



# 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](http://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, FEBRUARY 17, 2015 – 5:00 PM

#### 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(d) (3): -3- matter**

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(d) (2) and (3): -0- matter.

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**

### **PUBLIC EMPLOYMENT (Gov't Code § 54957) -0- matter**

**CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -8-matters**

1. **Employee Organizations:** Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; City Employees Association; Executive Management Group (Unrepresented Group); Management/Confidential Group (Unrepresented Group)

Agency Designated Representative: Steve Filarsky and City Manager

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



# 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](http://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, FEBRUARY 17, 2015 - 7:00 P.M.

#### 7:00 P.M. SESSION

#### CALL TO ORDER

**INVOCATION** – Lee Carlile, Pastor, United Methodist Church

**PLEDGE OF ALLEGIANCE** – Council Member Dugan

## **PRESENTATIONS**

- a.) Proclamation – El Segundo to be a Host Town for the Special Olympics World Games.
- b) Presentation –Investment Portfolio Report by Treasury Department.

## **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.*

## **CITY COUNCIL COMMENTS – (Related to Public Communications)**

### **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)**

### **C. UNFINISHED BUSINESS**

### **D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS**

### **E. CONSENT AGENDA**

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

1. **Warrant Numbers 3004570 through 3004723 on Register No. 9 in the total amount of \$582,701.20 and Wire Transfers from 1/19/2015 through 2/1/2015 in the total amount of \$1,028,110.12.**

---

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

2. **Regular City Council Meeting Minutes of February 3, 2015.**

---

Recommendation – Approval.

3. **Consideration and possible action to award a standard Public Works Contract in a form approved by the City Attorney to Vantage Utility Services, Inc. for fiber optic conduit and cable installation, project No. PW 14-08.**

**(Fiscal Impact: \$372,752.00 (includes 20% contingency))**

---

Recommendation – 1) Authorize the City Manager to award a standard Public Works Contract in a form approved by the City Attorney to Vantage Utility Services, Inc. for fiber optic conduit and cable installation, project no. PW 14-08 in the amount of \$745,155; 2) Issue Change Order #1 to reduce the contract by \$434,529 for a project total of \$310,626; 3) Alternatively, discuss and take other possible action related to this item.

4. **Consideration and possible action to purchase a Palo Alto enterprise network firewall with three years of support from DZ Solutions in the amount of \$99,678.**

**(Fiscal Impact: \$99,678.00)**

---

Recommendation – 1) Purchase a Palo Alto enterprise network firewall with three years of support from DZ Solutions in the amount of \$99,678.00; 2) Alternatively, discuss and take other possible action related to this item.

5. **Consideration and possible action to adopt a Resolution approving Plans and Specifications for Construction of American with Disabilities Act (ADA) Sidewalk Ramps (CDBG Project). Project No. PW 14-09.**

**(Fiscal Impact: \$53,933.00 in CDBG grant funds)**

---

Recommendation – 1) Adopt attached resolution approving Plans and Specification for the Construction of American with Disabilities Act (ADA) Sidewalk Ramps (CDBG Project); 2) Authorize staff to advertise the project for receipt of construction bids; 3) Alternatively, discuss and take other possible action related to this item.

- 6. Consideration and possible action regarding the El Segundo Senior Housing Corporation 2015 Annual Budget for the Park Vista Apartments located at 615 East Holly Street.**

**(Fiscal Impact: None)**

---

Recommendation – 1) Approve the 2015 Park Vista Budget; 2) Alternatively, discuss and take other possible action related to this item.

- 7. Consideration and possible action to authorize the City Manager to execute a 10-year License Agreement in a form approved by the City Attorney with Girl Scouts of Greater Los Angeles to continue utilizing Camp Eucalyptus.**

**(Fiscal Impact: None)**

---

Recommendation – 1) Authorize the City Manager to execute an agreement with Girl Scouts of Greater Los Angeles in a form approved by the City Attorney; 2) Alternatively, discuss and take other possible action related to this item.

- 8. Consideration and possible action regarding 1) Approval of staff's recommendation to provide affordable health coverage to staff as mandated by the Affordable Care Act (ACA); and 2) Adoption of a Resolution establishing the monthly health contribution for unrepresented hourly employees considered full-time under the Affordable Care Act.**

**(Fiscal Impact: \$36,960.00 annually)**

---

Recommendation – 1) Approve affordable coverage for unrepresented hourly employees defined as “full-time” under the Affordable Care Act; 2) Adopt the monthly health contribution for unrepresented hourly employees; 3) Alternatively, discuss and take other possible action related to this item.

