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, DECEMBER 20, 2011 – 5:00 P.M.

Next Resolution # 4766
Next Ordinance # 1468

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) -1- matters

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -3- matter.

1. Claim 10-35 - Wyle
2. Claim 11-57 - Garton
3. Claim 11-57A - City of Hawthorne (Garton)

Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.

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

APPOINTMENT OF PUBLIC EMPLOYEE (Gov’t. Code § 54957) -0- matter
CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov't Code §54957.6): -0- matters

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -1- matters

Sale or Lease of City Owned Property (Price and Terms):

Real Property: City owned parking lot at Corner of Main Street and Grand Avenue (Assessor Parcel Number: 4135-003-901 lots 20 through 23 and lot 43)

City’s Negotiators: Doug Willmore, City Manager; Greg Carpenter, Director of Planning and Building Safety
AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, DECEMBER 20, 2011 - 7:00 P.M.

Next Resolution # 4766
Next Ordinance # 1468

7:00 P.M. SESSION

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE – Council Member Don Brann
PRESENTATIONS

(a) Presentation – Muscular Dystrophy, El Segundo Fire Department’s “Fill the Boot” drive.

(b) Dedication – California Map Art Company, Original Artwork of the El Segundo Town Map

ROLL CALL

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

A. PROCEDURAL MOTIONS

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

Recommendation – Approval.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action regarding (Public Hearing) the proposed exchange of FY 2012/13 Community Development Block Grant (CDBG) funds totaling approximately $66,271 with another CDBG participating city within the Los Angeles Urban County.

   (Fiscal Impact: $66,271)

   Recommendation – 1) Open public hearing and take testimony; 2) Close public hearing and discuss item; 3) Authorize staff to proceed with identifying an interested participating city to begin negotiations for the exchange of FY 2012/13 CDBG funds, establish an exchange rate, and return to the City Council with a resolution authorizing the exchange of CDBG funds with another City; and/or, 4) Authorize the City Manager to execute the contracts, as to form approved by the City Attorney, with the Los Angeles County Community Development Commission, and with all sub-recipients receiving CDBG funds; and/or, 5) Alternatively, discuss and take other possible action related to this item.
C. UNFINISHED BUSINESS

2. Consideration and possible action regarding 1) approving a new Class Specification for the at-will position of Director of Community Services; 2) approving a new class specification for the at-will position of City Librarian; 3) approving the reorganization of the Library Department, and Parks & Recreation Department into the Community Services Department; 5) introduce and waive first reading of an ordinance implementing such changes; 6) adopting a resolution amending the City's Conflict of Interest Code to reflect these changes; and 7) adopting a resolution establishing basic monthly salary for job classifications of Director of Community Services and City Librarian 8) taking such additional, related, action that may be desirable.
(Fiscal Impact: $0)

Recommendation – 1) Approve the proposed changes to titles and departments; 2) Introduce and Waive the First Reading of a draft Ordinance. Second reading and adoption would occur on January 17, 2012; 3) Adopt a resolution amending the City's Conflict of Interest Code to become effective on February 17, 2012; 4) Adopt a resolution establishing basic monthly salary for the job classifications of Director of Community Services and City Librarian; 5) Take such additional, related, action that may be desirable.

3. Oral Report by the City of El Segundo Chief of Police, Mitch Tavera, related to public parking on Washington Street in the City of El Segundo.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

4. Consideration and possible action to open the recruitment process for the positions on the Committees, Commissions and Boards (“CCBs”) that will expire in the year 2012.
(Fiscal Impact: None)

Recommendation – 1) Direct staff to open the recruitment process for the positions on the CCBs, as listed; 2) Alternatively, discuss and take other action related to this item.

E. CONSENT AGENDA

All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.
5. Warrant Numbers 2585280 to 2585526 on Register No. 5 in the total amount of $656,084.96 and Wire Transfers from 11/24/11 through 12/08/11 in the total amount of $ 523,019.94.

Recommendation – Approve Warrant Demand Registers and authorize staff to release. Ratify Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

6. Regular City Council Meeting Minutes of December 6, 2011 and Special City Council Meeting Minutes of December 6, 2011.

Recommendation – Approval.

7. Consideration and possible action to adopt Ordinance No. 1467 approving an Environmental Assessment (EA 944) for a Categorical Exemption and Zone Text Amendment amending the El Segundo Municipal Code ("ESMC") § 15-2-7 regulating of open space areas and encroachments. Applicant: City Initiated.

(Fiscal Impact: None)

Recommendation – 1) Waive second reading and adopt Ordinance No. 1467 for Environmental Assessment No. EA-944 and Zone Text Amendment (ZTA) No. 11-04; and/or; 2) Alternatively, discuss and take other possible related action to this item.

8. Consideration and possible action to approve continuation of the steps necessary to complete the emergency repair and replacement of the netting and poles at "The Lakes" Golf Course Driving Range.

(Fiscal Impact: $400,000.00)

Recommendation – 1) Approve the continuation of the steps necessary to complete the emergency repair and replacement of the netting and poles at "The Lakes" Golf Course Driving Range, or 2) Alternatively, discuss and take other possible action related to this item.

9. Consideration and possible action regarding 1) Approval of a revised Class Specification and title change for the position of Principal Engineer 2) Approval of Examination Plan for Principal Civil Engineer.

(Fiscal Impact: None)

Recommendation – 1) Approve the proposed Class Specification, including a title change from Principal Engineer to Principal Civil Engineer; 2) Approve the proposed Examination Plan for Principal Civil Engineer; 3) Alternatively, discuss and take other action related to this item.
10. Consideration and possible action regarding the approval of an amendment to an existing Professional Services Agreement with Willdan to increase the amount of the agreement by $50,000 for planning consulting services.  
(Fiscal Impact: $50,000)

Recommendation – 1) Authorize the City Manager to execute an amendment to an existing Professional Services Agreement to increase the funding by $50,000 approved as to form by the City Attorney; and/or 2) Alternatively, discuss and take other possible action related to this item.

11. Consideration and possible action to adopt a resolution by four-fifths vote to authorize a no-bid public works contract for the emergency repair of the cooling tower system at the City Public Library located at 111 W. Mariposa Avenue.  
(Fiscal Impact: $10,811.00)

Recommendation – 1) Adopt a Resolution by four-fifths vote to authorize a no-bid public works contract for emergency repair; 2) Authorize the City Manager to award a contract to Siemens for the bid amount of $10,811.00 for the repair of the cooling system; 3) Alternatively, discuss and take other possible action related to this item.

12. Consideration and possible action regarding approval of an agreement between the City of El Segundo and El Segundo Energy Center (ESEC) for connection of a sanitary sewer line from the new Beach Bathroom Facility at El Segundo Beach to the retention basin located on property owned by El Segundo Power.  
(Fiscal Impact: $0)

Recommendation – 1) Approve an agreement between the City and ESEC; 2) Authorize the City Manager to execute the agreement, in a form approved by the City Attorney, related to the design, permitting, financing, and construction of the Sanitary Sewer pipelines; 3) Alternatively, discuss and take other possible action related to this item.

CALL ITEMS FROM CONSENT AGENDA
F. NEW BUSINESS

13. Consideration and possible action regarding rejecting all bids received for construction related to Group 41 of the City's Residential Sound Insulation (RSI) Program (Project RSI 11-04) and a status report on the City's RSI Program.

(Fiscal Impact: $0)

Recommendation – 1) Reject all bids received for construction related to Group 41 (Project RSI 11-04); and/or 2) Alternatively discuss and take other action related to this item.

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fuentes –

Council Member Brann –

Council Member Jacobson –

Mayor Pro Tem Fisher –
14. Consideration and possible action regarding the annual request of Mr. S. Claus for variances from the Municipal Code.
(Fiscal Impact: None)
Recommendation - Approve request by Mr. S. Claus for a waiver of the permits required for doing business within the City of El Segundo as follows; or, alternatively, discuss and take other action related to this item:
1) Approval of a Conditional Use Permit and waiver of regulations in ESMC Section 15-23-4; 2) The use of air rights and waiver of the Santa Monica Radial 160 R procedure (FAA should be contacted); 3) Grant a free business license for a non-profit organization (ESMC 4-1-7); 4) Waiver of ESMC 8-4-11B (Driveway Permits Required) and ESMC 8-5-11 (Parking on Grades); 5) Waiver of the Noise Ordinance to permit the sound of bells (ESMC 7-2-3); and; 6) Waiver of the Trespass Ordinance (ESMC 7-6-3) including 6-5-11 dealing with trespassing animals; 7) Waiver of the ordinance on Animal Regulations (ESMC 6-2-1). Additionally, Mr. S. Claus has been directed to the Coastal Commission for clearance over the ocean; D.M.V. for a valid vehicle registration; Department of Health & Welfare to ensure his elves are receiving minimum wage; and the Air Quality Management District to ensure a safe and clear sleigh ride.

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MEMORIALS –

CLOSED SESSION

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

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT
POSTED:

DATE: 12/14/11

TIME: 2:30 PM

NAME: [Signature]
(a) Presentation – Muscular Dystrophy, El Segundo Fire Department’s “Fill the Boot” drive.

Megan Berry, Director of Business Development to speak.
(b) Dedication – California Map Art Company, Original Artwork of the El Segundo Town Map.

Amanda Hunter of California Map Art Company (CMAC) to present original artwork to the City of El Segundo.
AGENDA DESCRIPTION:

Consideration and possible action regarding (Public Hearing) the proposed exchange of FY 2012/13 Community Development Block Grant (CDBG) funds totaling approximately $66,271 with another CDBG participating city within the Los Angeles Urban County. (Fiscal Impact: $66,271).

RECOMMENDED COUNCIL ACTION:

1. Open public hearing and take testimony;
2. Close public hearing and discuss item;
3. Authorize staff to proceed with identifying an interested participating city to begin negotiations for the exchange of FY 2012/13 CDBG funds, establish an exchange rate, and return to the City Council with a resolution authorizing the exchange of CDBG funds with another City; and/or,
4. Authorize the City Manager to execute the contracts, as to form approved by the City Attorney, with the Los Angeles County Community Development Commission, and with all sub-recipients receiving CDBG funds; and/or,
5. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

None.

FISCAL IMPACT:

Amount Budgeted: Total CDBG $66,271 ($66,271 estimated CDBG FY 2012/13)
Account Number(s): CDBG Fund 111

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:

Each year, Community Development Block Grant (CDBG) funds are allocated to cities by the Federal Housing and Urban Development Department (HUD) and administered through the Los Angeles County Community Development Commission (CDC). Participating cities receive funding based upon the total number of cities participating in the County's program, and a City's commitment to provide housing, economic, social service, and community development opportunities that principally benefit persons of low and moderate income levels.
Since 1986, the City of El Segundo has annually participated in the Los Angeles Urban County's CDBG Program. In order to continue its participation in the upcoming 2012-2013 program year, which begins on July 1, 2012, and ends on June 30, 2013, the City of El Segundo must prepare and submit its proposed CDBG action plan and/or project descriptions to the Los Angeles County Community Development Commission by January 31, 2012, for review and approval.

