pafford Associates Surveyors, Architect Design Survey Police Department</td>
</tr>
<tr>
<td>Date</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>2659</td>
<td>11/30/99 Radian International LLC, CEQA Study, Chevron LSFO Furnaces</td>
<td></td>
</tr>
<tr>
<td>2622</td>
<td>6/30/99 VOID Tom Strickfaden, Consultant, Community Cable Production Assistant</td>
<td></td>
</tr>
<tr>
<td>2621</td>
<td>6/8/99 Gladstein &amp; Associates, Downtown Visioning Project</td>
<td></td>
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<tr>
<td>2619</td>
<td>6/30/99 South Bay Youth Project, thru June 30, 1999</td>
<td></td>
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<tr>
<td>2591</td>
<td>5/18/99 Sandy Forrest, Interim Deputy City Clerk</td>
<td></td>
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<tr>
<td>2572</td>
<td>12/31/99 Eaton Corp Lease Agreement</td>
<td></td>
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<tr>
<td>2563</td>
<td>12/31/98 G.B. Construction, Inc. Extension to contract Sound Insulation</td>
<td></td>
</tr>
<tr>
<td>2561</td>
<td>12/31/98 G.B. Construction, Inc. Extension to contract Sound Insulation</td>
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<tr>
<td>2560</td>
<td>12/31/98 G.B. Construction, Inc. Extension to contract Sound Insulation</td>
<td></td>
</tr>
<tr>
<td>2552</td>
<td>10/07/97 VOID</td>
<td></td>
</tr>
<tr>
<td>2549</td>
<td>12/31/97 Healthcomp, Flex Benefits Plan Administrator</td>
<td></td>
</tr>
<tr>
<td>2543</td>
<td>9/3/99 Robinson &amp; Cole, Legal Services</td>
<td></td>
</tr>
<tr>
<td>2538</td>
<td>9/30/99 Government Financial Services, Interim Sr. Accountant</td>
<td></td>
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<tr>
<td>2537</td>
<td>10/19/99 State Controller, Annual Street Report</td>
<td></td>
</tr>
<tr>
<td>2522</td>
<td>9/30/99 Hannah Bronzial Bowen, Planning Consultant Services</td>
<td></td>
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<tr>
<td>2516</td>
<td>12/31/99 Fred Talarico, Planning Consultant Services</td>
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<td>2515</td>
<td>8/30/99 Los Angeles Co., Animal Control Services</td>
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<td>2509</td>
<td>6/30/97 Hannah Bronzial Bowen, Planning Consultant</td>
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</tr>
<tr>
<td>2498</td>
<td>10/4/99 Loeb &amp; Loeb LLP, Labor Negotiator</td>
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<tr>
<td>2476</td>
<td>10/7/99 Richards, Watson, &amp; Gershon, Fire Association Negotiator</td>
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<tr>
<td>2436</td>
<td>10/19/99 Thomas Bros. Maps, Database License Agreement</td>
<td></td>
</tr>
<tr>
<td>2448</td>
<td>10/19/99 HDL Property Tax Auditing Service</td>
<td></td>
</tr>
<tr>
<td>2435</td>
<td>10/15/99 Loeb &amp; Loeb LLP lead counsel LASC Case No. YC 025903</td>
<td></td>
</tr>
<tr>
<td>2238</td>
<td>12/30/93 Robert Bein, William Frost &amp; Assoc. Consultant SCADA System Water Plant</td>
<td></td>
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<tr>
<td>2015</td>
<td>6/30/99 MAX commuter bus service</td>
<td></td>
</tr>
<tr>
<td>1996</td>
<td>12/31/98 Flexible Spending Account Administrator, Western States Administrators</td>
<td></td>
</tr>
<tr>
<td>1941</td>
<td>5/6/99 LA Co. Dept. of Public Works, Industrial Waste Agreement</td>
<td></td>
</tr>
<tr>
<td>1605</td>
<td>6/30/99 County Paramedic Grant</td>
<td></td>
</tr>
<tr>
<td>1306</td>
<td>6/30/99 City of Inglewood, Fire Training Facility</td>
<td></td>
</tr>
<tr>
<td>917</td>
<td>6/30/99 County Emergency Ambulance Service Agreement</td>
<td></td>
</tr>
</tbody>
</table>

**BOX 4**

RFP 01-01 1/23/01 Request for Proposal – Document Imaging - Completed 12/31/02

**BOX 5**

PA 01-02 3/6/01 Request for Proposal – Brochure RP – unsuccessful bidders
CEDS 01-03 5/8/01 Request for Proposal – Permit Tracking – unsuccessful bidders
RP 01-04 3/7/01 Request for Proposal – Architect, Community Center – unsuccessful bidders
RFP 01-05 5/4/01 Request for Proposal – Sewer Master Plan – unsuccessful bidders
RP 01-06 4/4/01 Request for Proposal – Engr Consultant – Community Fish Pond – unsuccessful bidders

**BOX 6**

RFP 01-07 4/17/01 Request for Proposal – RP Electrical Upgrades – unsuccessful bidders
RP 01-08 VOID
RFP 01-09 9/11/01 Request for Proposal – Upgrade Imperial Vista – unsuccessful
RFP 01-10 6/26/01 Request for Proposal – Downtown Specific Plan Improvements – unsuccessful bidders
CEDS 01-11 8/14/01 Request for Proposal – Plan Check Services – unsuccessful bidders
RFQ 01-12 11/6/01 Request for Quote – Golf Course Management – unsuccessful bidders
RFP 01-24 12/20/01 Request for Proposal – HVAC System – unsuccessful bidders
RFP 01-23 12/10/01 Request for Proposal – Disposal of Green Waste – unsuccessful bidders

082
BOX 7

RFP 01-14 11/5/01 Request for Proposal – Consultant, Skateboard Park – unsuccessful bidders
RFP 01-15 11/5/01 Request for Proposal – Consultant Camp Eucalyptus– unsuccessful bidders
LIB 01-16 12/11/01 Request for Proposal – Network Cabling – unsuccessful bidders
RFP 01-19 11/19/01 Request for Proposal – Smoke Testing Storm Drain Lines – unsuccessful bidders
RFP 01-20 11/19/01 Request for Proposal – Root Control Program – unsuccessful bidders
RFP 01-21 11/19/01 Request for Proposal – Remote Water Meter Reading Equip – unsuccessful bidders
RFP 01-22 11/19/01 Request for Proposal – Global Positioning System Program – unsuccessful bidders
RFP 01-18 12/21/01 Request for Proposal – Mgmt Services – The Lakes – unsuccessful bidders
RFP 01-13 10/1/01 Request for Proposal – Risk Mgmt Consulting – unsuccessful bidders
RFP 01-17 12/4/01 Request for Proposal – Digital Ortho Project – unsuccessful bidders

BOX 8

PW 99-07 Pump Station 17 - unsuccessful bids – contract completed 12/31/00
PW 99-02 Slurry Seal - unsuccessful bids – contract completed 12/31/00
PW 99-01 Communications Center Addition - unsuccessful bids – contract completed 9/20/00

BOX 9

Bids-Unsuccessful
PW 00-03 9/12/00 Refurbish of Rec Park Restrooms
PW 00-1A 7/18/00 Rehab of Sanitary Sewer Pump Station #13
PW 00-01 5/16/00 Rehab of Sanitary Sewer Pump Station #13
PW 00-05 4/04/00 Replacement of Volleyball & Paddle Tennis Court Surfaces
PW 00-06 6/06/00 Cleaning & CCTV Inspection of Sewer Lines
PW 00-07 5/02/00 Re-roofing of Various Buildings in Rec Park
PW 00-08 7/14/00 Douglas Street Gap Closure/RR Grade Separation Project
PW 00-11 8/08/00 Slurry Seal (Various Streets)
PW 00-12 8/15/00 Lining of Sanitary Sewer Access Structures
PW 00-13 3/19/02 Park Vista Sr Housing Deck Resurfacing & Waterproofing

BOX 10

PW 00-14 12/01/00 Curb & Gutter Sidewalk & Other Minor Improvements
PW 00-15 02/06/01 Banner Poles on Sepulveda
PW 00-16 02/23/01 Holly Ave Curb & Sidewalk
PW 00-17 07/24/01 Sycamore Park Irrigation System
PW 00-18 03/06/01 Lining of Sanitary Sewer Access Structures
PW 00-19 04/03/01 Reconstruct City Hall Parking Lots
PW 01-02 08/28/01 Washington Park Improvements
PW 01-03 06/05/01 Replacement of Water Valve & Water System Booster Pump #2
PW 01-04 06/12/01 2000-2001 Slurry Seal of Various Streets
PW 01-05 06/18/02 Recreation Park Electrical Upgrades
PW 01-07 09/11/01 Pump Replacement at Storm Water Pump Station #17
PW 01-07A 10/09/01 Replace Sump Pump-Storm Water Pump Station #17

BOX 11

PW 01-08 08/28/01 Refurbishment of Rec Park Racquetball Courts
PW 01-09 11/13/01 Flashing Lights for Main St & Pine Ave Stop Signs
PW 01-10 09/04/01 Eucalyptus Drive Curb & Sidewalks
PW 01-11 12/18/01 Replace & Upgrade Generator at Maintenance Facility
PW 01-12 11/13/01 Rehab of Sanitary Sewer Pump Station #6
PW 01-15 01/08/02 Rehab of Sanitary Sewer Pump Station #5
PW 01-16 11/20/01 Two Portable Generators
PW 01-17 09/24/02 City Hall Improvements – Phase I
PW 01-18 09/03/02 Imperial Avenue Vista Upgrade
PW 01-20 07/23/02 2001-2002 Slurry Seal Project
PW 01-21 04/08/03 Roof Structure for Storage Bins
PW 01-23 02/19/02 Annual Contract for Curb, Gutter, Sidewalk & Other
Minor Improvements
PW 01-24 09/26/02 Fumigation of Government Buildings