- 9. Consideration and possible action to extend the Encore subscription rate after the first year for an additional four years (five years total) to enhance the existing Library's Circulation and Online Catalog System, Millennium, and the recently approved upgrade to the Sierra version from Innovative Interfaces, Inc.**

**(Fiscal Impact: \$59,973.00 over four years)**

---

Recommendation – 1) Authorize the City Manager to enter into an amendment to a contract with Innovative Interfaces, Inc. in a form approved by the City Attorney; 2) Alternatively, discuss and take other possible action related to this item.

- 10. Consideration and possible action regarding adopting Ordinance No. 1504 to amend El Segundo Municipal Code Chapter 4-10 and ESMC §§ 15-5F-2 and 15-5F-5 concerning regulation of massage establishments within the City of El Segundo. Applicant: City of El Segundo  
(Fiscal Impact: None)**

---

Recommendation – 1) Waive second reading and adopt Ordinance No. 1504; 2) Alternatively, discuss and take other possible action related to this item.

- 11. Consideration and possible action to authorize the City Manager to execute a 3-year License Agreement in a form approved by the City Attorney with El Segundo Youth Sports Organizations to implement the Youth Sports Per Player Fee for the utilization of City athletic fields.  
(Fiscal Impact: None. Estimated Revenues of \$35,000.00 included in the FY 14-15 Budget)**

---

Recommendation – 1) Authorize the City Manager to execute License Agreements in a form approved by the City Attorney with each El Segundo Youth Sports Organization identified in the Youth Sports Council Athletic Field/Facility Use and Allocation Policy; 2) Alternatively, discuss and take other possible action related to this item.

- 12. Consideration and possible action to receive and file this report regarding emergency work to repair dwelling units at the Park Vista Senior Housing Facility due to water intrusion without the need for bidding in accordance with Public Contracts Code §§ 20168 and 22050 and El Segundo Municipal Code (“ESMC”) §§ 1-7-12 and 1-7A-4.  
(Fiscal Impact: \$50,000.00)**

---

Recommendation – 1) Receive and file this report regarding emergency work to repair dwelling units at the Park Vista Senior Housing Facility due to water intrusion without the need for bidding in accordance with Public Contracts Code §§ 20168 and 22050 and El Segundo Municipal Code (“ESMC”) §§ 1-7-12 and 1-7A-4; 2) Alternatively, discuss and take other possible action related to this item.

- 13. Consideration and possible action regarding awarding a contract to Big West Construction Corporation for construction at 22 homes related to Project RSI 14-33 (Group 62 of the City's Residential Sound Insulation Program).  
(Fiscal Impact: Estimated construction costs and retention: \$1,137,400.00)**

---

Recommendation – 1) Award a contract to Big West Construction Corporation; 2) Authorize the City Manager to execute a contract in a form approved by the City Attorney; 3) Alternatively, discuss and take other possible action related to this item.



- 14. Consideration and possible action regarding awarding a contract to Spec Construction Co., Inc. for construction at 25 homes related to Project RSI 14-32 (Group 66 of the City's Residential Sound Insulation Program).**

**(Fiscal Impact: Estimated construction costs and retention: \$1,488,629.00)**

Recommendation – 1) Award a contract to Spec Construction Co., Inc.; 2) Authorize the City Manager to execute a contract in a form approved by the City Attorney; 3) Alternatively, discuss and take other possible action related to this item.

- 15. Consideration and possible action regarding awarding a contract to Spec Construction Co., Inc. for construction at 30 homes related to Project RSI 14-27 (Group 69 of the City's Residential Sound Insulation Program).**

**(Fiscal Impact: Estimated construction costs and retention: \$1,976,688.00)**

Recommendation – 1) Award a contract to Spec Construction Co., Inc.; 2) Authorize the City Manager to execute a contract in a form approved by the City Attorney; 3) Alternatively, discuss and take other possible action related to this item.

#### **F. NEW BUSINESS**

- 16. Consideration and possible action regarding the Fiscal Year 2013-2014 Yearend Report and FY 2014-2015 First Quarter Financial Review.**

**(Fiscal Impact: None)**

Recommendation – 1) Receive and file FY 2013-2014 Yearend and FY 2014-2015 First Quarter Financial Review; 2) Alternatively, discuss and take other possible action related to this item.

- 17. Consideration and possible action regarding an appeal from the El Segundo Council of Parents and Teachers, Inc., to adjust their given score indicating the fee waiver percentage for city support services associated with the Run for Education.**

**(Fiscal Impact: \$3,183.00)**

Recommendation – 1) Discussion regarding the appeal from the El Segundo Council of Parents and Teachers, Inc., to adjust their given score indicating the fee waiver percentage; 2) Alternatively, discuss and take other possible 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 Fellhauer –**

**Council Member Atkinson –**

**Council Member Dugan -**

**Mayor Pro Tem Jacobson –**

**Mayor Fuentes –**

**18. Consideration and possible action to appoint Mayor Pro Tem Carl Jacobson and Councilmember Dave Atkinson to serve on the Richmond Street Design Committee.**

**(Fiscal Impact: None)**

Recommendation – 1) Appoint Mayor Pro Tem Carl Jacobson and Councilmember Dave Atkinson to serve on the Richmond Street Design Committee; 2) Alternatively, discuss and take other possible action related to this item.