Pursuant to Federal requirements, notice of this public hearing was posted in public buildings within the City. Federal requirements also mandate that as part of the hearing, the Council and public be informed of the range of eligible housing and community development activities that may be funded under the CDBG program. Interested persons may obtain a copy of the Federal eligibility guidelines, available at the City of El Segundo’s Department of Planning and Building Safety, during regular business hours.

**Proposed CDBG Projects and Budgets**

The proposed 2012-2013 CDBG allocation for the City of El Segundo is approximately $66,271.00. This is a planning estimate only; the Los Angeles County Community Development Commission (CDC) will not release final appropriations until Spring 2012. The City’s final CDBG allocation is generally within 10% of the estimate provided. However, for FY 2012-2013 and as directed by the CDC, cities are assuming a 15% reduction from last year. In FY 2011-2012, El Segundo’s CDBG appropriation was $77,966.00.

**Proposed CDBG Action Plan for 2012-2013**

Participating cities within the Los Angeles Urban County CDBG Program are eligible to exchange or “sell” CDBG monies between each other. Typically, cities that purchase CDBG funds “buy” the CDBG funds using unrestricted General Funds. CDBG funds often sell at a discount because of the regulatory burden assumed by the purchaser. The current rate that cities acquire CDBG funds range from $0.55 to $0.65 per CDBG dollar. Thus, if El Segundo is successful in exchanging FY 2012/2013 CDBG funds totaling $66,271, a potential yield of $36,449 ($0.55 per dollar) to $43,076 ($0.65 per dollar) may be available in unrestricted General Funds. For FY 2011-2012, the City of El Segundo completed an exchange of funds in the amount of $89,844.00 with the City of Lawndale for $0.70/$1.00, and received a total of $62,890.80 in General Funds.

The City of El Segundo used proceeds from the Lawndale exchange of CDBG funds to support three public service projects: Home Delivered Meals, Senior In-Home Care and Juvenile Diversion. For FY 2011-2012, the budget for the public service projects totaled $65,499 (Home Delivered Meals - $29,196 [plus approximately $10,000 in donations], Senior In-Home Care - $22,303 and Juvenile Diversion - $14,000).

Exchanging CDBG funds in FY 2012-2013 may generate up to 65% of the revenue necessary to support the continuation of the City’s three public service projects. An exchange of CDBG Funds is an effective revenue mechanism to supplement the General Fund contribution. However, exchanging funds is contingent upon other participating cities interested in transacting an exchange. Staff will begin the process of identifying cities who may be interested in potentially transacting an exchange.
Alternatively, if the City cannot identify another CDBG participating city interested in exchanging CDBG funds, it is recommended that CDBG funds support the installation of handicapped access concrete ramps throughout the City. Approximately 20-24 ramps could be completed with a CDBG budget of $61,301.00.

Thus, the proposed alternate FY 2012-2013 CDBG projects and budgets are:

<table>
<thead>
<tr>
<th>CDBG Project</th>
<th>Source of Funds</th>
<th>Total Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>American with Disabilities Act (ADA)</td>
<td>Handicapped Access $61,301 (CDBG)</td>
<td>$61,301</td>
</tr>
</tbody>
</table>

CDBG Program
Administration (Community Development Commission (CDC) allowance 7.5%) $4,970 (CDBG/CDC allowance) + $9,030 (GF)*=$14,000

*General Fund (GF) appropriation to be approved during City’s 2012-2013 budget cycle.
AGENDA DESCRIPTION:

Consideration and possible action regarding 1) approving a new Class Specification for the at-will position of Director of Community Services; 2) approving a new class specification for the at-will position of City Librarian; 3) approving the reorganization of the Library Department, and Parks & Recreation Department into the Community Services Department; 5) introduce and waive first reading of an ordinance implementing such changes; 6) adopting a resolution amending the City’s Conflict of Interest Code to reflect these changes; and 7) adopting a resolution establishing basic monthly salary for job classifications of Director of Community Services and City Librarian 8) taking such additional, related, action that may be desirable.
Fiscal Impact: $0

RECOMMENDED COUNCIL ACTION:

1. Approve the proposed changes to titles and departments.
2. Introduce and Waive the First Reading of a draft Ordinance. Second reading and adoption would occur on January 17, 2012.
3. Adopt a resolution amending the City’s Conflict of Interest Code to become effective on February 17, 2012.
4. Adopt a resolution establishing basic monthly salary for the job classifications of Director of Community Services and City Librarian
5. Take such additional, related, action that may be desirable.

ATTACHED SUPPORTING DOCUMENTS:

1. Class Specifications.
3. Draft resolution amending the City’s Conflict of Interest Code.
4. Draft resolution establishing basic monthly salary for job classifications
5. Proposed Organizational Chart.

FISCAL IMPACT: $0

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

ORIGINATED BY:

REVIEWED BY: Doug Willmore, City Manager
APPROVED BY:

BACKGROUND AND DISCUSSION:

In an effort to fully integrate services and programs, and increase scope and programming, the City Manager recommends that certain City departments be reorganized as follows:
- The Library and Recreation & Parks Departments would merge into a new Community Services Department; and

The Community Services Department would be administered by a new at-will classification of "Director of Community Services." As part of the reorganization, the existing Library Director would be reclassified as the “City Librarian” and report to the Community Services Director.

In addition to well-known recreation and parks functions, the Recreation and Parks Department is currently responsible for a considerable amount of responsibility generally considered to be community services. The Community Cable Division, the Senior Citizen Housing Board which manages the Park Vista Senior Apartment Complex, and the Outreach Office which delivers meals to home-bound residents, are examples of community service functions currently managed by the Recreation and Parks Department. Additionally, the Dial-A-Ride, Lunchtime Shuttle, and Beach Shuttle programs, as well as the interagency transit agreements providing Beach Cities Transit and the Municipal Area Express (MAX) are all managed by the Recreation and Parks Department.

Other community service programs provided by the Recreation and Parks Department include the S.P.A.R.K. After School Program, in collaboration with a local parent volunteer organization, in-school youth counseling through the South Bay Children’s Health Center, and shared public facilities that serve as the school athletic teams’ home fields.

The Department also oversees the Golf Course Sub-Committee and the operations of The Lakes at Fl Segundo Golf Course including a restaurant, and retail shop, offering banquet facilities, and producing economic benefit. Overall, the Department of Recreation and Parks has a mission to provide quality services, programs, and spaces to enhance the quality of life within the community.

It is in the same spirit that the Department of Library Services offers programs and services to the community at large. Both the Department of Recreation and Parks and the Department of Library Services currently operate facilities outside of normal business hours, including weekends and nights. The facilities serve as gathering places for various populations, while providing structured and non-structured activities and programs.

Merging the Recreation and Parks Department with the Library Department and creating a single Community Services Department will allow for a more aligned and dynamic organizational structure with the common goal of providing exceptional community service. A couple examples of what could be done through combining the departments would be to share the resource of part-time staff to fulfill temporary surges in staffing needs and to integrate services such as providing book delivery service along with meals provided to homebound residents through the Dial A Ride Program.

The restructuring will also reduce the size and increase the efficiency of the Executive Management Team that will focus on strategic interrelated goals while the newly created Library Division will remain focused on providing first-rate library services to our community.

Furthermore, staff will benefit from the collaboration among Divisions, shared resources, succession planning, and staff development opportunities by expanding their knowledge base of a wide variety of community services.

With the integration of the two departments, it is necessary to modify position titles to appropriately reflect job responsibilities. The Director of Recreation and Parks will become the
Director of Community Services and the Director of Library Services will become the City Librarian, and will report to the Director of Community Services.
DIRECTOR OF COMMUNITY SERVICES
(At-Will)

Definition: Under administrative direction, plans, directs and manages the development, operation and evaluation of the City's library services, recreation, community cable television, senior housing complex and park programs and facilities.

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

Characteristic Duties and Responsibilities:

Plans, develops, directs and implements all aspects of the City's Library programs, recreational and parks related activities, services and programs to meet goals, objectives and policies for library, recreation and community services to include all members of the local community; prepares and administers operational and capital improvement budgets; recommends long-term strategic services to meet future community needs.

Directs all aspects of the operation and activities of the Library; provides leadership, program development, administration and coordination of Library operations and services.

Directs programs and activities of community cable television to ensure quality and compliance with FCC regulations.

Directs the maintenance of parks and parks facilities, trees and landscaping.

Provides for recreation activities and programs to include a variety of sports, cultural events and other diverse activities for all age groups in the community; directs and conducts community outreach efforts; manages transportation and senior housing programs.

Provides leadership, program development, administration and coordination of Recreation and Parks programs and services; serves as liaison with the community, professional groups and other external contacts and resources for the City.

Resolves discrepancies or procedural problems and responds to program administration and/or program delivery questions ensuring necessary follow-up occurs; controls program records for operational and budget accountability.

Confers with and advises staff and program participants by providing advice, problem solving assistance, answers to questions and interpretation of program goals and policy.

12/2011
Director of Community Services

As an at-will employee reporting to the City Manager, serves as a member of the City’s Executive Management team, participates in the management of the City and may serve on various committees, boards and task forces.

Directly and through subordinate supervisors, hires, directs work efforts and evaluates staff; provides for and/or conducts staff development; establishes work methods and standards; initiates corrective and/or disciplinary action and responds to grievances and complaints according to established personnel policies and procedures and in consultation with Human Resources.

Knowledge, Skills and Other Characteristics:

Knowledge of the principles and practices of public administration, library and recreations programs and community services.
Knowledge of the principles and practices of park planning, development and management.
Knowledge of municipal organization and administration.
Knowledge of budget development and expenditure control.
Knowledge of the principles and practices of effective leadership, management and supervision.
Knowledge of project management principles and practices.

Skill in program development, implementation and evaluation.
Skill in developing and implementing policies and procedures.
Skill in managing, developing, motivating and evaluating professional and support staff.
Skill in managing special projects, activities and programs.
Skill in conducting research and preparing clear, concise and comprehensive reports.
Skill in communicating effectively orally and in writing.
Skill in assessing objectives and operational requirements to develop and implement appropriate operational policies and procedures.
Skill in the use of computers (PC) in a Windows-based operating environment.
Skill in working under pressure, handling significant problems and tasks that arise simultaneously and/or unexpectedly.
Skill in establishing and maintaining effective working relationships with staff, other City employees, Boards and volunteer groups and the public.

Qualifications:

Bachelor’s degree in Recreation, Public Administration or a directly related field; and five (5) years of professional recreation, cultural, library or related program management experience including four (4) years of supervisory experience; or an equivalent combination of education and experience.
CITY LIBRARIAN
(At-Will)

Definition: Under administrative direction, plans, directs, organizes and manages all activities of the City Library.