BOX 12

RFP 02-01 01/18/02 ICRMA Proposals
RFP 02-02 03/01/02 Rehab Sewer Pump Station #12
RFP 02-03 02/12/02 Police Towing & Storage Service
RFP 02-04 02/08/02 Organizational Audit Consulting Svc for Rec & Parks
RFP 02-05 02/28/02 New Installation of Heat & Air for City Hall Phase I
RFP 02-06 02/04/02 Specific Plan/IER for Air Force Base Project
RFP 02-07 02/08/02 Freedom Park Memorial
RFP 02-08 03/05/02 Interior & Exterior Painting of the City’s Maint. Facility
RFP 02-09 04/16/02 Thermal Imaging Camera(s)
RFP 02-10 06/04/02 Elevator Installation
RFP 02-11 05/14/02 KWIK File System
RFP 02-12A 06/25/02 (2) ¾ Ton Chev Truck
RFP 02-13 06/04/02 Cable Video Production Equipment
RFP 02-14 07/16/02 Police Towing & Storage

BOX 13

Unsuccessful Bids

RFP 02-15 07/30/02 Workers’ Compensation Claims Audit Services
RFP 02-16 09/09/02 Freedom Monument
RFP 02-18 09/10/02 Fire Uniforms & Accessories
RFP 02-17 09/03/02 Police Uniforms & Accessories
RFP 02-19 09/24/02 Fiscal Impact Report LAAF
RFP 02-2- 11/05/02 Phase II-City Hall Design Improvement
RFP 02-21 10/22/02 Info Systems Consulting Support Service
RFP 02-22 12/16/02 Modification of Library
PW 02-13 5/21/04  Acacia Park Irrigation System Replacement
PW 02-14 5/7/02  Landscaping of Median Islands/ Sepulveda Blvd.

**Unsuccessful Bids**

<table>
<thead>
<tr>
<th>Project Code</th>
<th>Date</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>PW 02-15</td>
<td>7/2/02</td>
<td>Traffic Signal Sepulveda at Grand Ave.</td>
</tr>
<tr>
<td>PW 02-16</td>
<td>1/28/02</td>
<td>Camp Eucalyptus Building 641 California</td>
</tr>
<tr>
<td>PW 02-17</td>
<td>8/27/02</td>
<td>Heritage Stones Removal</td>
</tr>
<tr>
<td>PW 02-18</td>
<td>12/10/02</td>
<td>Installation of City Hall Elevator</td>
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<tr>
<td>PW 02-20</td>
<td>1/21/03</td>
<td>Residential Sound Insulation Program</td>
</tr>
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</table>
CITY OF EL SEGUNDO

RECORDS DESTRUCTION FORM

The records listed below are scheduled to be destroyed, as indicated on the Retention Schedule adopted by the City Council (Resolution 4291 adopted 12/17/02, Amended 06/07/06 by Resolution 4471):

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<tr>
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<th>End Date</th>
<th>Box #</th>
<th>Retention Period</th>
<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
<td>FINANCIALS - THE CAKES</td>
<td>4/99</td>
<td>12/99</td>
<td>1</td>
<td>5 YRS</td>
<td>FINANCE</td>
</tr>
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</table>
| REVENUE BACK UP - THE CAKES | 1/97    | 6/97     | 2     | WHEN NO LONGER NEEDED | FINANCE
| JOURNAL ENTRIES - THE CAKES | 1/98    | 5/98     | 3     | 5 YRS            | FINANCE         |

APPROVED FOR DESTRUCTION:

[Signature]

Department Head

3-1-10

Date

APPROVED FOR DESTRUCTION:

[Signature]

City Attorney

3-3-10

Date

I HEREBY CERTIFY that the items listed above are approved for destruction on ____________________ in accordance with City policies and procedures:

Cindy Mortesen, City Clerk

Date
CITY OF EL SEGUNDO

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<th>Retention Period</th>
<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
<td>4</td>
<td>5 yrs</td>
<td>FINANCE</td>
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<tr>
<td>BANK STATEMENTS, FINANCIAL JOURNAL ENTRIES</td>
<td>1994</td>
<td>1995</td>
<td>5</td>
<td></td>
<td>FINANCE</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

[Signature]  
Department Head

3-1-10  
Date

APPROVED FOR DESTRUCTION:

[Signature]  
City Attorney

3-3-10  
Date

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[Signature]  
Cindy Mortesen, City Clerk

[Signature]  
Date
CITY OF EL SEGUNDO

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<tr>
<td>Finance Journal Entries</td>
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<td>Dec 1997</td>
<td>6</td>
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<td>7</td>
<td>5 yrs</td>
<td></td>
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<td>Revenue Backup</td>
<td>1995</td>
<td>1997</td>
<td>8</td>
<td>When No Longer Needed</td>
<td></td>
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</table>

APPROVED FOR DESTRUCTION:

[Signature]

Department Head

3-1-10

Date

APPROVED FOR DESTRUCTION:

[Signature]

City Attorney

3-8-10

Date

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_________________________ in accordance with City policies and procedures:

Cindy Mortesen, City Clerk

Date
CITY OF EL SEGUNDO

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<tr>
<td>FINANCIALS</td>
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<td>9/99</td>
<td>9</td>
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<td>REVENUE BACKUP</td>
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<td>4/99</td>
<td>10</td>
<td>5YRS</td>
<td></td>
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<tr>
<td>INVOICES, CHECK STUBS</td>
<td>6/99</td>
<td>9/99</td>
<td>11</td>
<td>5YRS</td>
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</tbody>
</table>

APPROVED FOR DESTRUCTION:

[Signature]  3-1-10
Department Head  Date

APPROVED FOR DESTRUCTION:

[Signature]  3-3-10
City Attorney  Date

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Cindy Mortesen, City Clerk  Date
CITY OF EL SEGUNDO

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<tbody>
<tr>
<td>INVOICES, CHECK STUBS</td>
<td>10/99</td>
<td>9/99</td>
<td>12</td>
<td>5 yrs</td>
<td></td>
</tr>
<tr>
<td>INVOICES, CHECK STUBS</td>
<td>10/99</td>
<td>9/99</td>
<td>13</td>
<td>5 yrs</td>
<td></td>
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</tbody>
</table>

APPROVED FOR DESTRUCTION:

[Signature]
Department Head

3-1-10
Date

APPROVED FOR DESTRUCTION:

[Signature]
City Attorney

7-13-2010
Date

I HEREBY CERTIFY that the items listed above are approved for destruction on ______________________ in accordance with City policies and procedures:

______________________________
Cindy Mortesen, City Clerk

______________________________
Date
CITY OF EL SEGUNDO

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</tr>
</thead>
<tbody>
<tr>
<td>Dispatch Summaries</td>
<td>Jan. 2003</td>
<td>June 2003</td>
<td>25</td>
<td>7 years</td>
<td>Fire</td>
</tr>
<tr>
<td>Dispatch Printouts</td>
<td>Jan. 2003</td>
<td>June 2003</td>
<td>25</td>
<td>7 Years</td>
<td>Fire</td>
</tr>
<tr>
<td>EMS Reports</td>
<td>Jan. 2003</td>
<td>June 2003</td>
<td>25</td>
<td>7 Years</td>
<td>Fire</td>
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<tr>
<td>Dispatch Summaries</td>
<td>July 2003</td>
<td>Dec. 2003</td>
<td>26</td>
<td>7 years</td>
<td>Fire</td>
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<tr>
<td>Dispatch Printouts</td>
<td>July 2003</td>
<td>Dec. 2003</td>
<td>26</td>
<td>7 Years</td>
<td>Fire</td>
</tr>
<tr>
<td>EMS Reports</td>
<td>July 2003</td>
<td>Dec. 2003</td>
<td>26</td>
<td>7 Years</td>
<td>Fire</td>
</tr>
<tr>
<td>Invoice/PO</td>
<td>2002</td>
<td>2003</td>
<td>27</td>
<td>Copies n/a</td>
<td>Fire</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

[Signature]

Department Head

Date: 7-15-10

APPROVED FOR DESTRUCTION:

[Signature]