**19. Consideration and possible action to adopt a resolution in support of the Los Angeles Air Force Base and the Space and Missile Systems Center continuing its mission and operation in the City of El Segundo.**

**(Fiscal Impact: None)**

Recommendation – 1) Approve the resolution; 2) Alternatively, discuss and take other possible action related to this item.

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

## **MEMORIALS –**

## **CLOSED SESSION**

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

## **REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)**

## **ADJOURNMENT**

POSTED:

DATE: 2.11.15

TIME: 3:10 pm

NAME: Tracy Weaver

# **P**roclamation

**City of El Segundo, California**

**WHEREAS,** the Special Olympics World Games will be held July 25 to August 2, 2015; and

**WHEREAS,** the Special Olympics World Games is the world's largest sports and humanitarian event in 2015; and

**WHEREAS,** 7,000 athletes from 177 countries will compete in the 2015 Games; and

**WHEREAS,** the City of El Segundo is proud to be announced as a "Host Town" for the 2015 Games; and

**NOW, THEREFORE,** the Mayor and the Members of the City Council of the City of El Segundo, California and our "Host Town" Committee, do hereby welcome the athletes, coaches, staff, volunteers, families and spectators of the Special Olympics World Games LA2015 to the City of El Segundo and proclaim July 21 to July 24, 2015 to be "The City of El Segundo Host Town" days.



*Mayor Suzanne Fuentes*

*Mayor Pro Tem Carl Jacobson  
Council Member Marie Fellhauer*

*Council Member Dave Atkinson  
Council Member Michael Dugan*

**EL SEGUNDO CITY COUNCIL  
AGENDA ITEM STATEMENT**

**MEETING DATE:** Feb 17, 2014  
**AGENDA HEADING:** Presentation

---

**AGENDA DESCRIPTION:**

Presentation of Investment Portfolio Report  
(Fiscal Impact: None)

**RECOMMENDED COUNCIL ACTION:**



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

**ATTACHED SUPPORTING DOCUMENTS:**

Investment Portfolio Report – December, 2014

**FISCAL IMPACT:** \$ None

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

**PREPARED BY:** Dino Marsocci, Deputy City Treasurer II   
**REVIEWED BY:** Crista Binder, Treasurer  
**APPROVED BY:** Greg Carpenter, City Manager 

---

**BACKGROUND & DISCUSSION:**

The Treasury Department presents the December, 2014 Investment Portfolio Report which provides a status of Treasury Investment activities and related economic indicators.

This report will be created and submitted to Council on a quarterly basis. The report will also be posted to the City's web site under the Treasury Department.



# *City of El Segundo* *Office of the City Treasurer*

Date: February 17, 2015

From: Office of the City Treasurer

To: El Segundo City Council

RE: Investment Portfolio Report – As of December 31, 2014

## **Introduction:**

This report will serve as a summary for the City of El Segundo's Treasury Department investment reporting, compliance, investment environment and future plans; as well as subsidiary schedules which will support the Portfolio Summary and provide additional analysis of our investments.

## **Investment Summary:**

The investments as of December 31, 2014 are as follows:

December Portfolio Summary			
<u>Security Type</u>	<u>Cost</u>	<u>Market value</u>	<u>Market % of Total</u>
Government	10,914,722.50	10,836,843.70	15.83%
Corp. Bonds	3,801,142.77	3,766,757.50	5.50%
CD's	8,328,000.00	8,325,572.56	12.16%
Union Bank Trust	23,043,865.27	22,929,173.76	33.50%
LAIF Immediate	\$17,491,678.87	\$17,491,678.87	25.56%
LAIF - LAWA	\$19,635,135.39	\$19,635,135.39	28.69%
LAIF Subtotal	\$37,126,814.26	\$37,126,814.26	54.24%
<b>Total Invested</b>	<b>60,170,679.53</b>	<b>60,055,988.02</b>	<b>87.74%</b>
Trust Acct. Cash	-	-	
Chase Bank - Cash	\$8,389,737.04	8,389,737.04	12.26%
<b>Total Portfolio</b>	<b>68,560,416.57</b>	<b>68,445,725.06</b>	<b>100.00%</b>

The portfolio Breakdown by Short Term (< 1 year) and Long Term is:

	Short Term	Long Term	Total
Portfolio Value (Market)	\$ 39,976,822	\$ 20,079,166	\$ 60,055,988
Effective Yield	0.306%	0.974%	0.529%
Average Wtd. Maturity	19 Days	2.61 Years	0.91 Years
Benchmark Yield	0.03%	1.10%	0.25%