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

Characteristic Duties and Responsibilities:

Plans, directs, sets goals and implements City Library programs, services, technology and operating policies; recommends long-term strategic services and building renovation projects to meet future community needs; provides leadership, program development, administration and coordination of Library operations and services.

Directs and oversees all aspects of the day-to-day operation and activities of the Library Services Division of the Community Services Department; administers a joint use agreement for services to local school branch libraries; represents the Library with community and professional groups; serves on the Administrative Council of the Southern California Library Cooperative (SCLC); and develops other external professional and business contacts.

Prepares and administers the annual operating budget; provides long-term forecasts for Library finances; participates in the identification and procurement of alternative funding sources including donations, fundraising and grant writing.

Prepares administrative and statistical reports for the Director of Community Services or City Manager; makes presentations to various groups and organizations.

Acts as the chief City staff representative to the Library Board of Trustees; develops the agenda and attends monthly meetings; provides written and oral reports on policies, programs and services, the annual budget, building projects, personnel changes, and other department issues; keeps the Director of Community Services apprised of board member concerns and requests.

May serve on various committees, boards and task forces.

Directly and through subordinate supervisors, hires, directs work efforts and evaluates Library staff; provides for and/or conducts staff development; establishes work methods and standards; initiates corrective and/or disciplinary action and responds to grievances and complaints according to established personnel policies and procedures and in consultation with Human Resources.
Knowledge, Skills and Other Characteristics:

Knowledge of the principles and practices of all aspects of municipal library administration;
Knowledge of a variety of automated library systems and information technologies.
Knowledge of municipal organization and administration.
Knowledge of budget development and expenditure control.
Knowledge of the principles and practices of effective leadership, management and supervision.
Knowledge of project management principles and practices.
Knowledge of planning and maintaining modern library facilities.

Skill in program development, implementation and evaluation.
Skill in managing, developing, motivating and evaluating professional and support staff.
Skill in developing and implementing policies and procedures.
Skill in managing special projects, activities and programs.
Skill in planning and coordinating library renovation projects which utilize efficient use of space for housing library materials and collections, providing for adequate study areas and meeting rooms, updating information technologies, organizing staff work areas, and foreseeing other building functional needs.
Skill in anticipating and meeting the informational, cultural, recreational and educational needs of the community through effective development and implementation of library programs.
Skill in conducting research and preparing clear, concise and comprehensive reports.
Skill in understanding and applying complex regulations, procedures and guidelines.
Skill in fundraising and writing grants.
Skill in communicating effectively orally and in writing.
Skill in public speaking.
Skill in managing multiple, complex and changing priorities.
Skill in working under pressure, handling significant problems and tasks that arise simultaneously and/or unexpectedly.
Skill in establishing and maintaining effective working relationships with Library staff, other City employees, Boards, volunteer groups and the public.

Qualifications:

A Master's degree in Library Science and five (5) years of professional library administration and management experience, including three (3) years of supervisory experience; or an equivalent combination of library education and experience.
ORDINANCE NO. _____

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE §§ 1-6-3, 1-6-4, AND 1-6-5 REGARDING CITY DEPARTMENTS AND DEPARTMENT DIRECTORS.

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

SECTION 1: ESMC § 1-6-3 is amended in its entirety to read as follows:

"Sec. 1-6-3: CITY DEPARTMENTS:

Effective February 17, 2012, the organization of city government consists of the following departments:

City administration
Finance department
Community services department
Fire department
Human resources department
Planning and building safety department
Police department
Public works department"

SECTION 2: ESMC § 1-6-4 is amended in its entirety to read as follows:

"1-6-4: EXCLUSIONS:

Those officers and members of departments in addition to department heads and elected officers who are expressly excluded from the merit system are:

Assistant city manager
City attorney
City engineer
City librarian
City manager
Construction coordinator
Economic development manager
Senior executive assistant
Economic development analyst
Property owner coordinator"
SECTION 3: ESMC § 1-6-5 is amended in its entirety to read as follows:

"Sec. 1-6-5: DEPARTMENT HEADS:

For the purpose of this chapter and for the purpose of initiative ordinance 586 and for the purpose of ordinances expanding the coverage of initiative ordinance 586, and not by way of limitation, effective February 17, 2012, the term "department head" includes:

Assistant city manager
Chief of police
City manager
Director of finance
Director of human resources
Director of community services
Director of planning and building safety
Director of public works
Fire chief"

SECTION 4: All references in the ESMC to the "director of recreation and parks" and the "recreation and parks director" mean the "director of community services".

SECTION 5: Repeal of any provision of the ESMC herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 6: If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 7: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.
SECTION 8: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this ____ day of _________, 2012.

________________________________________
Eric Busch, Mayor

ATTEST:

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. ________ was duly introduced by said City Council at a regular meeting held on the _____ day of _____________, 2011, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the _____ day of _____________, 2012, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

________________________________________
Cindy Mortesen, City Clerk

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

By: __________________________________
    Karl H. Berger, Assistant City Attorney

Page 3 of 3
RESOLUTION NO.

A RESOLUTION AMENDING THE CITY'S 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. The City Council amended the El Segundo Municipal Code ("ESMC") to reorganize the City’s departments. As a result, it is in the public interest to amend the City’s conflict of interest codes.

SECTION 2: Pursuant to FPPC Regs. § 18730, the City of El Segundo amends Section D of the Conflict of Interest Code (as implemented by Resolution No. 4679, adopted September 7, 2010) to read as follows:

"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

COMMUNITY SERVICES DEPARTMENT:

   Director of Community Services
   City Librarian
   City Librarian
   Librarian
   Senior Librarian
   Parks Superintendent
   Recreation Superintendent

FIRE DEPARTMENT

   Fire Chief
   Deputy Fire Chief
   Battalion Chief(s)

HUMAN RESOURCES DEPARTMENT

   Director of Human Resources
Human Resources Manager

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
Principal Planner
Property Owner Coordinator
Senior Building Inspector(s)
Senior Plan Check Engineer

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

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

SECTION 3: Except as amended by this Resolution, all other provisions of the City’s Conflict of Interest Code remain the same.

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 on February 17, 2012.

PASSED AND ADOPTED this ___ day of December, 2011.

____________________________
Eric Busch, Mayor

ATTEST:

____________________________
Cindy Mortesen, City Clerk

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

By: _______________________
Karl H. Berger, Assistant City Attorney
RESOLUTION NO.__________

A RESOLUTION ESTABLISHING A BASIC MONTHLY SALARY FOR THE JOB CLASSIFICATIONS OF DIRECTOR OF COMMUNITY SERVICES AND CITY LIBRARIAN.

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

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

<table>
<thead>
<tr>
<th>Step</th>
<th>Director of Community Services</th>
<th>City Librarian</th>
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</thead>
<tbody>
<tr>
<td>A</td>
<td>$9452.40</td>
<td>$9221.85</td>
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<tr>
<td>B</td>
<td>$9925.02</td>
<td>$9682.94</td>
</tr>
<tr>
<td>C</td>
<td>$10,421.27</td>
<td>$10,167.09</td>
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<tr>
<td>D</td>
<td>$10,942.33</td>
<td>$10,675.45</td>
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<tr>
<td>E</td>
<td>$11,489.45</td>
<td>$11,209.22</td>
</tr>
</tbody>
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Section 2: The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the City’s resolutions; and make a minute of the adoption of the Resolution in the City Council’s records and the minutes of this meeting.

Section 3: This Resolution will become effective February 17, 2012 and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 20th day of December, 2011.

________________________________________________________
Eric K. Busch,
Mayor
CERTIFICATION

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. _____ was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the 20th day of December, 2011, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

NOT PARTICIPATING:

WITNESS MY HAND THE OFFICIAL SEAL OF SAID CITY this 20th day of December, 2011.

Cindy Mortesen, City Clerk
of the City of El Segundo,
California
(SEAL)

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

By: _____________________________
   Karl H. Berger
   Assistant City Attorney
CITY OF EL SEGUNDO
Community Services Department

Director
Bob Cummings

Golf Course Subcommittee
The Lakes Golf Course Range, Course, Pro Shop, Restaurant

Administrative Analyst
Vina Hanses

Administrative Specialist
Jackie Day

City Librarian
Debra Brighten

Exec. Assistant
Jennie Lesay

El Segundo TV Program Manager
Don O'Toole

Parks Superintendent
Mark Turello

Library Board of Trustees

Recreation Superintendent
Meredith Petit

Recreation Supervisor
Jesse Bobbett
Sports, Fields Facilities

Recreation Coordinator
Shawn Green
Teen Center

Recreation Supervisor
Jeff Van Fossen
Aquatics, Cultural Arts & Drama

Recreation Supervisor
Alison Flinn
Transportation, Joslyn Center

Park Vista Housing Board

122 Part-Time Employees

Senior Librarian
Ellen Cunningham
Public Services

Librarian II
Cynthia Pickens
Youth Services

Senior Librarian
Mark Herbert
Support Services

Information Services
2 Full-Time Employees
2 Part-Time Employees

Main Library
3 Full-Time Employees
6 Part-Time Employees

School Librarians
4 Librarians

Circulation
1 Full-Time Employee
8 Part-Time Employees

Technical Services

Library Assistants
6 Part-Time Employees

Library Assistants
1 Full-Time Employee

19 Part-Time Employees

Computer Graphic Designer
Robert Cott
Program Specialist
Chris Ley

Maintenance Craft Worker
Gary Ocholwa

Parks Supervisor
Joseph Casillas
Parks & Landscaping

Maintenance Contractors

City Hall Crew
1 Full-Time

Parks Crew
6 Full-Time

Tree Crew
2 Full-Time

3 Part-Time Employees

El Segundo, CA 90245
(310) 524-2700
3. Oral Report by the City of El Segundo Chief of Police, Mitch Tavera, related to public parking on Washington Street in the City of El Segundo.

   Place Holder; Oral report only
AGENDA DESCRIPTION:
Consideration and possible action to open the recruitment process for the positions on the Committees, Commissions and Boards ("CCBs") that will expire in the year 2012. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Direct staff to open the recruitment process for the positions on the CCBs, as listed;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
CCB Listing of the year 2012 vacancies on Committees, Commission and Boards and Background Information

FISCAL IMPACT: Included in Adopted Budget

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

ORIGINATED BY: Mishia Jennings, Executive Assistant

REVIEWED BY:

APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:
Pursuant to Government Code §54972, attached is the Local Appointment List of the positions on Committee, Commissions and Boards that will expire in the year 2012, as well as background information on all CCBs.

Application forms, the anticipated vacancies in the year 2012 and the background information list are posted on the City’s website at www.elsegundo.org or may be obtained from the Council Office at City Hall or, upon request, will be mailed to interested persons.