City Attorney

Date: 7-21-10

I HEREBY CERTIFY that the items listed above are approved for destruction on

_________________________ in accordance with City policies and procedures:

Cindy Mortesen, City Clerk

Date
CITY OF EL SEGUNDO

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<tr>
<td>TRAFFIC CITATIONS</td>
<td>01/01/2004</td>
<td>03/31/2004</td>
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<td>2 YEARS</td>
<td>POLICE / RECORDS</td>
</tr>
<tr>
<td>TRAFFIC CITATIONS</td>
<td>04/01/2004</td>
<td>06/30/2004</td>
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<td>2 YEARS</td>
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<td>2 YEARS</td>
<td>POLICE / RECORDS</td>
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<td>TRAFFIC CITATIONS</td>
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<td>12/31/2004</td>
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<td>2 YEARS</td>
<td>POLICE / RECORDS</td>
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<td>TRAFFIC CITATIONS (Voided Citations and dismissals)</td>
<td>01/01/2004</td>
<td>12/31/2004</td>
<td>5 of 5</td>
<td>2 YEARS</td>
<td>POLICE / RECORDS</td>
</tr>
<tr>
<td>PARKING CITATIONS</td>
<td>01/01/2005</td>
<td>12/31/2005</td>
<td>1</td>
<td>2 YEARS</td>
<td>POLICE / RECORDS</td>
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<tr>
<td>EXPIRED RESTRAINING ORDERS</td>
<td>01/01/2001</td>
<td>12/31/2007</td>
<td>1 of 2</td>
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<tr>
<td>RECORDS CHECKS / BACKGROUND CHECKS</td>
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<td>06/30/2008</td>
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<tr>
<td>MISDEMEANOR/TRAFFIC CITATIONS (Closed cases)</td>
<td>01/01/2002</td>
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<tr>
<td>CRIME REPORTS – LIGHT DUTY REPORTS (MISCELLANEOUS INCIDENTS, TRAFFIC COLLISION NON-INJURY PROPERTY DAMAGE ONLY, PARKING IMPOUND VEHICLES)</td>
<td>01/01/2002</td>
<td>12/31/2002</td>
<td>1 of 2</td>
<td>2 YEARS</td>
<td>POLICE / RECORDS</td>
</tr>
<tr>
<td>CRIME REPORTS – LIGHT DUTY REPORTS (MISCELLANEOUS INCIDENTS, TRAFFIC COLLISION NON-INJURY PROPERTY DAMAGE ONLY, PARKING IMPOUND VEHICLES)</td>
<td>01/01/2002</td>
<td>12/31/2002</td>
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<td>2 YEARS</td>
<td>POLICE / RECORDS</td>
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<tr>
<td>FIELD INTERVIEW CARDS</td>
<td>01/01/2007</td>
<td>12/31/2008</td>
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<tr>
<td>DAILY CRIME REPORTS LOGS</td>
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<td>2 YEARS</td>
<td>POLICE / RECORDS</td>
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<tr>
<td>RECORDS REQUESTS – INCIDENTS ONLY</td>
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<td>12/31/2007</td>
<td>1</td>
<td>2 YEARS</td>
<td>POLICE / RECORDS</td>
</tr>
<tr>
<td>SEALED RECORDS APPOINTED FOR DESTRUCTION</td>
<td>01/01/2005</td>
<td>12/31/2005</td>
<td>1</td>
<td>3 YEARS Per Court Order</td>
<td>POLICE / RECORDS</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

[Signature]

Department Head

Date: 8/30/10

APPROVED FOR DESTRUCTION:

[Signature]

City Attorney

Date: 8/31/2010

I HEREBY CERTIFY that the items listed above are approved for destruction on [Date] in accordance with City policies and procedures:

Cindy Mortesen, City Clerk

Date
CITY OF EL SEGUNDO

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</thead>
<tbody>
<tr>
<td>Sweep - Bank Analysis Misc.</td>
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<td>244516151</td>
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<td>Worker Comp Check Register</td>
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<td>2002</td>
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<td>Misc. Investment LAIF WA Mutual</td>
<td>1993</td>
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<tr>
<td>AP Cancelled &amp; Void checks</td>
<td>1999</td>
<td>2002</td>
<td>244516222</td>
<td>7 years</td>
<td>Treasury</td>
</tr>
<tr>
<td>Rec &amp; Park Credit Card Backup</td>
<td>2002</td>
<td>2003</td>
<td>244516205</td>
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<td>UBOC Deposit Slips</td>
<td>2002</td>
<td>2003</td>
<td>244516201</td>
<td>7 years</td>
<td>Treasury</td>
</tr>
<tr>
<td>UBOC Deposit Slips</td>
<td>2002</td>
<td>2003</td>
<td>244516202</td>
<td>7 years</td>
<td>Treasury</td>
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<tr>
<td>UBOC Bank Stmt &amp; Wires &amp; Saving Bond</td>
<td>2002</td>
<td>2002</td>
<td>244516243</td>
<td>7 years</td>
<td>Treasury</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

\[Signature\]  
Department Head  
4/1/110  
Date

APPROVED FOR DESTRUCTION:

\[Signature\]  
City Attorney  
04/23/110  
Date

I HEREBY CERTIFY that the items listed above are approved for destruction on  
_________________________ in accordance with City policies and procedures:

_________________________  
Cindy Mortesen, City Clerk  
Date

N:\Forms\Cert of Destruction - Jun 10.doc  
094
AGENDA DESCRIPTION:

Consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and on-site consumption of alcohol, in conjunction with the operation of a new café and bar/lounge in an existing 16-screen theater located at 831 South Nash Street (Pacific Theaters/ArcLight). Applicant: Beach Cities ArcLight c/o Art Rodriguez (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:

1. Receive and file this report without objecting to a new Type 47 ABC license at 831 South Nash Street; and/or,

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

ATTACHED SUPPORTING DOCUMENTS:

1. Crime and Arrest Statistics by Reporting District (RD)
2. Police Reporting District Map
3. Planning Commission Staff Report dated August 26, 2010
4. Approval Letter to Applicant dated August 20, 2010
5. Police Department and Building Safety Department Memorandum

FISCAL IMPACT: None

Amount Budgeted: N/A
Additional Appropriation: N/A
Account Number(s): N/A

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Planning and Building Safety Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

I. Background

On April 4, 1995, the City Council directed staff to bring all future Alcohol Beverage Control ("ABC") license applications to it for review. For alcohol sales at restaurants, cafes and bars, California regulations require a 30-day review and comment period after notifying local police and planning departments. The grounds of a protest, if any, should relate to public health, safety or welfare concerns. Based upon previous Council direction, staff is providing background information regarding this application.

II. Analysis

According to the most recent Crime and Arrest statistics report (January 2010 – June 2010,
Exhibit 1) prepared by the Police Department, the proposed restaurant is located in Reporting District (RD) 318. Based on 2010 reported data prepared by the Police Department, the district had a total of 35 Part I crimes (criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson), and 40 Part II crimes. The Reporting District is considered a high crime area with a total of 75 crimes reported between January and June 2010. However, the Police Department and the Planning and Building Safety Department do not object to a new ABC license for the proposed restaurant/café as part of the existing 16-screen theater.

This license would be for the purpose of serving alcoholic beverages (beer, wine and distilled spirits) to the customers to complement the food service at a new 1,485 square-foot café currently under construction located within the existing 16-screen theater complex that is currently under renovation and remodel. A 725 square-foot outdoor dining area is included in the 1,485 square-foot café total area. The outdoor dining area would be located on the south side of the theater, adjacent to the front entrance and facing an existing plaza area. Alcohol will also be served at a 305 square-foot bar/lounge area in one of the 16 theaters that will be age restricted (21 and older). Restaurants are a permitted use in the Urban Mixed Use South (MU-S) Zone.

The proposed on-site sale and consumption of beer, wine, and distilled spirits at a restaurant and outdoor patio area greater the 200 square feet (725 square feet is proposed), requires an Administrative Use Permit (AUP) and a Conditional Use Permit (CUP) respectively, in accordance with the development standards contained within the Urban Mixed Use South (MU-S) Zone (ESMC §§ 15-5(F)(4) & 15-5(F)(5). A license is required, since the applicant does not currently hold any alcohol license at this location, and there was no previous license issued for this address. The proposed hours of alcohol sale are expected to be from 10:00 a.m. to 12:00 a.m. Sunday through Wednesday, and from 10:00 a.m. through 1:00 a.m. Thursday through Saturday for the restaurant including the outdoor dining area. The hours of operation for the interior bar/lounge area and within Theater No. 7 only would be from 10:00 a.m. through 1:30 a.m. seven days a week.

On August 20, 2010 the Director of Planning and Building Safety approved an Administrative Use Permit application (EA No. 883 and AUP No. 10-07) for 831 South Nash Street. The Director's decision was forwarded to the Planning Commission on August 26, 2010. On August 26, 2010, the Planning Commission to Receive and File the item with conditions of approval.

ABC license review requires mandatory findings that are regulated by the Department of Alcoholic Beverage Control; the City’s AUP process is separate. The Department of Alcoholic Beverage Control (ABC) is responsible for running a complete background check on all alcohol license applicants, as well as conducting site inspections, before issuing any type of alcohol license.

III. Conclusion

Planning staff recommends that the Council receive and file this report without objecting to a new Type 47 ABC license at 831 South Nash Street.
# PART I AND PART II CRIMES STATISTICAL REPORT
**REPORTED PERIOD: JANUARY – JUNE, 2010**

## HIGH CRIME AREA BY REPORTING DISTRICT

<table>
<thead>
<tr>
<th>REPORTING DISTRICT</th>
<th>PART I CRIMES</th>
<th>PART II CRIMES</th>
<th>TOTAL</th>
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<td><strong>TOTALS</strong></td>
<td><strong>287</strong></td>
<td><strong>618</strong></td>
<td><strong>905</strong></td>
</tr>
</tbody>
</table>

Number of Reporting Districts = 51
Total Part I Crimes and Part II Crimes = 905
City Average for all Reporting Districts (905 / 51) = 18

High Crime Area per B&P Code Section 23958.4 (18 x 120%) = 22
CITY OF EL SEGUNDO

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: August 26, 2010

SUBJECT: Environmental Assessment No. EA-883, Conditional Use Permit No. 10-10 and Administrative Use Permit No. 10-07

APPLICANT: Beach Cities ArcLight c/o Art Rodriguez

PROPERTY OWNER: Continental Rosecrans Nash, LLC

REQUEST: A request for a Conditional Use Permit for the construction of a 725 square-foot outdoor dining area and a request for an Administrative Use Permit to allow the on-site sale and consumption of alcohol (Type 47 Alcoholic Beverage Control License for beer, wine and distilled spirits) at an existing 65,000 square-foot, 16-screen movie theater.

PROPERTY INVOLVED: 831 South Nash Street

I. Introduction

The proposed project is a request for a Conditional Use Permit to construct a new outdoor patio area and an Administrative Use Permit to allow the sale and consumption of alcohol at a new café and an existing 16-screen theater complex located at 831 South Nash Street in the Urban Mixed Use South (MU-S) Zone. The applicant is requesting a Type 47 license for the on-site sale and consumption of beer, wine and distilled spirits from the California Department of Alcoholic Beverage Control; this is the first request for such a license at this location. The Director made the necessary findings to grant an Administrative Use Permit for the on-site sale and consumption of alcohol and approved Administrative Use Permit on August 20, 2010 (see Exhibit B).