\* Benchmark value is the Interpolated Treasury Yield to the Portfolio's Avg. Weighted Maturity

### **Compliance:**

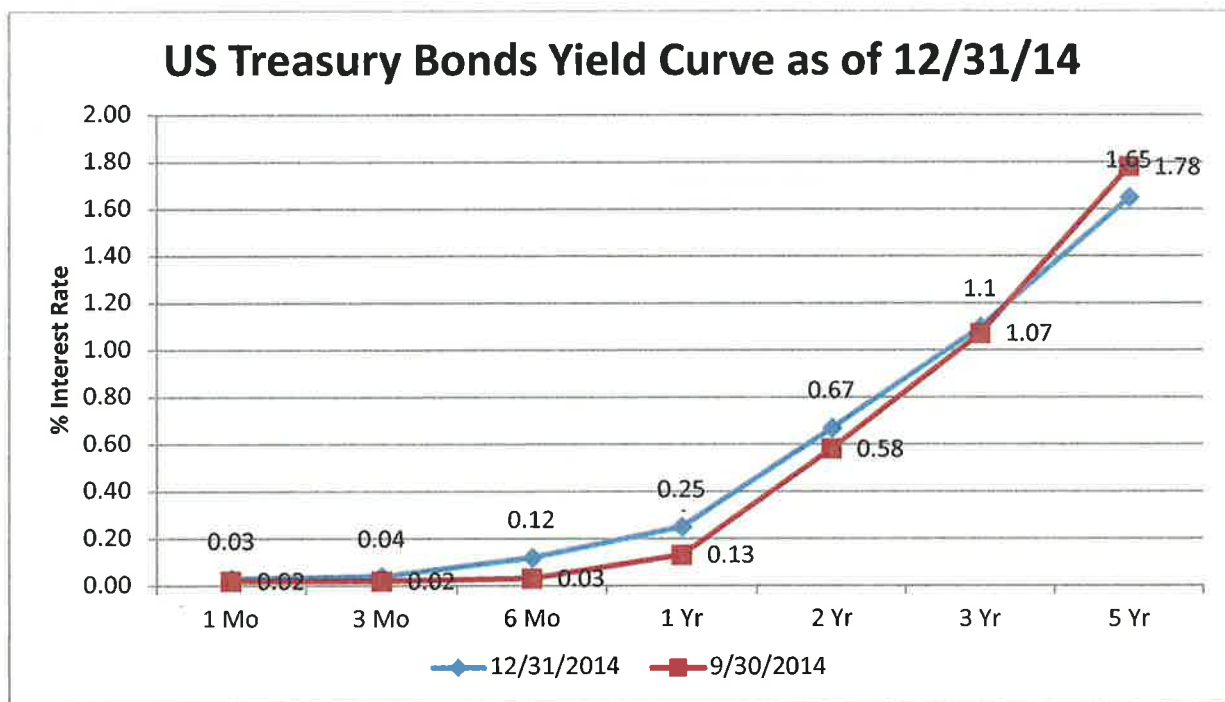
It is the intention of the City Treasurer's office to ensure that our investments are in compliance with the maturity time limits and percentage allocation limits with all of our investments. The City is currently in compliance as demonstrated below:

<b>Partial List of Allowable Investment Instruments for Local Agencies</b>					
<b>Investment Type</b>	<b>Maximum Maturity</b>	<b>Maximum Specified % of Portfolio</b>	<b>Minimum Quality Requirements</b>	<b>City of El Segundo Investments</b>	<b>In Compliance Y/N</b>
Local Agency Bonds	5 years	None	None	0.00%	Y
U. S Treasury Obligations	5 years	None	None	0.00%	Y
US Agency Obligations	5 years	None	None	15.83%	Y
Negotiable Certificates of Deposit	5 years	30%	None	12.16%	Y
Medium Term Notes	5 years	30%	"A" Rating	5.5%	Y
Local Agency Investment Fund (LAIF)	N/A	None	None	54.20%	Y

### **Investment Environment:**

The current investment environment for the types of investments we are allowed to purchase remains one of very low returns. Since security and liquidity are more important than rate of return in our policy, we are limited to very low risk investments which therefore have a lower interest rate. The Federal Reserve ended its Quantitative Easing program of buying Government securities in October, but continues to reinvest principle payments and to roll over maturing Treasury securities which in turn helps them manage the supply of investments available on the open market. While unemployment and GDP are at acceptable levels, low inflation and unstable international markets may cause rates to remain lower for a longer time than was anticipated just one month ago. While some short-term rates increased from September 30<sup>th</sup> to December 31<sup>st</sup>, they have decreased in the last month; and while the short-term rates are still above the September levels, the long-term rates have decreased to below the September rates.