To apply to any CCB, potential candidates should contact City Hall at 310-524-2302, for an application. The deadline for filing applications is 48 hours prior to the posted interview date. Interviews of candidates are set by the City Council when a sufficient number of candidates have applied to a position.
MAY
RECREATION & PARKS COMMISSION: (4 Yr Term – No Term Limit - All Residents)

Robert Motta (re-apptd 06/04/08 to 2nd full 4-yr term) 05/30/12

JUNE
ENVIRONMENTAL COMMITTEE: (4 Yr Term – No Term Limit – 2 Residents/2 Business Person/1 ESUSD)

Jill Moeller (app'd to first full term 07/15/08) 06/30/12

LIBRARY BOARD OF TRUSTEES: (3Yr Term – Max. 2 Term Limit - All Residents)

Beth Marbois (app'd to first full term 06/19/09) 06/30/12

PLANNING COMMISSION: (4 Yr Term – No Term Limitation) (All Residents)

Brenda Newman (re-app'td 06/01/10 to 2nd partial term) 06/30/12
Ryan Baldino (app'd to first full 4 yr unexpired term 06/17/08) 06/30/12

SENIOR CITIZEN HOUSING CORPORATION BOARD: (4 Yr Term – No Term Limit - All Residents)

Martin Stone (app'd 01/19/10 to a partial term) 06/30/12
Samantha Lee (app'd 06/15/10 to a partial term) 06/30/12

OCTOBER
EL SEGUNDO COMMUNITY CABLE ADVISORY COMMITTEE: (4 Yr Term – No Term Limit - All Residents)

Sally Martin (app'd 03/03/09 to 1st full term) 10/31/12

NOVEMBER
CAPITAL IMPROVEMENT PROGRAM ADVISORY COMMITTEE: (4 Yr Term - No Term Limit – 2 Business/3 Residents)

Scott Houston (app'd 03/03/09 to 1st full term) 11/30/12

The ECONOMIC DEVELOPMENT ADVISORY COUNCIL does not have term expirations, but from time to time, due to resignations of members, candidates will be asked to apply.

Council Approval: 12/20/2011
Posted:
By:

THIS LIST IS TO REMAIN POSTED ALL YEAR -- DO NOT REMOVE
<table>
<thead>
<tr>
<th>Code</th>
<th>Fund Name</th>
<th>Amount</th>
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<tr>
<td>001</td>
<td>GENERAL FUND</td>
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<tr>
<td>144</td>
<td>TRAFFIC SAFETY FUND</td>
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<td>166</td>
<td>STATE GAS TAX FUND</td>
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<tr>
<td>185</td>
<td>ASSOCIATED RECREATION ACTIVITIES FUND</td>
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<td>189</td>
<td>ASSET FORFEITURE FUND</td>
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<td>COMM.DEVL.BLOCK GRANT</td>
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<td>PROP &quot;C&quot; TRANSPORTATION</td>
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<td>AIR QUALITY INVESTMENT PROGRAM</td>
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<td>116</td>
<td>HOME SOUND INSTALLATION FUND</td>
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<td>HYPERSON MITIGATION FUND</td>
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<td>TDA ARTICLE 3-29821 BIKEWAY FUND</td>
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<td>119</td>
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<td>L.A.W.A. FUND</td>
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<td>CAPITAL IMPROVEMENT FUND</td>
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<td>WATER UTILITY FUND</td>
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<td>EXPENDABLE TRUST FUND - DEVELOPER FEES</td>
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<td>EXPENDABLE TRUST FUND - OTHER</td>
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<tr>
<td>726</td>
<td>OUTSIDE SERVICES TRUST</td>
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</tr>
</tbody>
</table>

**TOTAL WARRANTS: $ 455,586.31**

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**STATE OF CALIFORNIA**

**COUNTY OF LOS ANGELES**

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

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

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

**CODES:**

- **R** = Computer generated checks for all non-emergency emergency payments for materials, supplies and services in support of City Operations

For Reconciliation:

- **A** = Payroll and Employee Benefit checks

- **B-F** = Computer generated Early Release disbursements and/or adjustments approved by the City Manager. Such as: payments for utility services, petty cash and employee travel expense reimbursements, various refunds, contract employee services consistent with current contractual agreements. Instances where prompt payment discounts can be obtained or late payment penalties can be avoided or when a situation arises that the City Manager approves.

- **H** = Handwritten Early Release disbursements and/or adjustments approved by the City Manager.

**FINANCE DIRECTOR:**

**DATE:** 12/13/11

**CITY MANAGER:**

**DATE:** 12/13/11

**VOID CHECKS DUE TO ALIGNMENT:**

**VOID CHECKS DUE TO INCORRECT CHECK DATE:**

**VOID CHECKS DUE TO COMPUTER SOFTWARE ERROR:**

**NOTES:**

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CITY OF EL SEGUNDO  
PAYMENTS BY WIRE TRANSFER  
11/24/11 THROUGH 12/8/11

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<th>Date</th>
<th>Payee</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
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<td>La Salle</td>
<td>43,725.00</td>
<td>EFT ABAG</td>
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<tr>
<td>11/25/2011</td>
<td>Unum</td>
<td>319.20</td>
<td>LTD</td>
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<tr>
<td>11/30/2011</td>
<td>Cal Pers</td>
<td>15,581.79</td>
<td>EFT Retirement Safety</td>
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<td>EFT Retirement Misc</td>
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<tr>
<td>12/2/2011</td>
<td>Health Comp</td>
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<td>Weekly claims</td>
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<td>12/5/2011</td>
<td>IRS</td>
<td>86,504.05</td>
<td>Federal Taxes Holiday/Sick Payout</td>
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<td>12/5/2011</td>
<td>Employment Development</td>
<td>20,046.22</td>
<td>State Taxes Holiday/Sick Payout</td>
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<td>Employment Development</td>
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<td>State Taxes Holiday/Sick Payout</td>
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<td>12/7/2011</td>
<td>Health Comp</td>
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<tr>
<td>12/8/2011</td>
<td>IRS</td>
<td>217,189.27</td>
<td>Federal Taxes</td>
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<td>11/24-12/8/11</td>
<td>Workers Comp Activity</td>
<td>42,051.14</td>
<td>SCRMA checks issued</td>
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</tbody>
</table>

**DATE OF RATIFICATION: 12/20/11**  
TOTAL PAYMENTS BY WIRE: 523,019.94

Certified as to the accuracy of the wire transfers by:

Deputy City Treasurer  
Date

Director of Finance  
Date

City Manager  
Date

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, DECEMBER 6, 2011 – 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 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.

Mayor Busch announced that Council would be meeting in closed session pursuant to the items listed on the agenda.

SPECIAL ORDER OF BUSINESS:

CLOSED SESSION:
The City Council moved into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54950, 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- matters

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): -3- matter.

Claim 10-35 - Wyle
Claim 11-57 - Garton
Claim 11-57A - City of Hawthorne (Garton)

Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.
DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957): -2- matter

Employee Evaluation
Position: City Manager

Employee Evaluation
Position: City Attorney

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

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

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

Council recessed at 6:50 p.m.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, DECEMBER 6, 2011 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Scott Lambert, Assoc. Pastor, Hilltop Community Church of Christ

PLEDGE OF ALLEGIANCE – Council Member Suzanne Fuentes

PRESENTATIONS

a. Council Member Fuentes presented a Proclamation – The 1200 block of Acacia Avenue as CANDY CANE LANE from December 10, 2011 at 7:00 p.m. through December 23, 2011.

b. Council Member Brann presented a Commendation – The City Council wish to thank all sponsors, supporters and volunteers for keeping the El Segundo Community Christmas Dinner tradition alive.


d. Mayor Busch presented a Proclamation – Nick Gerenday, the El Segundo Police Department’s RSVP of the Year.

e. Presentation by Megan Berry about Muscular Dystrophy and El Segundo Fire Department’s “Fill the Boot” drive.

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.

Mike Rotolo, President of the Chamber of Commerce, urged Council to favorably address item 11 regarding Downtown El Segundo.
Liz Garnholtz, Resident, spoke about Downtown El Segundo, and the closing of the Post Office on Main Street. She also spoke regarding item F, New Business, regarding the formation of Community Services Department.

Juliette Lau, Resident, requested information regarding staff research on the parking on Washington Street. She stated it has worsened over the last eight months.

Scott Houston, Resident, spoke regarding item 11, Downtown El Segundo business improvement, and voiced his support for the item.

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Brann, SECONDED by 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 open a public hearing and receive testimony regarding: 1) an Environmental Assessment for a Categorical Exemption; and 2) a Zone Text Amendment amending the El Segundo Municipal Code ("ESMC") § 15-2-7 regulating open space areas and encroachments. Applicant: City Initiated (Fiscal Impact: None)

Mayor Busch stated that this was the time and place for a public hearing regarding: 1) an Environmental Assessment for a Categorical Exemption; and 2) a Zone Text Amendment amending the El Segundo Municipal Code ("ESMC") § 15-2-7 regulating open space areas and encroachments. Applicant: City Initiated

Clerk Mortesen stated that proper notice of the public hearing was done and no written communication had been received by the City Clerk’s Office.

Greg Carpenter, Planning and Building Safety Director, gave a report.

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

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO.

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE § 15-2-7 REGULATING OPEN SPACE AREAS AND ENCROACHMENTS.
Council Member Brann introduced the ordinance with the addition of “including but not limited to adequate emergency egress and ingress by public safety employees” added to Section 3-D6.

Second reading and adoption of Ordinance scheduled for December 20, 2011.

B. UNFINISHED BUSINESS

C. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

2. Consideration and possible action to announce the appointment to the Investment Advisory Committee and the Community Cable Advisory Committee. (Fiscal Impact: None)

Mayor Busch announced the appointment of Mike Van Kleecck to the Investment Advisory Committee to a full term expiring 8/30/15 and requested more applications for the Community Cable Advisory Committee.

Mark Hensley, City Attorney, stated that the City Clerk’s Office received correspondence from Mr. Mike Robbins related to Consent Agenda Item No. 9, and that Council had been copied and available to the public on the table outside the Council Chamber.

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 2585036 to 2585279 on Register No. 4 in the total amount of $932,873.61 and Wire Transfers from 11/04/11 through 11/23/11 in the total amount of $2,768,975.56. 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.

4. Approved Regular City Council Meeting Minutes of November 15, 2011 and Special City Council Meeting Minutes of November 17, 2011.