II. Recommendation

Planning Staff recommends that the Planning Commission: 1) review the facts and findings contained within this report, and adopt Resolution No. 2682 approving
Environmental Assessment No. EA-883 and Conditional Use Permit No. 10-10, with conditions, and 2) Receive and File Administrative Use Permit No. 10-07.

III. **Background**

The 6.1 acre project site is comprised of two parcels and is developed with two commercial buildings totaling 145,000 square feet in area. The site also contains a 4-story parking structure, located west of both buildings.

The theater building to the north is 65,000 gross square feet in area and the second commercial building to the south is 80,000 gross square feet. The second commercial building contains a mix of uses which include office, retail, and restaurant tenants. The buildings are separated by a roughly 12,000 square foot decorative concrete plaza, landscaped with palm trees, seating and the P.F. Chang outdoor dining area. The new café is proposed within the existing theater, currently under renovation and remodel, and will include an outdoor dining area, on the south side of the building, adjacent to the entrance.

The existing 16-screen movie theater will maintain the same 16-screens however; there will be a reduction of seats in each auditorium. The seat reductions are a direct result of the increased size of the new seats versus the old seats. The total number of seats available within the existing theater is 3,235; 3,391 seats were originally permitted as maximum capacity, a difference of 156 seats. The total number of seats under the new design will be 2,349, an overall reduction of 886 seats.

The proposed outdoor dining area is an irregular shaped area with a total area of 725 square feet. The combined total area of the restaurant will be 1,485 square feet (760 square-feet interior and 725 square-feet exterior). This facility will only be available to theater patrons. The interior dining area will contain 35 seats and the outdoor dining area will contain 28 seats. There will also be a 305 square-foot bar/lounge on the interior of the theater that will serve alcohol to the adjacent, age restricted (21 and older) Theater No. 7 (see Exhibit C enlarged Café and Lounge plan). The **proposed hours of operation**, as requested by the applicant, are as follows:

- Theater – 10:00 a.m. to 2 a.m. or until the last viewing of a late screening.
- Alcohol Consumption (bar/lounge and theater #7 only) 10:00 a.m. until 30 minutes after the last movie showing.
- Café’, including the indoor and outdoor dining area – 10:00 a.m. to 12:00 a.m. Sunday through Wednesday, and 10:00 a.m. to 1:00 a.m. Thursday through Saturday.

Staff concerns regarding the proposed hours of alcohol consumption are discussed
in Section IV of this report under the “Finding 3” discussion. The patio area is fully enclosed by a 3-foot high metal pipe handrail in compliance with ESMC §15-2-16.

The interior of the café includes a main dining area, a counter food bar with 5 bar stools, and a kitchen. The following chart summarizes the proposed areas where alcohol consumption is proposed:

<table>
<thead>
<tr>
<th>ALCOHOL SALES</th>
<th>PROPOSED SQUARE FOOTAGE</th>
<th>NUMBER OF SEATS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor Café Dining</td>
<td>760 SF</td>
<td>35 seats</td>
</tr>
<tr>
<td>Proposed Outdoor Café Patio</td>
<td>725 SF</td>
<td>28 seats</td>
</tr>
<tr>
<td>Auditorium no. 7</td>
<td>1,922 SF</td>
<td>93 seats</td>
</tr>
<tr>
<td>Lounge and Bar</td>
<td>305 SF</td>
<td>10 seats</td>
</tr>
<tr>
<td>Total</td>
<td>3,712 SF</td>
<td>166 seats</td>
</tr>
</tbody>
</table>

**Surrounding Land Uses**

The subject site is surrounded by other commercial office, retail, and hotel and restaurant uses. The surrounding land uses are as follows:

<table>
<thead>
<tr>
<th>SURROUNDING LAND USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction</td>
</tr>
<tr>
<td>North</td>
</tr>
<tr>
<td>East</td>
</tr>
<tr>
<td>South</td>
</tr>
<tr>
<td>West</td>
</tr>
</tbody>
</table>
IV. CONDITIONAL USE PERMIT PURPOSE, FINDINGS, AND ANALYSIS

Pursuant to El Segundo Municipal Code §15-23-4, the Planning Commission is authorized to grant a conditional use permit if it makes the three required findings listed in ESMC §15-23-6. As listed in ESMC §15-23-5, the purpose of a conditional use permit is to: 1) assure the compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located; 2) assure the proposed use is consistent and compatible with the purpose of the zone in which the site is located; and 3) recognize and compensate for potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, traffic and hazards.

As listed in ESMC §15-23-6, the required findings are: 1) that the proposed location of the conditional use permit is in accord with the objectives of the Title and the purposes of the zone in which the site is located; 2) that the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and 3) that the proposed conditional use will comply with each of the applicable provisions of this Chapter. Facts in support of said findings are outlined below.

Finding 1-Compatibility

Café’s and restaurants are a permitted use in the Urban Mixed Use South (MU-S) Zone. Outdoor dining areas that exceed 200 square feet or 20% of the indoor area, whichever is less, require a CUP. The subject outdoor dining area is 725 square feet, and therefore requires a Conditional Use Permit. Restaurants, such as the subject theater café (the term includes coffee shops and cafes), typically have outdoor dining areas that provide a choice of indoor or outdoor dining for patrons. The proposed outdoor dining area will be compatible with the existing theater and restaurant uses on the site and the surrounding area.

Finding 2-Zoning Consistency

The proposed 725 square-foot outdoor dining area is a permitted use within the Urban Mixed Use South (MU-S) Zone subject to a conditional use permit. The following chart contains the development standards for the Urban Mixed Use South (MU-S) Zone. The new patio area encroaches over the existing front and side property lines by 14 feet and 6 feet respectively as shown in Exhibit C (enlarged site plan). Since both properties are owned by a single owner (Continental Rosecrans/Nash LLC c/o Continental Development Corporation), the project has been conditioned to require a covenant to maintain the patio over the property lines, prior to the issuance of final building permits. The proposed patio complies with the following requirements except as noted:
<table>
<thead>
<tr>
<th>REQUIREMENTS</th>
<th>Urban Mixed Use South (MU-S) ZONE STANDARDS</th>
<th>PROPOSED PROJECT STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use</td>
<td>Outdoor dining area exceeding 200 square feet in area or 20% of the indoor dining area whichever is less subject to a conditional use permit. ESMC §15-5F-5(H)</td>
<td>New 725 square-foot outdoor dining area</td>
</tr>
<tr>
<td>Height</td>
<td>175 feet maximum permitted height for buildings. ESMC §15-5F-8(C)</td>
<td>3-foot high hand rail (complies)</td>
</tr>
<tr>
<td>Setbacks</td>
<td>Front: 30 feet minimum. Side: 25 feet minimum and 30 feet minimum if side yard adjoins a dedicated street Rear: 5 feet minimum. ESMC §15-5F-8(D)</td>
<td>Front: outdoor patio is over by 14 feet. Side: over by 6 feet Rear: 100+ feet</td>
</tr>
<tr>
<td>Parking</td>
<td>Restaurant: 1 parking space for every 75 square feet</td>
<td>Interior Restaurant: 760 square feet: Required: 10 Provided: 10</td>
</tr>
<tr>
<td></td>
<td>Outdoor Dining: 725 square feet: (-200s.f. allowed by right) Required: 7 spaces Provided: 7 spaces</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Theater: 1 parking space for every 3 fixed seats. ESMC §15-15-3(B)</td>
<td>Theater: 2,349 seats Required:783 spaces Provided: 1,078 spaces</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total Required: 800 spaces and 1,078 spaces provided. A surplus of 295 spaces for the theater use only.</td>
</tr>
</tbody>
</table>
Parking for the theater was calculated and provided based on the maximum seating capacity of 3,381 seats, originally approved under Precise Plan 12-72. As such, the number of parking spaces available for the theater use, including the addition of the restaurant/café, will exceed the number required based on the theater remodel and overall seat reduction by more than 800 seats and 295 parking spaces. The total parking requirement for the entire project area which includes the theater building at 831 S. Nash Street and the office/retail building at 2,041 Rosecrans Avenue, is 1,416 spaces. A total of roughly 572 spaces are located within the 4-story parking structure and the surface parking lots combined. There are an additional 844 spaces available for the property that are located within the joint use parking structure located directly across the street, east of the site at 870 South Nash Street.

Finding 3-Impacts

The proposed new outdoor dining location, which is the south side of the building adjacent to the main building entrance, and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety or welfare. The restaurant is located within an existing and newly remodeled movie theater.

Noise is a potential impact that can be associated with the new outdoor dining area. However, the project is located in a commercial zone and there are no sensitive receptors such as residential dwelling units adjacent to the property. Additionally, the proposed hours of operation for the theater are from 10:00 a.m. to 2:00 a.m. Monday through Sunday. The outdoor dining patio is proposed to be open from 10:00 am to 12:00 a.m. Sunday through Wednesday, and from 10:00 a.m. Through 1:00 a.m. Thursday through Saturday, in conjunction with the restaurant/café. The applicant had requested alcohol sales be allowed until 30 minutes after the last movie showing, in the bar/lounge and age restricted Theater No. 7. This would mean that alcohol could be sold after 2:00 a.m. on nights when special midnight movie showings would occur. After conferring with the El Segundo Police Department and the State Department of Alcoholic Beverage Control, staff has included a condition that requires alcohol sales end at 1:30 a.m., which would allow time for consumption before the State mandated 2:00 a.m. to 6:00 a.m. restriction (Business and Professions Code §26531). Any change to the hours of operation is subject to review and approval by the Director of Planning and Building Safety. Therefore, the proposed use is not anticipated to have significant impacts.