The graphs and charts below show some of the key interest rates on items we invest in. As rates are expected to rise over the next few years, we want to time our investments to take advantage of the increases as they occur.



## Composite Bond Rates (as of 2/2/15)

### US Treasury Bonds

Maturity	Yield	Yesterday	Last Week	Last Month
3 Month	0.00	0.01	0.00	0.02
6 Month	0.04	0.05	0.05	0.07
2 Year	0.42	0.44	0.49	0.67
3 Year	0.75	0.73	0.86	1.06
5 Year	1.17	1.14	1.33	1.61

### Municipal Bonds

Maturity	Yield	Yesterday	Last Week	Last Month
2yr AA	0.65	0.62	0.62	0.66
2yr AAA	0.58	0.56	0.56	0.60
2yr A	0.72	0.71	0.71	0.76
5yr AAA	0.91	0.91	1.08	1.15
5yr AA	1.02	1.02	1.13	1.37



### US Treasury Bonds

Maturity	Yield	Yesterday	Last Week	Last Month
5yr A	1.09	1.09	0.94	1.37

### Corporate Bonds

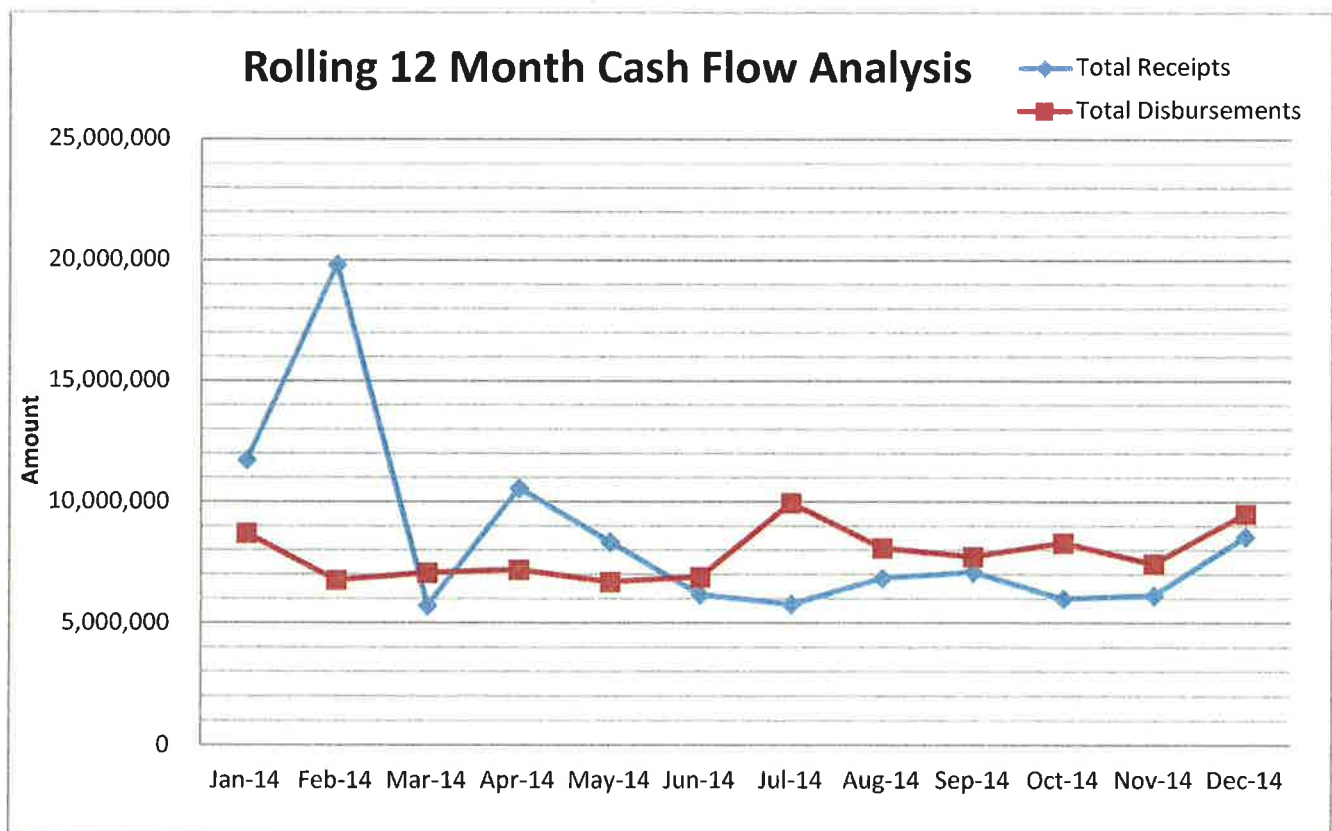
Maturity	Yield	Yesterday	Last Week	Last Month
2yr AA	0.72	0.78	0.84	0.92
2yr A	0.96	0.95	1.00	1.09
5yr AAA	1.31	1.30	1.47	1.74
5yr AA	1.70	1.67	1.84	2.07
5yr A	1.91	1.90	2.06	2.24