5. Approved the 2012 Senior Housing Corporation Annual Budget for the Park Vista Apartments located at 615 East Holly Street. (Fiscal Impact: N/A – No General Fund)

6. Approved a second amendment extending Property Management Agreement No. 3364, in a form approved by the City Attorney, between the El Segundo Housing Corporation and the Cadman Group for the management of Park Vista Senior Apartments, 615 E. Holly St. (Fiscal Impact: $148,000 for each of the next 3 years – No General Fund)
7. Authorized the City Manager to extend Contract No. 4095 with the MWW Group through September 30, 2012 for public relations and public affairs representation services to the City of El Segundo. (Fiscal Impact: $78,240)

8. Authorized the City Manager, or designee, to review, approve or deny a Second Amendment to the City's Contract No. 3746 with Mattel, Inc., pursuant to Section 6 of the attached License Agreement between the City and Mattel, Inc. dated June 26, 2007, for the design of future El Segundo Police replica toys produced by Mattel, Inc. (Fiscal Impact: None)

9. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Fuentes to approve Consent Agenda Items 3, 4, 5, 6, 7, and 8, MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

9. Consideration and possible action to receive and file a report concerning a memorandum of understanding approved by the City Council on October 4, 2011. (Fiscal Impact: N/A)

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Fuentes to receive and file report concerning a memorandum of understanding approved by the City Council on October 4, 2011. MOTION PASSED BY THE FOLLOWING VOICE VOTE. AYES: BUSCH, FISHER, FUENTES, JACOBSON, NOES: BRANN. 4/1

F. NEW BUSINESS

10. Consideration and possible action regarding 1) approving the reorganization of the Library Department, and Parks & Recreation Department into the Community Services Department; 2) approving a new Class Specification for the at-will position of Director of Community Services; 3) approving a new class specification for the at-will position of City Librarian; 4) approving the reorganization of the Finance Department and Human Resources Department into the Finance Division and Human Resources Division reporting to the Assistant City Manager; 5) introduce and waive first reading of an ordinance implementing such changes; 6) adopting a resolution amending the City's Conflict of Interest Code to reflect these changes; and 7) taking such additional, related, action that may be desirable. (Fiscal Impact: Included in adopted Budget)

Doug Willmore, City Manager, gave a report.

MOTION by Mayor Busch, SECONDED by Council Member Fuentes to return to Council with the item in two weeks, with a more detailed organizational chart, explore other options regarding this item, and break the item into sections so that each can be considered separately. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: BUSCH, FISHER, JACOBSON, FUENTES; NOES: BRANN. 4/1
11. Consideration and possible action to direct staff to take various actions in response to requests made by the Chamber of Commerce related to Downtown business improvement efforts. (Fiscal Impact: to be determined)

Greg Carpenter, Planning and Building Safety Director, gave a report.

Signage and Banners

Sepulveda Blvd – Banner/Mural
Parking Garage – Awareness, Clarification
Franklin/Richmond Lot – Time Limits
Downtown Banners – “Heart of El Segundo"
“No Parking” – Special Events

CODES

Parking Exemption for Outdoor Dining
Entertainment Permits and Special Events

PROMOTIONS

Hotel Dinner Shuttle
Downtown Branding
Tree Lighting

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Fisher to direct staff to:

- Implement the signage and banner requests
- Refer the requested code changes to staff and the Planning Commission for research and recommendation
- Conduct trial of dinner shuttle
- Provide financial assistance to the branding campaign
- Research the actual cost of the tree-lighting and electrical upgrades and identify potential funding sources

MOTION PASSED BY UNANIMOUS VOTE. 5/0

REPORTS – CITY MANAGER - Thanked City employees for their pay and benefit concessions and helping to balance the budget.

REPORTS – CITY ATTORNEY - NONE

REPORTS – CITY CLERK

12. Consideration and possible action regarding Council consensus to cancel the January 3, 2012 City Council Meeting (Fiscal Impact: None)
MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Fisher to cancel the January 3, 2012 City Council Meeting. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Announced her attendance at the New Law and Election Seminar in Long Beach, sponsored by the League of California Cities.

REPORTS – CITY TREASURER - NONE

REPORTS – CITY COUNCIL MEMBERS

Council Member Fuentes - Requested Staff to direct a "Buy Local" Campaign.

Council Member Brann - Spoke regarding the Assistant City Manager and the Economic Development Analyst positions.

Council Member Jacobson - Spoke regarding the Winter Wonderland event.

Mayor Pro Tem Fisher – Spoke regarding the Winter Wonderland event; Rock and Brew's new map of El Segundo; RSVP Luncheon.

Mayor Busch – Spoke regarding the "Buy Local" campaign. Announced the Holiday Tree Lighting on Thursday, December 8, in the Civic Center Plaza, Candy Cane Lane, and Holiday Parade.

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 consent agenda item E9.

Jack Axlerod, Resident; spoke regarding a uniformed, armed police officer being present in the Council Chamber. He also spoke about the City Seal and stated his objections to the invocation and the pledge of allegiance.

MEMORIALS – Lila Hummel

CLOSED SESSION – NONE

ADJOURNMENT at 9:01p.m.

______________________________
Cindy Mortesen, City Clerk
SPECIAL MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, DECEMBER 6, 2011 – 4:30 P.M.

CALL TO ORDER – Mayor Busch at 4:30 p.m.

ROLL CALL

Mayor Busch - Present  
Mayor Pro Tem Fisher - 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 before addressing the City Council. Failure to do so is a misdemeanor and punishable by a fine of $250.

SPECIAL MATTERS: -2- matter

1. Consideration and possible action to adopt a resolution pursuant to Public Contract Code § 20168 finding that an emergency exists and authorizing contracting without the need for bidding pursuant to Public Contract Code § 22050 for repairing and improving netting and poles at the Lakes Golf Course driving range.

Stephanie Katsouleas, Public Works Director gave a brief staff report:

MOTION by Mayor Busch, SECONDED by Mayor Pro Tem Fisher to adopt by 4/5ths vote Resolution No. 4765 finding that an emergency exists within the City and authorize the City Manager to execute a public works contract with Judge Netting, Inc. (an Arizona Corporation) in a form approved by the City Attorney, for repairing and improving netting and poles at the Lakes Golf Course driving range, not to exceed $400,000. MOTION FAILED BY THE FOLLOWING VOICE VOTE: AYES: BUSCH AND FISHER; NOES: BRANN, FUENTES, AND JACOBSON . 2/3

MOTION by Council Member Fuentes, SECONDED by Mayor Busch to reconsider the previous vote. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: BUSCH, FISHER, JACOBSON, AND FUENTES; NOES: BRANN. 4/1

MOTION by Mayor Busch, SECONDED by Mayor Pro Tem Fisher to adopt by 4/5ths vote Resolution No. 4765 finding that an emergency exists within the City and authorizing contracting without the need for bidding; authorize staff to obtain quotes from competent contractors who have experience in this type of construction; and authorize the City Manager to execute a contract not to exceed $400,000, in a form approved by the City Attorney. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: BUSCH, FISHER, JACOBSON, AND FUENTES; NOES: BRANN . 4/1.
2. Interview of candidates and potential appointments to the Investment Advisory Committee and the Community Cable Advisory Committee.

Council consensus to appoint Mike Van Kleeck to the Investment Advisory Committee to a full term expiring 8/30/15.

ADJOURNMENT at 5:15 p.m.

______________________________
Cindy Mortesen, City Clerk
AGENDA DESCRIPTION:

Consideration and possible action to adopt Ordinance No. 1467 approving an Environmental Assessment (EA 944) for a Categorical Exemption and Zone Text Amendment amending the El Segundo Municipal Code ("ESMC") § 15-2-7 regulating of open space areas and encroachments. Applicant: City Initiated (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Waive second reading and adopt Ordinance No. 1467 for Environmental Assessment No. EA-944 and Zone Text Amendment (ZTA) No. 11-04; and/or

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

ATTACHED SUPPORTING DOCUMENTS:

1. Ordinance No. 1467

FISCAL IMPACT: None

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

ORIGINATED BY: Kim Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:

On December 6, 2011, the City Council introduced an Ordinance to approve Environmental Assessment No. EA-944 and Zone Text Amendment (ZTA) No 11-04. The proposed Ordinance establishes a building setback exception into interior (side and rear) yards for mechanical equipment and other accessory structures on non-residentially zoned property. Additionally, the proposed ordinance establishes a distinction between setback exceptions applicable to residentially zoned property and those applicable to non-residentially zoned property. The proposed ordinance also clarifies the treatment of certain currently allowed setback encroachments, such as stairways to platforms, guardrails, and architectural landscape features. When it introduced the Ordinance, the Council added the phrase “including, but not limited to, adequate ingress and egress for public safety employees” to the proposed text at the end of the sentence in ESMC §15-2-7(D)(6) to clarify that mechanical equipment or accessory structure must be set back to allow adequate ingress and egress for public safety employees. The City Council may waive the second reading and adopt the Ordinance. If adopted without changes, Ordinance No. 1467 will become effective in 30 days.
ORDINANCE NO. 1467

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE §15-2-7 REGULATING OPEN SPACE AREAS AND ENCROACHMENTS.

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

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

A. On October 4, 2011, the City Council directed staff to prepare an amendment to the El Segundo Municipal Code ("ESMC") to allow mechanical equipment and other accessory structures to encroach into interior (side and rear) yards in non-residential zoning districts;

B. On October 5, 2011, the City of El Segundo initiated an application for Environmental Assessment No. EA-944 and Zone Text Amendment No. 11-04 to amend the ESMC regulating open space areas and encroachments;

C. The application was prepared and reviewed by the City’s Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the ESMC;

D. The City reviewed the project’s environmental impacts under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “CEQA Guidelines”), and the City’s Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);

E. The Planning and Building Safety Department completed its review and scheduled the public hearing regarding the application before the Planning Commission for November 10, 2011;

F. On November 10, 2011, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed amendment, including, without limitation, information provided to the Planning Commission by City staff and public testimony;

G. On November 10, 2011, the Planning Commission adopted Resolution No. 2708 recommending the City Council approve Environmental Assessment No. EA-944 and Zone Text Amendment No. 11-04;

H. On December 6, 2011, the City Council held a public hearing and considered the information provided by City staff and public testimony
regarding this Ordinance; and

I. This Ordinance and its findings are made based upon the entire administrative record including, without limitation, testimony and evidence presented to the City Council at its December 6, 2011 hearing and the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Findings. The City Council incorporates by reference all of the findings and conclusions set forth in Planning Commission Resolution No. 2708 as if fully set forth including, without limitation, the Environmental Assessment set forth in Section 3 of Resolution No. 2708.

SECTION 3: ESMC §15-2-7, captioned “Open Space Areas And Encroachments,” is amended in its entirety as follows:

“15-2-7 OPEN SPACE AREAS AND ENCROACHMENTS: The following open space and encroachment provisions are required for the indicated zones.

A. All Zones. Architectural landscape features as defined in § 15-1-6 of this Code may encroach into setbacks as specified in § 15-2-14 of this Code. In all zones, every required yard must be open and unobstructed from the ground up, except the following intrusions may project two feet (2') into required yards, provided the required yard cannot be reduced to less than three feet (3') in width:

1. Bay windows, on the first floor in any setback and on the second floor only in the front yard setback, not wider than eight feet (8') measured in the general direction of the wall of which it is a part;

2. Cornices, belt courses, sills, eaves or similar architectural building features as defined in § 15-1-6 of this Code. Eaves may project six inches (6") into any nonconforming side or rear yard which is three feet (3') in width. Shutters, corbels, and dentils may project six inches (6"). Columns may project one foot (1');

3. Fireplace structures not wider than eight feet (8') measured in the general direction of the wall of which it is a part;

4. Greenhouse windows;

5. Guardrails for safety protection around ramps and stairs;

6. Planting boxes or masonry planters not exceeding forty two inches (42") in height; and

7. Uncovered porches, platforms and landings which do not extend
above the floor level of the first floor. In addition, stairs leading to porches and platforms may encroach further into a required setback but must maintain at least a three foot (3') distance to a property line.