As analyzed above, there is adequate evidence to support the three required Conditional Use Permit findings subject to the listed conditions of approval in the attached resolution. The Planning Commission may consider and impose additional conditions which it deems necessary, if it demonstrates a reasonable relationship between the condition it desires to impose and the project’s impact.
V. GENERAL PLAN CONSISTENCY

The General Plan land use designation for the site is Urban Mixed Use-South (MU-S) and is consistent with the current zoning designation which is Urban Mixed Use-South (MU-S) Zone. The project is consistent with the General Plan as specified in the attached draft resolution.

VI. INTER-DEPARTMENTAL COMMENTS

The project applications and plans were circulated to the Police Department, Fire Department, Public Works Department and Building Division for review. The Police Department issued a memo indicating that they will not protest the issuance of the CUP, AUP, or the ABC license. The Fire Department, the Building Division’s Plan Check Engineer and the Director of Public Works submitted comments which have been incorporated in the conditions of approval.

VII. ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities) and pursuant to 14 California Code of Regulations § 15303 as a Class 3 categorical exemption (New Construction or Conversion of Small Structures). The project includes an alcohol license for a new cafe, which results in a minor alteration in the operation of an existing building and a minor expansion of the existing use with the addition of a 725 square-foot outdoor dining area. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. There are adequate utilities and public services to serve the project.

VIII. CONCLUSION

Planning staff recommends that the Planning Commission: 1) adopt Resolution No. 2682, approving Environmental Assessment No. EA-883 and Conditional Use Permit No. 10-10, with conditions based upon the findings as contained in this report; and 2) Receive and File Administrative Use Permit No. 10-07.

V. EXHIBITS

A. Draft Resolution No. 2682
B. Administrative Use Permit Approval Letter, dated August 20, 2010
C. Enlarged Café/Lounge Plan
D. Enlarged Site Plan
E. Inter-departmental Comments
F. Administrative Use Permit Application
G. Conditional Use Permit Application
H. Café Renderings
I. Lounge Renderings
J. Plans

Prepared by: Trayci Nelson, Senior Contract Planner

Kimberly Christensen, AICP, Planning Manager
Department of Planning & Building Safety

Greg Carpenter, Director
Department of Planning & Building Safety

P:\Planning & Building Safety\0 Planning - Old\PROJECTS (Planning)\876-900\EA-883\EA-883.PC-SR.doc
August 20, 2010

Art Rodriguez & Associates
709 E. Colorado Boulevard, # 200
Pasadena, CA 91101

RE: Environmental Assessment No. EA-883 and Administrative Use Permit (AUP) No. 10-07
On-site sale and consumption of beer, wine and distilled spirits (Type 47 Alcoholic Beverage Control License) in conjunction with the operation of a new café and bar/lounge theater within an existing 16-screen theater (Pacific Theaters-ArcLight).

Address: 831 South Nash Street

Dear Mr. Rodriguez:

The purpose of this letter is to inform you that, in accordance with El Segundo Municipal Code (ESMC) Chapter 15-22, the Planning Division reviewed your application for the above-referenced project and the Director of Planning and Building Safety APPROVED Environmental Assessment No. EA-883 and Administrative Use Permit No. 10-07 for the on-site sale and on-site consumption of beer, wine, and distilled spirits. The Director did not identify a reason to oppose the proposed Type 47 license by the Alcoholic Beverage Control Department at the existing 65,000 square-foot 16-screen movie theater located at 831 South Nash Street. The following are the findings and facts in support of each finding for this decision:

Elected Officials:

Eric K. Buesch, Mayor
Bill Fisher, Mayor Pro Tem
Carl Jacobson, Council Member
Don Brann, Council Member
Suzanne Finney, Council Member
Cindy Mortenson, City Clerk
Ralph Langham, City Treasurer

Appointed Officials:

Jack Way, City Manager
Mark D. Hensley, City Attorney

Department Directors:

Bill Crowe, Assistant City Manager
Deborah Cullen, Finance
Robert Hyland, Human Resources
Kevin Smith, Fire Chief
Debra Bignotto, Library Services
Greg Carpenter, Planning and Building Safety
Mitch Tavares, Police Chief
Stephanie Katsoulas, Public Works
Robert Cummings, Recreation & Parks

www.elsegundo.org
FINDINGS AND FACTS IN SUPPORT OF FINDINGS:

Environmental Assessment No. EA-883

Finding 1

- The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) Pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities) and pursuant to 14 California Code of Regulations § 15303 as a Class 3 categorical exemption (New Construction or Conversion of Small Structures).

Facts in Support of Finding 1

1. The applicant requests an alcohol license for the on-site sale and consumption of beer, wine and distilled spirits at a new 1,485 square-foot café currently under construction located within the existing 16-screen theater complex currently under renovation and remodel (proposed new name ArcLight Theaters). Included in the 1,485 square-foot café total, is a 725 square-foot outdoor dining area. The outdoor dining area would be located on the south side of the theater, adjacent to the front entrance and facing an existing plaza area. Alcohol will also be sold at a 305 square-foot bar/lounge area and for consumption in the age restricted (21 and older) Theater No. 7 which located adjacent to the bar on the interior of the theater. The subject property is comprised of two parcels and is developed with two commercial buildings which total 145,000 square feet in area. The property also includes a 4-story parking structure, west of both buildings. The property is in an urbanized and developed area where it has adequate access and all public services and facilities are available. In addition, it is not in an area that is environmentally sensitive. Therefore, the project is not anticipated to have any significant impacts with regard to traffic, noise, air quality or water quality.

Administrative Use Permit 10-07

Finding 1

- There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located.

Facts in Support of Finding 1

1. Café's and restaurants are a permitted use in the Urban Mixed Use South (MU-S) Zone. Outdoor dining areas that exceed 200 square feet or 20% of the indoor area, whichever is less, require a CUP. The subject outdoor dining area is 725
square feet, and therefore requires a Conditional Use Permit. Restaurants, such as the subject theater café (the term includes coffee shops and cafes), typically have outdoor dining areas that provide a choice of indoor or outdoor dining for patrons. The proposed outdoor dining area will be compatible with the existing theater and other restaurant uses already on-site and in the surrounding area. The restaurant and outdoor patio area total 1,485 square-feet and contain 63 seats. The interior of the café will contain 35 seats and the outdoor dining area will contain 28 seats. The minimum number of required parking spaces for the outdoor patio is 7 parking stalls (525 square-feet of the total 725 square-feet is subject to parking standards) which will be provided on-site.

2. The General Plan Land Use designation for the site is Urban Mixed Use South and the zoning for the site is Urban Mixed Use South (MU-S). Restaurants are permitted uses in the Urban Mixed Use South (MU-S) Zone in accordance with ESMC §15-5F-2 and on-site sale and consumption of alcohol is permitted with the approval of an Administrative Use Permit in accordance with ESMC §15-5F-4(C), and ESMC § 15-22-5. Outdoor dining areas greater than 200 square feet are permitted with the approval of a Conditional Use Permit in accordance with ESMC §15-5F-5(H), and ESMC Chapter 15-23.

3. The Urban Mixed Use South (MU-S) Zone permits, and the surrounding land uses include commercial retail, restaurant, hotel, and office uses. The proposed café will be similar and compatible with the surrounding uses.

4. The restaurant must obtain a State of California Alcohol and Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 47).

5. On August 26, 2010 the El Segundo Planning Commission is scheduled to Receive and File the Administrative Use Permit request.

Finding 2

- The proposed use is consistent and compatible with the purpose of the Zone in which the site is located.

Facts in Support of Finding 2

1. The General Plan Land Use designation for the site is Urban Mixed Use South.

2. The zoning for the site is Urban Mixed Use South (MU-S). Restaurants are a permitted use in this Zoning District in accordance with §15-5F-2. The proposed use (on-site sale and consumption of beer and at an existing restaurant) requires an Administrative Use Permit in accordance with ESMC §15-5F-4(C), and ESMC § 15-22-5. In addition, the proposed outdoor dining area where alcohol will be served, is greater than 200 square feet, and requires a Conditional Use Permit in accordance with ESMC §15-5F-5(H), and ESMC Chapter 15-23.
3. The purpose of the Urban Mixed Use South (MU-S) Zone is to provide areas where a mixture of compatible office, commercial, retail, hotel and food serving uses can locate and develop in a mutually beneficial manner. It is the intent of the Urban Mixed Use South (MU-S) Zone to have several types of uses within a single building.

4. The surrounding land uses include: commercial retail, restaurant, and office uses. The proposed café will be compatible with the surrounding land uses.

Finding 3

- The proposed location and use and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Facts in Support of Finding 3

1. The cafe is located inside an existing commercial theater building within the Urban Mixed Use South (MU-S) Zone and includes a new 725 square-foot outdoor dining area. The cafe and outdoor dining area meet all the development standards of the MU-S Zone and sufficient parking will be provided on-site in compliance with ESMC Chapter 15-15.

2. The surrounding land uses include commercial retail, hotels, restaurants and office uses. The cafe is a permitted use within the Urban Mixed Use South (MU-S) Zone and the 725 square-foot outdoor dining area is permitted with a Conditional Use Permit.

3. The proposed hours of operation and alcohol service for the cafe are limited to: 10:00 a.m. to 12:00 a.m. Sunday through Wednesday and from 10:00 a.m. to 1:00 a.m. Thursday through Saturday. Only pre-recorded background music may be provided and it must meet the noise and vibration requirements of ESMC § 7-2-1. No live entertainment is proposed.