Source: [http://finance.yahoo.com/bonds/composite\\_bond\\_rates](http://finance.yahoo.com/bonds/composite_bond_rates)

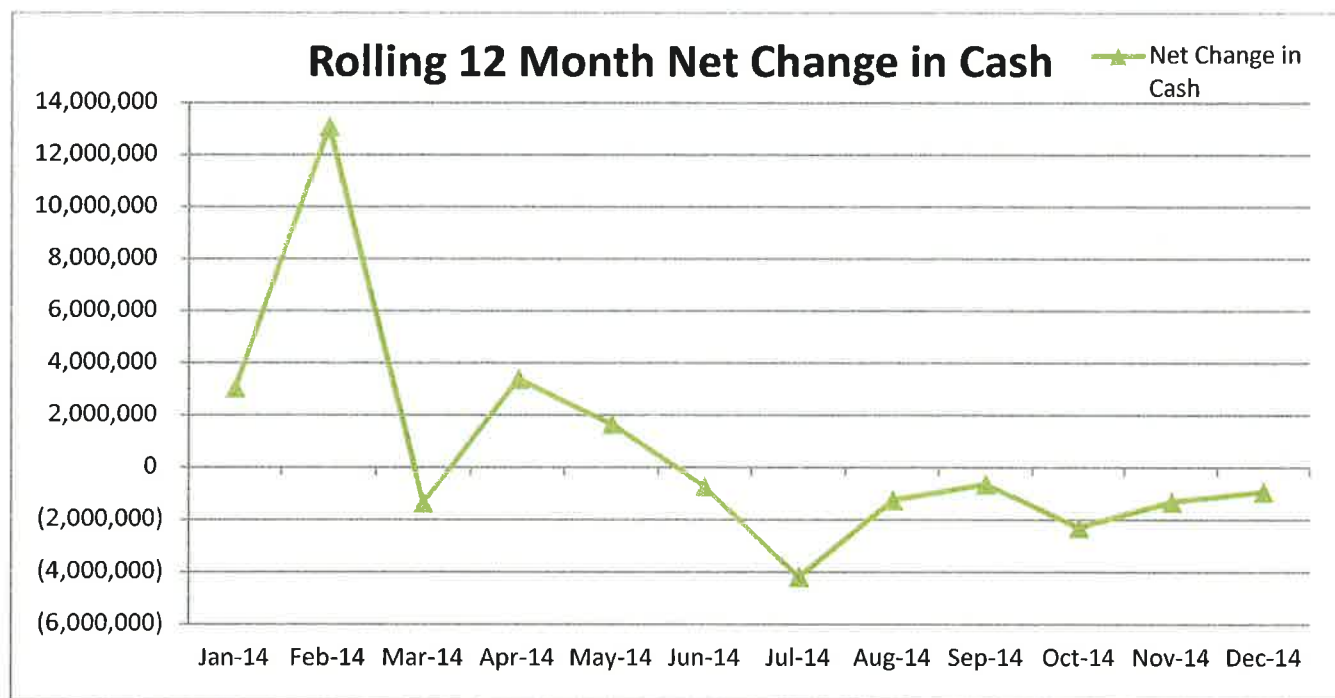
### Cash Flow Analysis:

The chart below shows the historical cash flow for the last 12 months. We can see that the majority of our funds are received in the second quarter of the fiscal year, January thru March, primarily due to Business License Renewals and the annual Chevron Payment. We also receive Sales and UUT taxes during the first few months of the year as well.

Our investments will be purchased with the liquidity relative to our cash flow needs.



This chart shows the net change in Cash as related to the Cash Flow Analysis above. Some of the larger disbursements occur in the fourth quarter of the fiscal year, July thru September. During this period, we have significant payments to CalPERS for our Other Post-Employment Benefits, a payment to ICRMA for our citywide insurance premiums, and a large infrastructure payment for roadwork which was completed several years ago.



### **Additional Economic Indicators:**

#### **Economic Projections from September Meeting**

The Economic Indicators presented below are key items that the Federal Reserve will look at in deciding whether or not to change interest rates going forward.

The GDP, or Gross Domestic Product, represents the market value of all goods and services produced by the economy during the period measured, including personal consumption, government purchases, private inventories, paid-in construction costs and the foreign trade balance (exports are added, imports are subtracted). This is a key indicator the Federal Reserve will look at when deciding on interest rate changes. The target level for GDP is in the 2.5% to 3.5% range.