B. Residential Zones. In residential zoning districts:

1. A porte cochere (open carport) may be placed over a driveway in the front twenty feet (20') of one side yard setback, outside of the front yard setback, or attached to the front twenty feet (20') of one dwelling unit closest to the front lot line, provided the structure is not more than one story in height; is unenclosed on three (3) sides; and is entirely open except for the necessary supporting columns and architectural features.

2. Mechanical equipment, such as pool heaters, water heaters, and air conditioners not wider than eight feet (8') measured in the general direction of the wall of which it is a part, and adequately soundproofed, may project two feet (2') into required side and rear yards, provided the required yard cannot be reduced to less than three feet (3').

C. Non-residential Zoning. In non-residential zoning districts, mechanical equipment and accessory structures that do not contain occupied space, as defined by the California Building Code adopted by this Code, or that do not contain net floor area, as defined in § 15-1-6 of this Code, may be located within a required interior side or rear setback area.

1. Mechanical equipment includes, without limitation, emergency generators; air conditioning and heating units; transformers; and other equipment that is accessory to the principal permitted use. Mechanical equipment does not include electrical sub-stations.

2. Accessory structures include, without limitation, trash and recycling enclosures; and structures that exclusively house building operating equipment that is accessory to the principal permitted use.

D. Non-residential Zoning; Conditions. For non-residential zoning districts, the mechanical equipment and non-occupied accessory structures within a required setback are subject to the following conditions:

1. The mechanical equipment or accessory structure is not higher than 18 feet.

2. The mechanical equipment or accessory structure is not longer than 60 feet parallel to the property line to which it is situated or no
longer than 35% of the length of the property line to which it is situated, whichever is less.

3. The mechanical equipment or accessory structure cannot be located within a required interior side or rear setback area if the interior side or rear property line abuts a residentially zoned property.

4. The mechanical equipment or accessory structure cannot be located within a required interior side or rear setback area if the interior side or rear property line abuts a public street.

5. Operating the mechanical equipment cannot exceed the noise standards for Commercial and Industrial Property as identified in this Code.

6. The mechanical equipment or accessory structure must be set back from any interior side or rear property line to meet all access, safety, and screening requirements as specified in Titles 13 and 15 of this Code, including, but not limited to, adequate ingress and egress for public safety employees."

SECTION 4: CONSTRUCTION. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 5: ENFORCEABILITY. Repeal of any provision of the El Segundo Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 7: If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 8: The City Clerk is directed to certify the passage and adoption of this
Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 9: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this 20th day of December, 2011.

________________________________________
Eric Busch, Mayor

ATTEST:

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. 1467 was duly introduced by said City Council at a regular meeting held on the 6th day of December, 2011, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the 20th day of December, 2011, and the same was so passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

________________________________________
Cindy Mortesen, City Clerk

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

By: __________________________________________
Karl H. Berger, Assistant City Attorney

P:\Planning & Building Safety\Planning\PROJECTS (Planning)\929-950\EA-944\City Council 12.20.2011
AGENDA DESCRIPTION:

Consideration and possible action to approve continuation of the steps necessary to complete the emergency repair and replacement of the netting and poles at "The Lakes" Golf Course Driving Range. (Fiscal Impact: $400,000.00)

RECOMMENDED COUNCIL ACTION:

1. Approve the continuation of the steps necessary to complete the emergency repair and replacement of the netting and poles at "The Lakes" Golf Course Driving Range, or
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT: Budget Adjustment Approved

Amount Budgeted: $0
Additional Appropriation: N/A $287,000 was appropriated by Council on December 6, 2011
Account Number(s): Continuing Appropriations: 503-400-5301-8104 ($43,000); 503-400-5302-6215 ($9,500); 503-400-5307-6215 ($10,500); FY 11-12: 503-400-5301-8104 ($60,000); 601-400-5301-8104 ($45,000); 405-400-0000-6215 ($119,000)

ORIGINATED BY: Stephanie Katsouleas, Public Works Director
REVIEWED BY: Bob Cummings, Parks and Recreation Director
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:

On December 6, 2011, City Council adopted Resolution No. 4765 and authorized staff to proceed with the repair and replacement of "The Lakes" Golf Course Driving Range netting and poles that were damaged in the November 30th wind storm. Staff estimated that the repair would cost approximately $400,000 based on an estimate provided by Judge Netting, Inc. Council directed staff to obtain at least two other spot bids to ensure that the cost estimate was competitive given that the repair was deemed an emergency and the City would not be implementing a formal bid process. As of December 12, 2011, staff was waiting on one last bid to be received by Par Electrical before proceeding with the repair. It is anticipated that the repair will commence immediately following the receipt of that bid with the company that provided the lowest bid.

Please note that Resolution No. 4765 requires that staff provide a status update at each City Council meeting until the repair is completed and that City Council determine, by four-fifths vote, that there is a need to continue repair work. Staff recommends that the City Council authorize this emergency repair until it is completed.
AGENDA DESCRIPTION:
Consideration and possible action regarding 1) Approval of a revised Class Specification and title change for the position of Principal Engineer 2) Approval of Examination Plan for Principal Civil Engineer (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Approve the proposed Class Specification, including a title change from Principal Engineer to Principal Civil Engineer.
2. Approve the proposed Examination Plan for Principal Civil Engineer.
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Principal Civil Engineer Class Specification with Revisions.

FISCAL IMPACT: None

ORIGINATED BY: Lisa Jenkins, Senior Human Resources Analyst
REVIEWED BY: Deborah Cullen, Director of Finance/Human Resources
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:
In anticipation of the recruitment, testing, and selection process to fill the anticipated vacancy for Principal Engineer, staff has determined the need to revise the class specification to more accurately reflect the position's duties, responsibilities and requirements. In particular, the proposed revisions clarify by the title change and revisions to the job requirements that this position is a professional civil engineer requiring the appropriate state certification.

Examination Plan

Principal Civil Engineer  Open-Competitive
Structured Technical and Career Preparation  Weighted 100%
Interview

Approval of exam plans for Merit System job classifications in all City Departments has been required since the passage of Initiative Ordinance No. 586 in April 1962.

For departments other than Police and Fire, the plan may consist of any one or combination of the following techniques:

1. Written;
2. Oral;
3. Demonstration; and
4. Any evaluation of education, experience, or skills or physical fitness, which fairly evaluates the relative capacities of the applicants.

Police and Fire Departments:

The examination plan, for entrance or promotional, for the Police and Fire Departments, shall consist of a written examination and one or more of the following:

1. Oral;
2. Demonstration; and
3. Any evaluation of education certification, experience, or skills or any test of manual skills or physical fitness, which fairly evaluates the relative capacities of the applicant.

Staff anticipates proceeding with the recruitment efforts as soon as possible and is requesting approval of the Classification Specification and Examination Plan in order to proceed with the recruitment.
PRINCIPAL CIVIL ENGINEER

Definition: Under general direction, supervise and direct major functions of the Engineering Division of the Public Works Department. Plans, develops, coordinates and directs a number of large and complex Public Works' projects or programs, and/or reviews, coordinates, and directs the work of Engineering staff. Supervises, assigns, reviews, and evaluates the work of a professional and paraprofessional staff.

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

Characteristic Duties and Responsibilities:
Plans, organizes and supervises the work activities of professional, paraprofessional and technical staff members engaged in the performance of a variety of public works engineering projects and programs. Motivates and provides leadership to staff.

Confers with the City Engineer and/or Public Works Director regarding project management, financial concerns of the division, and various policies and procedures. Coordinates infrastructure and facility projects with other City departments; prepares, reviews, and approves preliminary budget estimates for Capital Improvement Projects; reviews and prepares designs for Capital Improvement Projects; reviews and prepares bid documents, evaluates proposals and makes recommendations on the award(s) of City contracts; plans and establishes phases for current and future construction. Tracks federal, state and local Public Works grant opportunities and administers grant requirements for any grants received.

Oversees the placement of utility company facilities within the public right-of-way; inspects construction sites to monitor progress and ensure conformance to plans, specifications, and construction safety standards, provides direction to staff regarding construction contract administration; prepares and presents reports to the City Council, private and public organizations, boards and commissions, outside agencies, and the City's management staff; provides technical expertise and advice to other City departments, task forces, commissions, and the public. Meets and confers with representatives from other government agencies, private agencies, and other engineering associations.

Acts on behalf of the City Engineer and/or Public Works Director in his/her absence; and performs other related duties as assigned. May be required to work shifts, after hours meetings, weekends, and/or holidays as needed.

Knowledge, Skills and Other Characteristics:

Knowledge of principles, practices and methods of civil engineering relating to public works design and construction; including, buildings, streets, water distribution and drainage systems, sewers and parks.
Knowledge of field engineering, including surveying, inspection, and construction practices.
Knowledge of construction methods, materials, and equipment.
Knowledge of mathematics and physics applicable to civil engineering.
Knowledge of applicable laws, regulations and ordinances.
Knowledge of public contract codes.
Knowledge of planning and project impact analysis methods.
Knowledge of budget development and project management.
Knowledge of management and supervisory principles and practices.

Skill in computer-aided design drafting, databases, spreadsheets, and related technical software.
Skill in the ability to plan, manage, supervise and coordinate activities of staff.
Skill in analyzing complex engineering projects.
Skill in interpreting and apply policies, laws, and regulations.
Skill in preparing and presenting clear and concise oral and written reports and recommendations.
Skill in communicating effectively both orally and in writing.
Skill in making presentations to City Council and other entities.
Skill in establishing and maintaining effective and cooperative working relationships with others including residents, City officials, contractors, developers, staff and members of the public.
Skill in using desktop computer and applicable software; and drafting tools and related engineering equipment.
Must possess strong organizational, oral presentation, and writing skills.

**Licensing/Certification Requirements:**

A valid California Class C Driver's License
Professional Civil Engineer (PE) License with the State of California, active and in good standing.

**Minimum Qualifications:** Requires a Bachelor's Degree from an accredited college or university in Civil Engineering or a closely related field and five (5) years of progressively responsible professional civil engineering experience, including extensive project management and supervisory responsibilities in Engineering.
AGENDA DESCRIPTION:
Consideration and possible action regarding the approval of an amendment to an existing Professional Services Agreement with Willdan to increase the amount of the agreement by $50,000 for planning consulting services. (Fiscal Impact: $50,000)

RECOMMENDED COUNCIL ACTION:
1. Authorize the City Manager to execute an amendment to an existing Professional Services Agreement to increase the funding by $50,000 approved as to form by the City Attorney; and/or,
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
None.