4. The proposed hours of operation and service of alcohol for the interior bar/lounge area and within Theater No. 7 only, are limited to 10:00 a.m. until 1:30 a.m. The theater may be allowed to stay open until 30 minutes after the last movie showing, however; alcohol sales will cease by 1:30 a.m.

Finding 4

- Potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, traffic, and hazards have been recognized and mitigated.
Facts in Support of Finding 4

1. The sale of alcohol will not create any new impacts that would not be normally associated with the operation of a café with indoor and outdoor dining areas or a theater with a bar/lounge.

2. The proposed hours of operation and alcohol service for the restaurant are limited to: Sunday through Wednesday from 10:00 a.m. to 12:00 a.m., and from 10:00 a.m. through 1:00 a.m. Thursday through Saturday. The outdoor dining area would be open the same hours as the restaurant. Background music is proposed. No live entertainment is proposed. The proposed restaurant is located in a predominantly commercial/retail area that is not adjacent to any residential uses, which will help to minimize noise impacts on sensitive uses.

3. The proposed new café and outdoor dining area, as well as the interior Theater (No.7) and bar/lounge are in an area that is not environmentally sensitive.

4. In addition to complying with the requirements of the City of El Segundo and the State of California Department of Alcoholic Beverage Control the cafe is subject to County Health Department regulations that address and monitor impacts of fumes and odors.

Finding 5

- The State Department of Alcoholic Beverage Control has issued or will issue a license to sell alcohol to the applicant.

Facts in Support of Finding 5

1. The applicant must obtain a license from the State of California Department of Alcoholic Beverage Control (Type No. 47).

DIRECTOR OF PLANNING AND BUILDING SAFETY DEPARTMENT ACTION

Based on these findings and facts in support of these findings, the Director of Planning and Building Safety APPROVES the proposed project, subject to the following conditions:

1. The proposed hours of operation and alcohol service for the restaurant are limited to: Sunday through Wednesday from 10:00 a.m. to 12:00 a.m., and from 10:00 a.m. through 1:00 a.m. Thursday through Saturday. The outdoor dining area would be open the same hours as the restaurant. Food service must be available in the indoor dining area and the outdoor patio during the dining hours. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety.
2. The proposed hours of operation and service of alcohol for the interior bar/lounge and within Theater No. 7 only, are limited to 10:00 a.m. and 1:30 a.m. Alcohol sales can only occur within the age restricted (21 and older) bar/lounge and theater. The theater may be allowed to stay open until 30 minutes after the last movie showing; however, alcohol sales must cease 30 minutes before the close of business, and no later than 1:30 a.m.

3. The seating within the restaurant must be limited to 35 indoor dining seats and 28 seats in the outdoor dining area. The restaurant will contain a combined total of 63 seats.

4. Any subsequent modification to the project as approved, including the floor plan and areas where alcohol will be served, and/or the conditions of approval, must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification.

5. Taxicab phone numbers must be posted in a conspicuous location at all times in the area(s) where alcohol is served to customers.

6. The premises must be maintained in a litter and graffiti-free manner. Any graffiti that should appear on the premises must be removed within 48 hours.

7. The applicant must obtain and maintain all licenses required by the Alcoholic Beverage Control Act (Business & Professions Code §§ 23300 et seq.). The applicant must obtain and maintain a Type 41 license.

8. The restaurant operations must comply with ESMC §§ 7-2-1, et seq. regulating noise and vibration.

9. The Planning and Building Safety Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may be cause to schedule a hearing before the Planning Commission regarding the status of the administrative use permit.

10. The applicant must comply with all regulations of the Alcoholic Beverage Control Act and the regulations promulgated by the Alcoholic Beverage Control Board including, without limitation, the regulations set forth in 4 Cal. Code of Regs. §§ 55, et seq.

11. The applicant must post a sign in a clear and conspicuous location listing a phone number at which a responsible party may be contacted during all open hours of the establishment to address any concerns of the community regarding noise in the restaurant, patio and parking lot. Said contact's name and phone number must also be available through the restaurant staff at all times.
12. The applicant must, at all times, display a Designated Driver sign of at least ten inches by ten inches (10" X 10") in the bar and restaurant dining areas at eye level. The sign must be worded in a way that reminds patrons who are consuming alcohol to designate a non-drinking driver.

13. There must be no exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages which are clearly visible to the exterior constitute a violation of this condition.

14. All employees serving alcoholic beverages to patrons must enroll in and complete a certified training program approved by the State Department of Alcoholic Beverages Control (ABC) for the responsible sales of alcohol. The training must be offered to new employees on not less than a quarterly basis.

15. Any and all employees hired to sell alcoholic beverages must provide evidence that they have either:

   a. Completed training from the State of California Department of Alcoholic Beverage Control (ABC), Long Beach/Lakewood District Office administered Leadership and Education in Alcohol and Drugs (LEAD) Program in the form of an ABC-issued certificate; or,

   b. Completed an accepted equivalent by the ABC, Long Beach/Lakewood District Office to ensure proper distribution of beer, wine and distilled spirits to adults of legal age. If any prospective employee designated to sell alcoholic beverages does not currently have such training, then;

   c. The ABC-licensed proprietors must have confirmed with the Planning and Building Safety Department within fifteen (15) days of the Director's decision, or by final project approval, that a date certain has been scheduled within the local ABC Office to complete the LEAD course.

   d. Within thirty (30) days of taking said course, the employees, or responsible employer must deliver each required certificate showing completion to the Police Department.

16. The applicant must have readily identifiable personnel to monitor and control the behavior of customers inside the building premises. Staff must monitor activity outside in the parking lot and any adjacent property under the establishment's control to ensure the areas are generally free of people and are cleared of patrons and their vehicles one-half hour after closing.

17. If complaints are received regarding excessive noise, parking availability, lighting, building access, and the like associated with the restaurant and the outdoor patio
area, the city may, in its discretion, take action to review the Administrative Use Permit, including without limitation, adding conditions or revoking the permit.

18. The outdoor dining/seating area must comply with ESMC § 15-2-16.

19. The building must not be occupied by more persons than allowed by the California Building Code, as adopted by the ESMC.

20. The building and any outdoor seating must comply with California Building and Fire Code requirements, as adopted by the ESMC.

21. The applicant must maintain grease interceptors for the restaurant subject to approval by the Fire Department.

22. The Applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney’s fees), injuries, or liability, arising from the City’s approval of Environmental Assessment No. 883 for Administrative Use Permit No. 10-07 and Conditional Use Permit No. 10-10, except for such loss or damage arising from the City’s sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of EA-883 or AUP 10-07, the Applicant agrees to defend the City (at the City’s request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section “the City” includes the City of El Segundo’s elected officials, appointed officials, officers, and employees.

PLANNING COMMISSION

This determination was received and filed by the Planning Commission at its August 26, 2010 meeting. Please be advised that this does not conclude the review process. The City Council will determine whether or not to protest the issuance of the ABC License (Type 47) at its meeting on September 7, 2010.

Should you have any questions, please contact Trayci Nelson, Project Planner, at (310) 524-2342.

Sincerely,

[Signature]

Greg Carpenter, Director
Department of Planning and Building Safety
City of El Segundo
INTER-DEPARTMENTAL CORRESPONDENCE

Circulation Date: August 6, 2010

TO: Jack Wayt, City Manager
    Deborah Cullen, Finance Director
    Bob Cummings, Recreation and Parks Director
    Mitch Taverna, Police Chief
    Debra Brighton, Library and Cable Services Director
    Kevin Smith, Fire Chief
    Stephanie Katsouleas, Public Works Director
    Sam Lee, Building Safety Manager
    Karl Berger, Assistant City Attorney

FROM: Kimberly Christensen, AICP, Planning Manager

STAFF PLANNER: Paul Samaras, Principal Planner

SUBJECT: Environmental Assessment No. EA-883, Conditional Use Permit (CUP) No. 10-10 and Administrative Use Permit (AUP) No. 10-07.

To allow the construction of a 725 square-foot outdoor dining area and the sale of beer, wine and distilled spirits for on-site consumption (Type 47 ABC License) at an existing 16-screen theater.

Address: 831 South Nash Street (Pacific Theatres)

Applicant: Art Rodrigues and Associates

Business Name: Beach Cities ArcLight Theater

Property Owner: Continental Rosecrans Nash, LLC

The applicant requests a Conditional Use Permit to construct a new 725 square-foot outdoor dining area and an Administrative Use Permit to allow the sale and consumption of beer, wine, and distilled spirits at 831 South Nash Street. The property is in the Urban Mixed Use South (MU-S) Zone. The site contains office, retail, restaurant and movie theater uses.

The applicant is remodeling the existing 65,000 square-foot building that contains a 16-screen theater complex. A new café is proposed with 63 seats, including 35 interior seats and 28 seats in the outdoor patio adjacent to the building. The total seating area will be 1,485 square feet in size (760 s.f. interior and 725 s.f. outdoor). The café will serve beer, wine, and distilled spirits for consumption onsite.

In addition to the proposed café, the project includes a new lounge area/bar in the building interior directly adjacent to Auditorium No. 7. The lounge area is 305 square feet in size and has only four fixed seats at a bar. The lounge will serve alcohol to theater patrons for consumption within the lounge and the adjacent auditorium. The auditorium is 1,922 square
feet and contains 93 fixed seats. The café, lounge, and alcohol service are part of a comprehensive theater complex remodel and conversion of the existing Pacific Beach Cities theater complex into Arc Light Cinemas.

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities) and pursuant to 14 California Code of Regulations § 15303 as a Class 3 categorical exemption (New Construction or Conversion of Small Structures). The project includes an alcohol license for a new café, which results in a minor alteration in the operation of an existing building and a minor expansion of the existing use with the addition of a 725 square-foot outdoor dining area. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. There are adequate utilities and public services to serve the project.