The Unemployment Rate shows the percentage of the labor force that is unemployed but seeking work. The target level for Unemployment is around 5.6%.

The PCE Inflation is the Personal Consumption Expenditures rate of inflation. This index is essentially a measure of goods and services targeted toward individuals and consumed by individuals. The long term inflation target is around 2% per year. Core PCE Inflation excludes items such as food and energy due to the nature of their potential price swings.

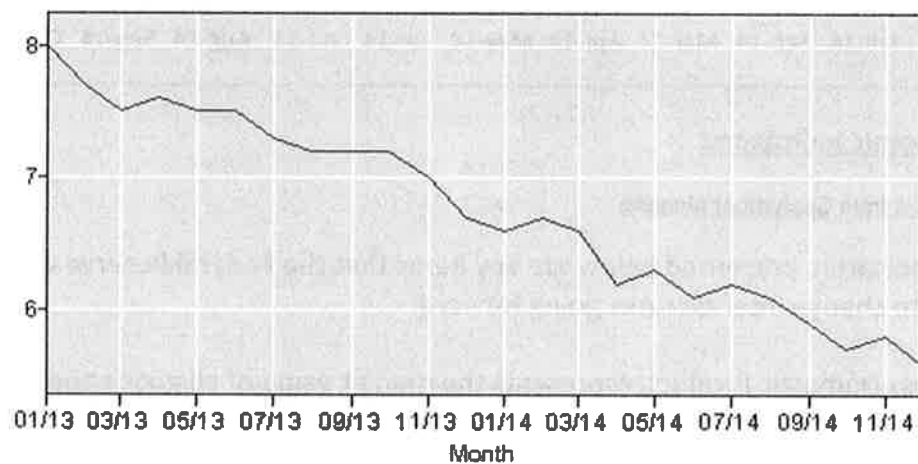
### Fed Economic Projections (central tendencies as of December 2014)

	2014	2015	2016	2017	Longer run
<b>Change in real GDP</b>	2.3 to 2.4	2.6 to 3.0	2.5 to 3.0	2.3 to 2.5	2.0 to 2.3
September projection	2.0 to 2.2	2.6 to 3.0	2.6 to 2.9	2.3 to 2.5	2.0 to 2.3
<b>Unemployment rate</b>	5.8	5.2 to 5.3	5.0 to 5.2	4.9 to 5.3	5.2 to 5.5
September projection	5.9 to 6.0	5.4 to 5.6	5.1 to 5.4	4.9 to 5.3	5.2 to 5.5
<b>PCE inflation</b>	1.2 to 1.3	1.0 to 1.6	1.7 to 2.0	1.8 to 2.0	2
September projection	1.5 to 1.7	1.6 to 1.9	1.7 to 2.0	1.9 to 2.0	2
<b>Core PCE inflation<sup>3</sup></b>	1.5 to 1.6	1.5 to 1.8	1.7 to 2.0	1.8 to 2.0	
September projection	1.5 to 1.6	1.6 to 1.9	1.8 to 2.0	1.9 to 2.0	