FISCAL IMPACT: $50,000
Amount Budgeted: $350,000
Additional Appropriation: N/A
Account Number(s): 001-400-2403-6214 transferred to 001-400-2402-6214

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:
Several development projects received concurrently within a short span of time significantly increased the Planning Division’s workload since the beginning of the Fiscal Year. Many of these projects are larger, more complex projects that require extensive environmental review and the expertise of Principal Planner or Senior Planner level staff. Additionally, plan check activity has increased with many of the plan checks being associated with these larger, more complex planning projects. Applicants are also increasingly requesting expedited service relating to planning entitlements and plan checks that in some cases involve requests for even shorter times than provided by our accelerated review process. These complex larger projects include: Time Warner, Direct TV, Stamps.com, T-5 Partners data center, and the Raytheon Campus Master Plan. Ongoing complex larger projects include the Imperial School Site Project, and In and Out restaurant. Additional projects that are anticipated to be submitted in the near term include the 898 Sepulveda Boulevard hotel project, the USDA facility at 222 Kansas, an extension of the Mattel development agreement, and additional future facilities for Chevron. Additionally, one of the City’s Principal Planners will be on parental leave for 6 weeks starting the end of January.
The Planning Division believes that the use of consultant services will ensure the efficient and timely processing of these projects.

The City has retained Willdan for the past few years to provide professional consulting staff at the Senior Planner level. Most of the City’s projects costs are fully reimbursed by developers. Currently, Willdan provides the planning consultant staff handling the Imperial School site project. The Fiscal Year 2011/12 budget included $350,000 for consulting services for the Building Division. The Building Division has encumbered $285,000 to date for three consulting services with $65,000 remaining unencumbered. The remaining funds were not encumbered at the beginning of the fiscal year to allow flexibility to use the funds to supplement Building and Planning consulting services contracts based upon Department needs resulting from development activity. The Planning Division is requesting that $50,000 of the remaining unencumbered funds be allocated to planning consulting services to assist the Planning Division in managing its workload demands. Fifteen thousand dollars would remain to be allocated for Fiscal Year 2011/2012 for Building or Planning Division professional consulting services as needed. Specifically, additional funding of $50,000 is requested to be added to the City’s existing contract of $80,000 with Willdan Engineering, for a new total of $130,000.

Recommendation

The Planning and Building Safety Department requests that the Council authorize the City Manager to execute a Professional Services Agreement amendment with Willdan, in a form approved by the City Attorney, for an additional sum of $50,000, for a total not to exceed $130,000, for developer reimbursed planning consulting services.
AGENDA DESCRIPTION:

Consideration and possible action to adopt a resolution by four-fifths vote to authorize a no-bid public works contract for the emergency repair of the cooling tower system at the City Public Library located at 111 W. Mariposa Avenue. (Fiscal Impact: $10,811.00)

RECOMMENDED COUNCIL ACTION:

1. Adopt a Resolution by four-fifths vote to authorize a no-bid public works contract for emergency repair.
2. Authorize the City Manager to award a contract to Siemens for the bid amount of $10,811.00 for the repair of the cooling system.
3. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Resolution

FISCAL IMPACT: Included in Adopted Budget

Amount Requested: $10,811.00
Additional Appropriation: No
Account Number(s): 405-400-0000-6215

ORIGINATED BY: Maryam M. Jonas, Principal Engineer
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:

The Public Works Department was notified about broken cooling system at the City Public Library. After discussion with the City Attorney and using emergency procedures, Siemens was hired by the City to repair the cooling system, which is now completed. The Facility Maintenance account has sufficient funds to cover the repair of the cooling tower system.
RESOLUTION NO.

A RESOLUTION ADOPTED PURSUANT TO PUBLIC CONTRACTS CODE § 20168 FINDING THAT AN EMERGENCY EXISTS WITHIN THE CITY AND AUTHORIZING CONTRACTING WITHOUT THE NEED FOR BIDDING PURSUANT TO § 22050.

The City Council does resolve as follows:

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

A. Pursuant to Public Contracts Code ("PCC") § 20168, the City Council may, upon a four-fifths vote, declare that public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property because of an emergency.

B. In accordance with PCC §§ 20168 and 22050, the City Council may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

C. The cooling tower at the City Public Library stops working. City Manager declared an administrative state of emergency and authorized staff to repair the broken pipelines using emergency procedures. The repairs are to be completed by Siemens.

D. In compliance with applicable law, and to protect public, health, safety and welfare, the City took immediate emergency action to repair the broken water pipeline and street pavement in accordance with Santa Paula Municipal Code ("SPMC")§ 40.04.

E. The broken cooling system and consequent discomfort caused by the system failure constituted a sudden, unexpected occurrence that posed a clear and imminent danger to the City property, its citizens, and employees. This threat required immediate action to prevent or mitigate the loss or impairment of essential public services.

F. Under such emergency conditions, the City Council finds that the delay resulting from public bidding would imperil essential public services.

SECTION 2: In light of the emergency described above, the City Council directs the City Manager, or designee, to take all steps necessary to protect public health, safety and welfare including, without limitation, awarding contracts in accordance with PCC § 22050.
SECTION 3: This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

PASSED AND ADOPTED this ____ day of ________, 2011.

________________________
Eric Busch, Mayor

ATTEST:

________________________
Cindy Mortesen, City Clerk

APPROVED AS TO FORM:

________________________
Karl H. Berger, Assistant City Attorney

APPROVED AS TO CONTENT:

________________________
Doug Willmore, City Manager
AGENDA DESCRIPTION:
Consideration and possible action regarding approval of an agreement between the City of El Segundo and El Segundo Energy Center (ESEC) for connection of a sanitary sewer line from the new Beach Bathroom Facility at El Segundo Beach to the retention basin located on property owned by El Segundo Power. (Fiscal Impact: $0)

RECOMMENDED COUNCIL ACTION:
1. Approve an agreement between the City and ESEC.
2. Authorize the City Manager to execute the agreement, in a form approved by the City Attorney, related to the design, permitting, financing, and construction of the Sanitary Sewer pipelines.
3. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Agreement with ESEC

FISCAL IMPACT: None
Amount Requested: $  
Additional Appropriation: No  
Account Number(s):

ORIGINATED BY: Maryam M. Jonas, Principal Engineer  
REVIEWED BY: Stephanie Katsouleas, Public Works Director  
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:
The proposed new beach bathroom facility and lifeguard station at El Segundo Beach is designed to be serviced by two (2) underground sanitary sewer holding tanks with an option to convert them to a pump station after the sanitary sewer retention basin located at ESEC property becomes operational. Wastewater generated from ESEC’s retention basin will be pumped into the Los Angeles County Sanitation line at 45th Street in Manhattan Beach, which is scheduled to be completed by next summer. Approval of this Agreement will allow El Segundo to utilize ESEC’s sanitary sewer via our own pump station and a 6” force main to the ESP retention basin. The new 6” force main will be constructed on Chevron Property parallel to Chevron’s western property line. Once the connection is operational, the City will not need to use daily mobile holding tank pumping services.
The Assistant City Attorney reviewed and approved the proposed Agreement. Staff recommends the approval of the agreement allowing staff to design and construct the proposed facility for connection to the ESEC.
AGREEMENT
REGARDING SANITARY SEWER FACILITIES

THIS AGREEMENT is made and entered into this __________ day of _______________ 2011 by and between El Segundo Power, LLC, a Delaware limited liability company ("ESP") and the City of El Segundo, a general law city and municipal corporation ("City").

1. RECITALS. This Agreement is entered into with reference to the following:

   A. City is constructing a lifeguard station located within its jurisdiction, but on real property owned by [Chevron][full name?] at the corner of Vista del Mar and Grand Avenue (the "Project") as depicted in the attached Exhibit "A," which is incorporated by reference;

   B. Among other things, City is constructing an onsite pump station and 6" above-ground sanitary sewer force main ("Pipeline") as part of the Project. Wastewater from the Project will flow through the Pipeline located on Chevron’s real property parallel to Chevron’s western property line as depicted in the attached Exhibit "B," which is incorporated by reference (the "Property"); and

   C. The Pipeline will connect to a sanitary sewage retention basin located on property owned by ESP to the south of the Project (as depicted in attached Exhibit "C," which is incorporated by reference) and will be pumped from the retention basin into the closest sanitary sewer mainline within the City of Manhattan Beach.

2. CITY RESPONSIBILITIES. City agrees to the following:

   A. City will own the Pipeline from the origination point within the Project to the property line between Chevron and ESP. At this termination point, City will install, operate and maintain a flow meter.
B. The Pipeline will be maintained and inspected by City on at least a monthly basis. City will diligently maintain the Pipeline in a manner assuring peak performance at all times. All reasonable precautions will be exercised by City when removing or extracting materials(s) from the Pipeline and the ultimate disposal of the material(s) in a manner consistent with all relevant laws and regulations in effect at the time.

C. City will pay all costs associated with the repair, replacement, and restoration of the Pipeline.

D. City indemnifies and holds ESP and its affiliates harmless from and against any claim, action, damages, costs, injuries, or liability, arising out of City's negligence or willful misconduct in connection with this Agreement, except to the extent caused by the negligence or willful misconduct of ESP or its affiliates. Should ESP or any of its affiliates be named in any suit, or should any claim be brought against any of them by suit or otherwise, arising out of this Agreement, or its performance, City will defend and indemnify ESEC and its affiliates for any judgment rendered against it or any sums paid out in settlement or otherwise.

3. ESP'S RESPONSIBILITIES. ESP agrees to the following:

    A. ESP is responsible for constructing, maintaining, and operating the sewer pipeline on its property to the retention basin and its own sewer lift station to pump wastewater to the nearest mainline within the City of Manhattan Beach.

    B. ESP will notify the City within 48 hours of any planned maintenance, repairs, upgrades or any other activities that would cause ESP's sewer lift station to be non-operational.

4. BINDING UPON SUCCESSORS. The terms of this Agreement constitutes a burden upon the Property. Accordingly, this Agreement will be recorded and the term will run with the Property and become binding upon all heirs, successors, and assigns.

5. INDEMNIFICATION.

    A. Except as otherwise provided, each party releases every other party to this Agreement from all liability to itself, its officials, officers, employees, agents, and certified volunteers, for any claims, damage, or demands for personal injury, death, or property damage, arising from or related to this Agreement. Each party bears sole responsibility for any loss with the following exception:

        i. Each party that is solely, or jointly, responsible for any damage or destruction of any portion of the Pipeline agrees to defend, indemnify, and hold the inculpable parties harmless from any action brought against those inculpable parties as a result of such damage or destruction.

    2
B. It is expressly understood and agreed that the foregoing provisions will survive termination of this Agreement.

6. NOTICES. Any notice to a party required or called for in this Agreement will be served in person, or by deposit in the U.S. Mail, first-class postage prepaid, to the address set forth below. Notice will be deemed effective upon receipt, or 72 hours after deposit in the U.S. Mail, whichever is earlier. A party may change a notice address only by providing written notice to the other party.