Attached for your review and comment is a copy of the application and plans. Please return the plans along with any comments by Thursday August 12, 2010. Should you have any questions about the project, please contact Senior Contract Planner, Trayci Nelson at extension 2342.

**COMMENTS:**

**NO COMMENTS FROM THE POLICE DEPARTMENT.**

SET ATTACHED MEMO

Reviewed By:

Signature and Title

Date

Encl.: Application
Plans
August 16, 2010

To: Paul Samaras, Principal Planner

From: Mitch Tavera, Chief of Police

Subject: Environmental Assessment no. EA-883, Conditional Use Permit (CUP) No. 10-10 and Administrative Use Permit (AUP) No. 10-07 for 831 South Nash Street (Pacific Theaters)

The El Segundo Police Department will not protest the issuance of the Conditional Use Permit, Administrative Use Permit, or ABC license as listed in the attached inter-departmental correspondence dated August 6, 2010, from Kimberly Christiansen.
AGENDA DESCRIPTION:

Consideration and possible action regarding Adoption of Plans and Specifications for a new Beach Bathroom Facility and Lifeguard Station at the El Segundo Beach (south end of the beach parking lot, at the end of Grand Avenue on Vista Del Mar)
Project No.: PW10-09; (Fiscal Impact: $900,000)

RECOMMENDED COUNCIL ACTION:

1. Adopt Plans and Specifications.
2. Authorize staff to advertise the project for receipt of construction bids.
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Location Map

FISCAL IMPACT: None

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<th>Amount Requested:</th>
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ORIGINATED BY: Maryam M. Jonas, Principal Engineer

REVIEWED BY: Stephanie Katsouleas, Public Works Director

APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

The City was awarded a $1.7 million grant from Los Angeles County, through Supervisor Don Knabe’s office, to construct a new beach bathroom facility and lifeguard station at El Segundo Beach.

In October of 2009, the City Council approved a Professional Service Agreement with RRM Design Group for architectural and engineering services to develop conceptual and final design plans for construction of a new beach facility which includes a lifeguard station with storage, public bathrooms, a rinse station and a drinking fountain.

The design plans have been completed by the architect, and the specifications and all necessary documents have been prepared by staff. The project is now ready to be advertised for construction.
AGENDA DESCRIPTION:
Consideration and possible action to approve organizational changes in the Public Works Department, which include elimination of the Senior Administrative Analyst position, reclassification of one of two Meter Reader/Repairer positions to Water Maintenance Worker II, and reclassification of the Senior Administrative Specialist position to Administrative Specialist. (Fiscal Impact: Budget savings of approximately $152,999)

RECOMMENDED COUNCIL ACTION:
1. Approve the elimination of the Senior Administrative Analyst position;
2. Approve the reclassification of one of two Meter Reader/Repairer positions to Water Maintenance Worker II;
3. Approve the reclassification of the Senior Administrative Specialist position to Administrative Specialist;
4. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT: None
Amount Budgeted: $  
Additional Appropriation: No. Salary Savings of approximately $152,999.
Account Number(s):  

ORIGINATED BY: Stephanie Katsouleas, Public Works Director  
REVIEWED BY: Bob Hyland, Human Resources Director  
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

Elimination of Senior Administrative Analyst
On August 13, 2010, the Senior Administrative Analyst in the Engineering Division of Public Works accepted a position with the City's Residential Sound Insulation Program. In order to achieve additional budget savings, staff recommends eliminating this vacant position. The duties assigned to this position will be reassigned to various departments and individuals accordingly. The estimated budget savings for eliminating this position is $128,670 from the general fund.

Reclassification of One Meter Reader/Repairer to Water Maintenance Worker II
A close review of the functions, needs, and positions in the Water Division revealed that the Division’s current structure is not optimally set to best meet its workload. Staff is therefore recommending a modification by reclassifying one of the two Meter Reader/Repairer positions to a Water Maintenance Worker II position. Although not part of the reorganization goal, budget savings in reclassifying this position may be up to $7047 from the water enterprise fund.

Reclassification of Senior Administrative Specialist to Administrative Specialist
The Senior Administrative Specialist position has been vacant since December 31, 2009. Since that time, it has become increasingly obvious that the department is in real need of administrative support, in particular to provide: 1) assistance to the engineering staff in managing complicated federal and local grants, 2) continuous Public Works Counter support for the general public, and 3) direct support to the Public Works Director. As planned, this will be a shared position with the Planning and Building Safety Department. By creating a shared position between two adjacent departments, we will be able to capitalize on the limited personnel resources available during this budget cycle. Downgrading the vacant position to Administrative Specialist will result in budget savings of approximately $17,282.

The Public Works and Human Resources Departments have met with the appropriate bargaining units regarding this proposed reorganization.
AGENDA DESCRIPTION:

Consideration and possible action to award a standard Public Works Contract to ACE Electric, Inc. for Recreation Park Phase III Field Lighting Project. Project No.: PW10-07 (Fiscal Impact: $203,810)

RECOMMENDED COUNCIL ACTION:

1. Waive minor irregularities in the bid received from ACE Electric, Inc.
2. Authorize the City Manager to execute a Standard Public Works Contract in a form as approved by the City Attorney with ACE Electric, Inc., in the amount of $203,810.
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT: Included in Adopted Budget

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ORIGINATED BY: Maryam M. Jonas, Principal Engineer

REVIEWED BY: Stephanie Katsouleas, Public Works Director

APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

On July 20, 2010, the City Council authorized staff to advertise for the Recreation Park Phase III Field Lighting Project using grant funds received from the Los Angles County Regional Park and Open Space District (Proposition A 1992 and 1996) in the amount of $239,000. On August 26, 2010, City Clerk received and opened eleven (11) bids as follows:

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Base bid items</th>
<th>Additive bid items</th>
</tr>
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<tbody>
<tr>
<td>ACE Electric Inc.</td>
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<td>Christopher R. Morales, Inc.</td>
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<td>Cedars Engineering Const., Inc.</td>
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<td>ZK Construction</td>
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<td>Electro Construction Corp.</td>
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<tr>
<td>Y&amp;M Construction, Inc.</td>
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<td>Contractor</td>
<td>Base Bid</td>
<td>Additive Alternate Bid</td>
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<tr>
<td>-------------------------</td>
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<tr>
<td>Titanium Construction</td>
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<tr>
<td>WE Const., Inc.</td>
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<tr>
<td>Haleyon Electric, Inc.</td>
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<tr>
<td>Atom, Inc.</td>
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<td>Pars Arvin</td>
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</table>

Staff has reviewed the lowest bid received, ACE Electric, Inc., and has found the bid to be responsive. ACE Electric is a well qualified contractor with verified successful experience with similar projects.

No protests were received after the bid opening; however, the bid received from ACE Electric did not include recognition of addendums. This is characterized by the City Attorney’s office as minor irregularities that can be waived by the City Council.

The bid solicitation requested bids for “Base Bid Items” and “Additive Alternate Bid Items.” The lowest responsible bidder is determined by the total price bid on the Base Bid Items. City has the option to award the construction contract to the lowest responsible bidder with or without Additive Alternate Bid Items.

The contract recommended for award includes Additive Alternate Bid Items bringing the total contract amount to $203,810. The total amount of $224,191 requested includes both the contract amount and an additional 10% for contingencies.
AGENDA DESCRIPTION:

Consideration and possible action to terminate the current City Manager’s contract with Jack Wayt and execute a new City Manager’s contract with Jack Wayt for a six month term while the Council conducts a search for a new city manager. Additionally, authorize the Mayor to execute a contract with an executive search firm in an amount not to exceed $25,000. (Fiscal Impact: Approximately $108,000 – City Manager salary, and $20,000 for executive search firm)

RECOMMENDED COUNCIL ACTION:

1. Terminate the existing City Manager’s contract effective September 30, 2010;
2. Approve a new contract with the current City Manager for the period of October 1, 2010 through March 31, 2011;
3. Authorize the Mayor to execute a contract with an executive search firm for purposes of recruiting a new city manager to commence work on or about April 1, 2011.
4. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Draft City Manager Contract

FISCAL IMPACT: $133,000

Amount Budgeted: $  
Additional Appropriation: N/A

Account Number(s):

ORIGINATED BY: Mark Hensley, City Attorney
REVIEWED BY:  
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

The City Manager’s current contract can be terminated as of September 30, 2010. The Council and City Manager have met in closed session and tentatively mutually agreed to terminate the contract effective September 30, 2010, and enter into a new contract that provides for the City Manager to remain with the City through March 31, 2011. As the City Manager will be retiring from the California Public Employees Retirement System (“CALPERS”) on September 30, 2010, the City will only be paying the City Manager a base salary and he will not be receiving any benefits pursuant to the new agreement except a maximum of 100 hours of paid time off.
The new contract will pay the City Manager $112.50 per hour with a cap of $108,000 for the six month contract term. This amount was derived by taking the City Manager’s current salary ($240,000) and then reducing it by 10%. In addition to the 10% salary reduction, the City will realize approximately $58,970 (half of the total annual benefit costs for the City Manager) in additional savings based upon the City not having to pay for benefits for the City Manager for six months. The salary and benefit savings equal a total savings of $70,970 (40% savings) from the current total compensation paid to the City Manager.