<table>
<thead>
<tr>
<th>IF TO CITY:</th>
<th>IF TO ESEC:</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of El Segundo</td>
<td>El Segundo Power, LLC</td>
</tr>
<tr>
<td>Attn: Public Works Director</td>
<td>Attn: Mr. Randall Hickok, VP Asset Management</td>
</tr>
<tr>
<td>350 Main Street</td>
<td>5790 Fleet Street</td>
</tr>
<tr>
<td>El Segundo, CA 90245</td>
<td>Carlsbad, CA 92008</td>
</tr>
<tr>
<td>310-524-2356</td>
<td>760-710-2210</td>
</tr>
<tr>
<td>With a copy to:</td>
<td>With a copy to: Ms. Jennifer Hein</td>
</tr>
<tr>
<td></td>
<td>General Counsel</td>
</tr>
</tbody>
</table>

7. CONSTRUCTION. The language of each part of this Agreement will be construed simply and according to its fair meaning, and this Agreement will never be construed either for or against either party.

8. SEVERABLE. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

9. CAPTIONS. The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

10. WAIVER. Waiver of any provision of this Agreement will not be deemed to constitute a waiver of any other provision, nor will such waiver constitute a continuing waiver.

11. GOVERNING LAW. This Agreement has been made in and will be construed in accordance with the laws of the State of California and exclusive venue for any action involving this Agreement will be in Los Angeles County.

12. AUTHORITY/MODIFICATION. This Agreement is subject to and conditioned upon approval and ratification by the El Segundo City Council. This Agreement is not binding upon City until executed by the City Manager. The Parties represent and warrant that all necessary action was taken by the Parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written agreement. City's city manager may execute any such amendment on behalf of City.
13. ENTIRE AGREEMENT. This Agreement constitutes the sole agreement between the parties regarding the matters addressed by the Agreement and correctly sets forth the obligations of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written.

14. RECORDATION. This Agreement will be recorded in the Los Angeles County Recorder’s Office at City’s expense and will constitute notice to all successors and assigns of title to the Property.

15. SUCCESSORS. This Agreement is binding upon the heirs, successors, executors, administrators and assigns of the Parties.

IN WITNESS THEREOF, the parties hereto affixed their signatures as of the date first hereinabove written.

CITY OF EL SEGUNDO

NRG Energy, Inc.

Doug Willmore,
City Manager

Randall Hickok
VP Asset Management

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 rejecting all bids received for construction related to Group 41 of the City's Residential Sound Insulation (RSI) Program (Project RSI 11-04) and a status report on the City's RSI Program.
(Fiscal Impact: $0)

RECOMMENDED COUNCIL ACTION:
1. Reject all bids received for construction related to Group 41 (Project RSI 11-04); and/or
2. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Bidder’s Proposal and Statement submitted by Big West Construction Corporation

FISCAL IMPACT: Included in Adopted Budget

<table>
<thead>
<tr>
<th>Amount Budgeted:</th>
<th>N/A</th>
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</thead>
<tbody>
<tr>
<td>Additional Appropriation:</td>
<td>N/A</td>
</tr>
<tr>
<td>Account Number(s):</td>
<td>116-400-0000-8960</td>
</tr>
</tbody>
</table>

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

BACKGROUND AND DISCUSSION:

On November 29, 2011 the City Clerk’s office opened sealed bids for Group 41 (RSI 11-04) of the City’s Residential Sound Insulation (RSI) Program. Despite seven (7) known general contractors being represented at the mandatory pre-bid meeting on October 13th, the City only received one bid. The results were as follows:

1. Big West Construction Corporation..............................................$720,000

It is unclear as to why the other six general contractors chose not to submit bids.

As one of the requirements of the City’s grants received from the Federal Aviation Administration (FAA), the City must obtain concurrence from the FAA prior to awarding a contract in any circumstance that only one qualified firm submits a responsive bid. After receiving only one bid, staff contacted the FAA to obtain concurrence. In discussing the issue with the FAA, the timeframe for the FAA review could not be determined, and it seemed that it would not be concluded quickly given the fast approaching holiday season. Although City staff would hope that FAA would allow the City to award a contract to Big West Construction Corporation based on their bid, there is no certainty that such a review would result in the City receiving concurrence. Therefore, staff recommends that, in the overall interest of the timing of
the project, that the City Council reject the bid to avoid the (potentially lengthy) time it would take for a formal FAA review and rebid the project.

If the project were to rebid, an advertisement would be published in the next available El Segundo Herald on December 29th and bids would be due on January 31, 2012. With the expectation of multiple bids at that time, staff would anticipate bringing new bids on the project for the City Council to consider at its meeting on February 21st.

By comparison to a potential timeline of waiting for FAA concurrence, staff would predict bringing the current single bid to the City Council for it to consider at its meeting on February 7th or later, and there is no guarantee that it would be with the FAA’s concurrence. In the event that concurrence was not obtained, the City Council would have no choice but to reject the current bid at that time (February 7th or later), and rebid the project. Based on a rejection of the current bid on February 7th, new bids would be due on March 13th, with a revised bid date being later if FAA review was not concluded prior to January 24th.

To help offset the impact of delayed construction for these homes on the RSI Program’s goal of treating 300 Homes in 2012, staff anticipates including approximately 10-15 more homes in the re-Bid of Group 41.

**Status Report**

As the City Council is aware, design work related to the RSI Program was largely hindered by funding issues with Federal Aviation Administration (FAA) and Los Angeles World Airports (LAWA) in recent years, as well as issues with plans and specifications received from the design consultant originally contracted to provide such documents.

Although funding issues were largely resolved with the FAA and LAW A, as was reported at the April 5, 2011 City Council meeting, staff has been working with LAW A staff to resolve issues that have arisen during the implementation of the agreement. As late as last week, LAW A staff has indicated that they are close to resolving the last issue.

Over the past year, RSI staff has worked diligently to make needed revisions to specifications, standard details and the format used for plans participating homes. Although specifications and standard details will continue to be revised and updated to reflect industry changes and “lessons learned,” the revisions made in those areas and the revised format for plans will allow designs to be finalized more efficiently and minimize change orders and contractor frustrations with plans.

The revisions made to date are reflected in the Contract Documents used to advertise Group 41, and the increased efficiency in finalizing plans will be reflected in shorter times in between when Groups are advertised for contractor bids.

Lastly, during the bidding process for Group 41, it was brought to the City’s attention that the aluminum windows and primary sliding glass doors historically used on the RSI Program do not comply with the California Energy Commission’s Title 24 Energy Code that took effect on January 1, 2010. Staff did attempt to contact other California RSI Programs to find out how their programs have addressed this issue, however only one program returned phone calls and that
program was unaware of the issue. Based on the limited information available, and discussions with manufacturers, suppliers and consultants, staff can only conclude that other programs are not complying with Title 24 Energy Codes. City staff has addressed the aluminum window issue by no longer offering aluminum, acoustically rated windows (vinyl, acoustically rated windows that have always been offered do comply with such codes and become the only offering). Staff has also changed the design policy for existing sliding glass doors to add a secondary sliding glass door to the existing sliding glass in the 65-70 dB and 70-75 dB contour areas to achieve the desired interior noise level reduction while not violating the Title 24 Energy Codes, and is researching combined Energy ratings (U-values) of the combination of historically used STC rated primary sliding glass doors and secondary sliding glass doors for use within the 75 dB contour where higher STC rated products are necessary. Based on initial conversations with manufacturers, it is expected that reports can be provided by manufacturers to document that the two new products in combination would not exceed the maximum U-value specified by the Energy Code. Unfortunately, neither staff nor consultants have been able to find any manufacturer that produces primary sliding glass doors that meet both the necessary acoustical ratings and the required energy ratings.

Overall, RSI staff and the current consultant are set to finalize plans for construction at an expedited pace to allow for construction of 300 homes in 2012, however aluminum windows are no longer offered, and replacement of sliding glass doors has been discontinued - except for homes in the 75 dB contours.
City of El Segundo
Residential Sound Insulation Program

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

I declare, under penalty of perjury, that I have carefully examined, become familiar with, and understand all of the requirements of the Contract Documents and conditions under which the Work must be performed, including the City of El Segundo’s current Municipal Code, and am fully informed as to all conditions and matters which can in any way affect the Work or its cost, and agree to the following:

To perform all Work in strict conformity with the requirements of the Contract Documents for

Project Number RSI 11-04
“Residential Sound Insulation Program – Group 41”

at the following lump sum price:

<table>
<thead>
<tr>
<th>Total Bid (Contract Sum)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEVEN HUNDRED TWENTY THOUSAND DOLLARS</td>
</tr>
<tr>
<td>($720,000.00)</td>
</tr>
</tbody>
</table>

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

Contractor Representative: [Signature]
Date: November 29, 2011

TOM CARR
Name (printed or typed)

Title: [President]
Contractor’s State License Number: [B12085]

Name of Firm: Big West Construction Corporation
Address: 15331 Normandie
IRVINE, CA 92604
License Expiration Date: 8-31-2017

Telephone Number: 949-795-2219

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

* If Corporation, evidence of authority to sign must be attached

Bidding Form Appendix B-01 Last Modified: October 06, 2011
AGENDA DESCRIPTION:
Consideration and possible action regarding the annual request of Mr. S. Claus for variances from the Municipal Code.

RECOMMENDED COUNCIL ACTION:
Approve request by Mr. S. Claus for a waiver of the permits required for doing business within the City of El Segundo as follows; or, alternatively, discuss and take other action related to this item:
1. Approval of a Conditional Use Permit and waiver of regulations in ESMC Section 15-23-4;
2. The use of air rights and waiver of the Santa Monica Radial 160 R procedure (FAA should be contacted);
3. Grant a free business license for a non-profit organization (ESMC 4-1-7);
4. Waiver of ESMC 8-4-11B (Driveway Permits Required) and ESMC 8-5-11 (Parking on Grades).
5. Waiver of the Noise Ordinance to permit the sound of bells (ESMC 7-2-3); and
6. Waiver of the Trespass Ordinance (ESMC 7-6-3) including 6-5-11 dealing with trespassing animals;
7. Waiver of the ordinance on Animal Regulations (ESMC 6-2-1)

Additionally, Mr. S. Claus has been directed to the Coastal Commission for clearance over the ocean; D.M.V. for a valid vehicle registration; Department of Health & Welfare to ensure his elves are receiving minimum wage; and the Air Quality Management District to ensure a safe and clear sleigh ride.

ATTACHED SUPPORTING DOCUMENTS:
None
FISCAL IMPACT: None
Additional Appropriation: N/A
Account Number(s):

REVIEWED BY: Mayor Eric K. Busch
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:
Were Mr. S. Claus required to obtain all of the necessary permits, he would not be able to start his business until after June 1, 2012. Since Mr. Claus has shown good faith during previous business endeavors, and his business would be welcomed by the community as a whole, Council should waive the fees and permits required.