A Council subcommittee comprised of Mayor Busch and Council Member Brann is requesting proposals from executive search firms for purposes of retaining a firm to assist the City in recruiting a new city manager. It is anticipated the recruitment process will take approximately six months and the new city manager will commence work for the City on or about April 1, 2011. The executive search firm will assist the City in drafting recruitment brochures, actively advertising the position and assisting in the selection and background check process. In addition to seeking candidates that are not currently employed by the City, the Council anticipates that that current City staff members may wish to, and the Council encourages them to apply for the position.
EMPLOYMENT AGREEMENT

This Employment Agreement ("Agreement") is effective as of September 7, 2010 between the City of El Segundo ("City") and Jack Wayt ("Wayt").

RECITALS

Whereas Wayt has informed the City that he will be filing the necessary documents to commence receiving retirement benefits from the California Public Employees Retirement System ("PERS") as of September 30, 2010, and concurrently therewith terminate his current employment agreement with the City; and,

Whereas the City desires to have Wayt continue to provide contractual services as the City Manager for the City for the period of October 1, 2010 through March 31, 2011 pursuant to the terms of this Agreement, based upon the experience that Wayt has in City government, and particularly with the City, as the City believes such skills are of significant value to the City for the term of this Agreement; and,

Whereas Wayt desires to continue functioning as City Manager for the City on a contractual basis.

Now Therefore, the City and Wayt do hereby covenant, agree and warrant as follows:

Section 1. Term of Agreement. That certain Employment Agreement dated August 19, 2008, and amended on July 21, 2009, is terminated effective September 30, 2010. Wayt shall be considered an at-will employee during the term of this Agreement. The term of Wayt's employment with the City pursuant to this Agreement shall be from October 1, 2010 through March 31, 2011 unless it is terminated prior to March 31, 2011 by the City Manager or City Council. The City Council may by written notice to Wayt, immediately terminate this Agreement and thereby Wayt's contractual employee status with the City at any time, with or without cause. If the Council terminates this contract for other than "with cause," then the City shall be obligated to pay Wayt a lump sum amount upon such termination equal to the hourly rate specified in Section 3 below multiplied by the number of hours represented by subtracting the hours Wayt has been compensated for under this Agreement prior to his termination date from 960 hours. Wayt may terminate this Agreement at anytime by delivering notice of his intent to resign to the Mayor or City Attorney. Wayt's resignation shall be deemed accepted upon its delivery and he shall be entitled to compensation only to the extent he has actually worked hours pursuant to this Agreement but has not yet been compensated for such hours. For purposes of this Agreement, the term "with cause" shall include (i) Wayt's willful misconduct, including without limitation, intentionally failing to fulfill Wayt's duties set forth in Section 2 of this Agreement; or (ii) conviction of Wayt of a crime involving moral turpitude.
Section 2. Duties and Authority. Wayt shall, and have the authority to, discharge those duties and responsibilities set forth in the City's job description for the City Manager, the El Segundo Municipal Code, and other applicable federal, state, and local laws and regulations; and, fulfill such other duties and responsibilities that are assigned to him from time to time by the City Council.

Section 3. Hours and Compensation. During his employment, Wayt shall devote such, time, interest and effort to the performance of this Agreement as is necessary to duly carry out his duties as City Manager. It is expected that Wayt shall devote an average of 36 hours per week to the performance of his duties. In no event, shall Wayt work or be compensated for more than 960 hours during the period of November 1, 2010 through April 30, 2011. Wayt shall be paid at the rate of one hundred twelve and fifty dollars and fifty cent ($112.50) per hour, payable in bi-weekly payments (at the same time that City employees are regularly paid) which shall be subject to all applicable federal, state and local payroll withholdings and deductions. Wayt shall record all of his hours on a daily basis and transmit such records to the Finance Department on a weekly basis. Wayt's attendance at conferences and seminars that are normal and customary for city managers, shall be deemed working hours for purposes of this Agreement.

Section 4. Benefits. Wayt shall not receive any benefits, including but not limited to medical, dental, sick leave, vacation time, etc., that are generally available to other City employees. However, Wayt shall be entitled to take up to 100 hours of time off, with compensation, for the period of November 1, 2010 through April 30, 2011, as personal time to be utilized for whatever reason he chooses and submit such hours for payment as part of the 960 hours that he may compensated for during each such six month period.

Section 6. Expense Reimbursement. During the term of this Agreement, City shall reimburse Wayt for reasonable business expenses, including travel, parking, business meetings and professional dues associated with maintaining membership in professional organizations pursuant to the applicable provisions of El Segundo Municipal Code and City administrative policies.

Section 7. Indemnification by City. In accordance with the California Government Code, the City shall defend, hold harmless and indemnify Wayt against any claim or legal action arising out of any alleged act or omission occurring within the scope of Wayt's employment as City Manager, except any action that may be brought by PERS as set forth in Section 8.

Section 8. PERS Benefits. At the time this Agreement is entered into, Government Code Section 21224 allows a PERS retiree to perform contractual employee services under certain circumstances for up to a total of 960 hours in any calendar year for all PERS contracting employers without being reinstated from retirement, and without loss or interruption of PERS retirement benefits. However, it is agreed and acknowledged by the parties that in making this Agreement available to Wayt, neither the
City nor any of its elected or appointed officials, officers, employees or agents assures, represents, or guarantees that performance of the contracted-for services is in accordance with these certain circumstances and will have no impact upon Wayt's PERS' retirement benefits. If a controversy arises between Wayt and PERS regarding the impact of this Agreement and the services provided for herein upon the nature of PERS retirement benefits, the City shall have no obligation to intervene in or defend or prosecute such dispute notwithstanding the indemnification set forth in Section 7 of this Agreement. Accordingly, it is recommended by the City that prior to entering into this Agreement, Wayt first bring it to the attention of PERS and that Wayt thereby personally determine, what, if any, impact this Agreement and the performance of the services set forth herein, will or may have upon the employee's PERS' retirement benefits. Additionally, it is recommended that Wayt consult with his own legal counsel regarding the terms and conditions of this Agreement, including this Section 8 of this Agreement. Wayt hereby releases and holds harmless the City and its officials, officers, employees and agents from and against any and all actions (including imposition of costs, fines and penalties) that PERS may impose against Wayt arising from or relating to this Agreement. This provision shall survive the termination of this Agreement.

Section 9. Governing Law and Venue. This Agreement shall be construed in accordance with the laws of the State of California and the Los Angeles County Superior Court shall be the venue for legal disputes arising out of or relating to this Agreement.

Section 10. Joint Drafting. This Agreement shall be interpreted as though it was prepared by both the City and Wayt.

Section 11. Entire Agreement. This Agreement reflects the entire understanding of the City and Wayt with regard to Wayt's contractual employment with the City and supersedes all prior written and oral understanding and agreements with respect thereto. This Agreement can only be amended in a writing signed by the City and Wayt.

Section 12. Severability. Should any provision of this Agreement be deemed by a court of competent jurisdiction to be invalid or unenforceable such shall not effect the validity or enforceability of any other provision of this Agreement.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first hereinabove written.

CITY OF EL SEGUNO

JACK WAYT

__________________________  __________________________
Eric Busch, Mayor            Jack Wayt
ATTEST:

Cindy Mortesen, City Clerk

APPROVED AS TO FORM:

Mark D. Hensley, City Attorney
AGENDA DESCRIPTION:
Consideration and possible action to direct staff to prepare documents in preparation for implementing Proposition 218 protest procedures regarding residential trash collection service fees. (Fiscal Impact: Approximately $600,000 in revenue to the General Fund for trash collection services.)

RECOMMENDED COUNCIL ACTION:
1. Direct staff to prepare documents in preparation for implementing Proposition 218 protest ballot procedures for residential trash collection service fees;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT: Undetermined
Amount Budgeted: $  
Additional Appropriation: N/A  
Account Number(s):

ORIGINATED BY: Stephanie Katsouleas, Public Works Director  
REVIEWED BY: Don Brann, City Council Member  
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
The City of El Segundo currently has a contract with Consolidated Disposal Service to provide weekly residential trash collection services for more than 4400 properties at an annual cost of $577,000 (or about $11.00 per property per month). This service is fully funded using General Fund monies, and as such the service is provided for free to residential properties with four or less units. Residential properties with more than four units and commercial/industrial properties coordinate and pay for their own refuse collection.

In order for the City to consider passing through residential trash collection service fees, a Prop 218 ballot protest process must be undertaken. This process includes, at a minimum:

- Determining the potential fee that would charged to residents for weekly trash collection services;
- Preparing and adopting a resolution establishing the procedures for mailing, handling and counting Prop 218 protest ballots;
• Conducting a public hearing to consider collecting a monthly residential trash collection fee; and
• Preparing and adopting an ordinance establishing the trash collection fee should the protest ballot process pass.

Staff estimates that it will take approximately three months to prepare the required paperwork, implement the ballot procedures and conduct a public hearing regarding the trash collection fees. It is worth noting, however, that the current contract with Consolidated Disposal Services will expire on July 31, 2011; staff will begin preparing bidding documents later this fall. Individual trash collection fees will need to be recalculated when a new contract is awarded next year, and they may be higher or lower depending on the disposal options chosen and the corresponding bids received at that time. In the event trash collection service fees decrease, Prop 218 requires that the savings be passed on to residents accordingly. Conversely, in anticipation of a fee increase, City Council can consider incorporating a “not to exceed” clause in the ballot language so that residents are aware of the maximum fee that could be imposed (e.g., $15.00/mo).

**Comparison with Other Agencies:**

<table>
<thead>
<tr>
<th>City</th>
<th>Monthly Household Rate</th>
<th>Refuse</th>
<th>Service Type</th>
<th>Green Waste</th>
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<tbody>
<tr>
<td>El Segundo</td>
<td>$11.00 (estimated)</td>
<td>Manual</td>
<td>Manual</td>
<td>Drop off location</td>
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<td>$26.10 (two units) Etc.</td>
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<td>$22.06 for 95-gal cart</td>
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