Source: Federal Reserve

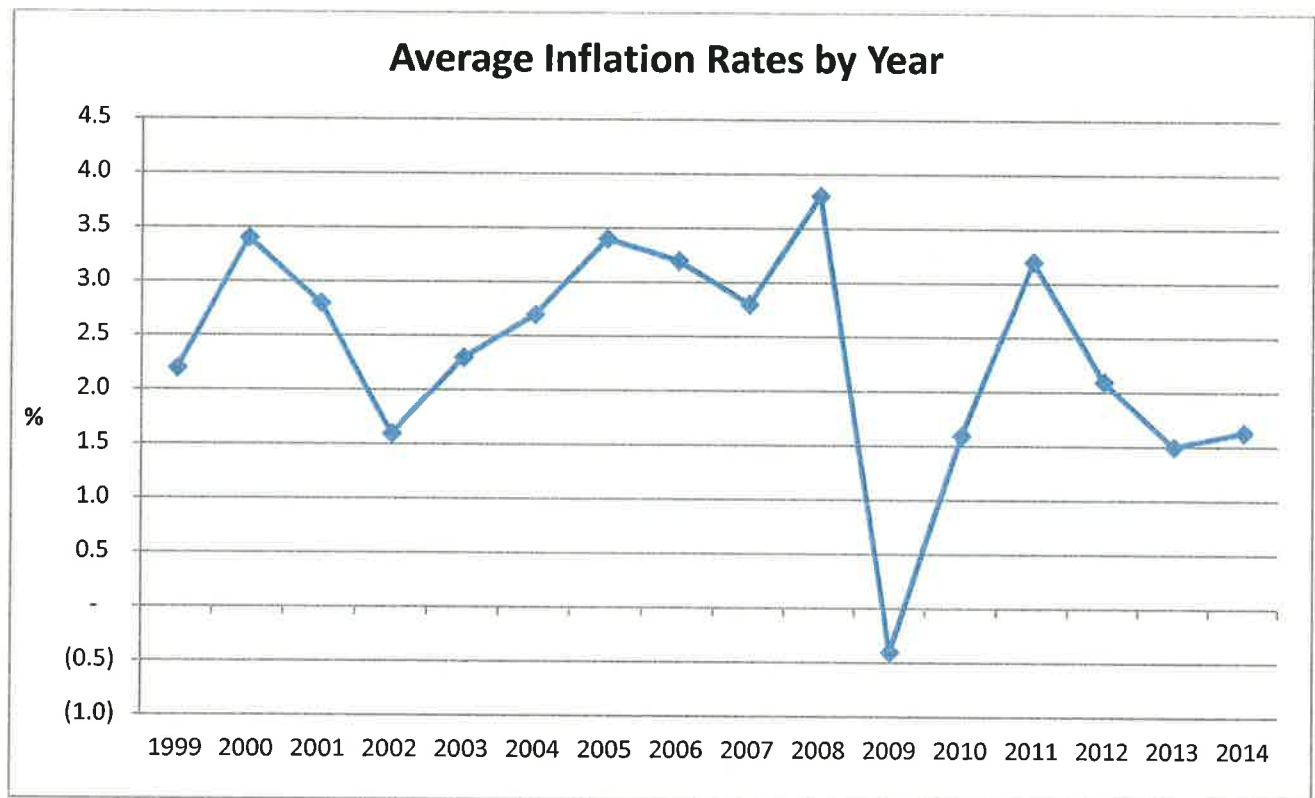
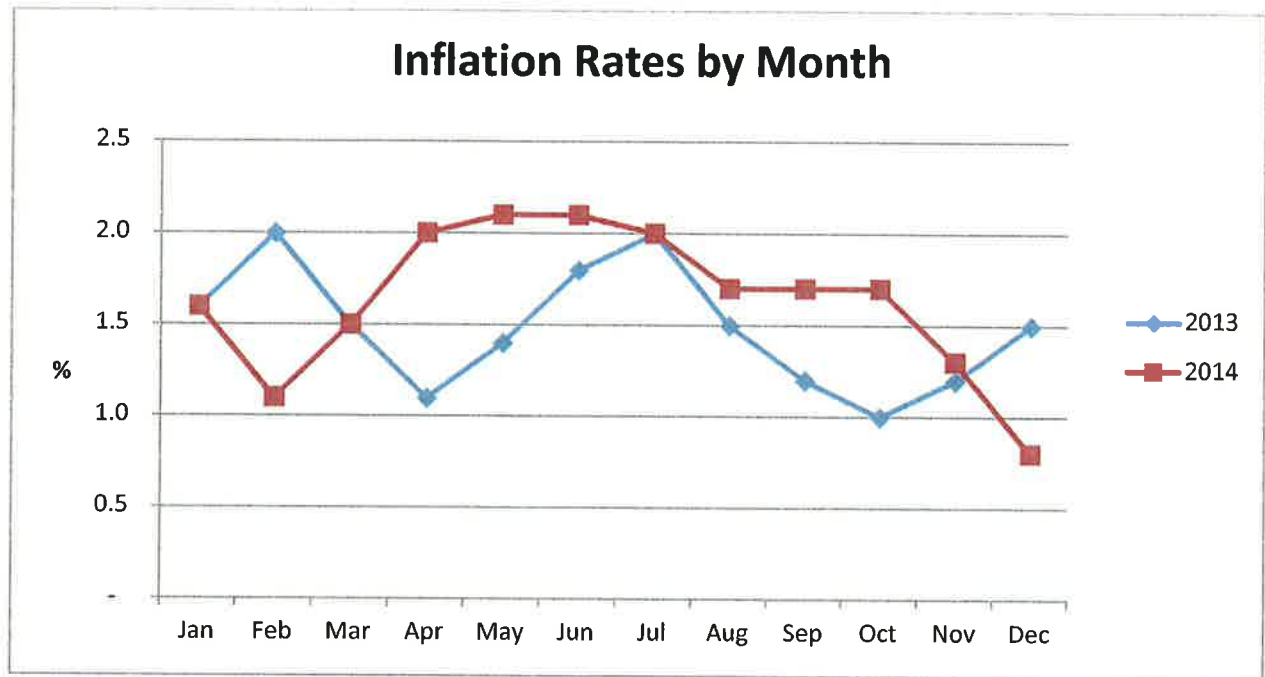
<http://www.federalreserve.gov/monetarypolicy/fomcprojections20141217.htm>

### Unemployment

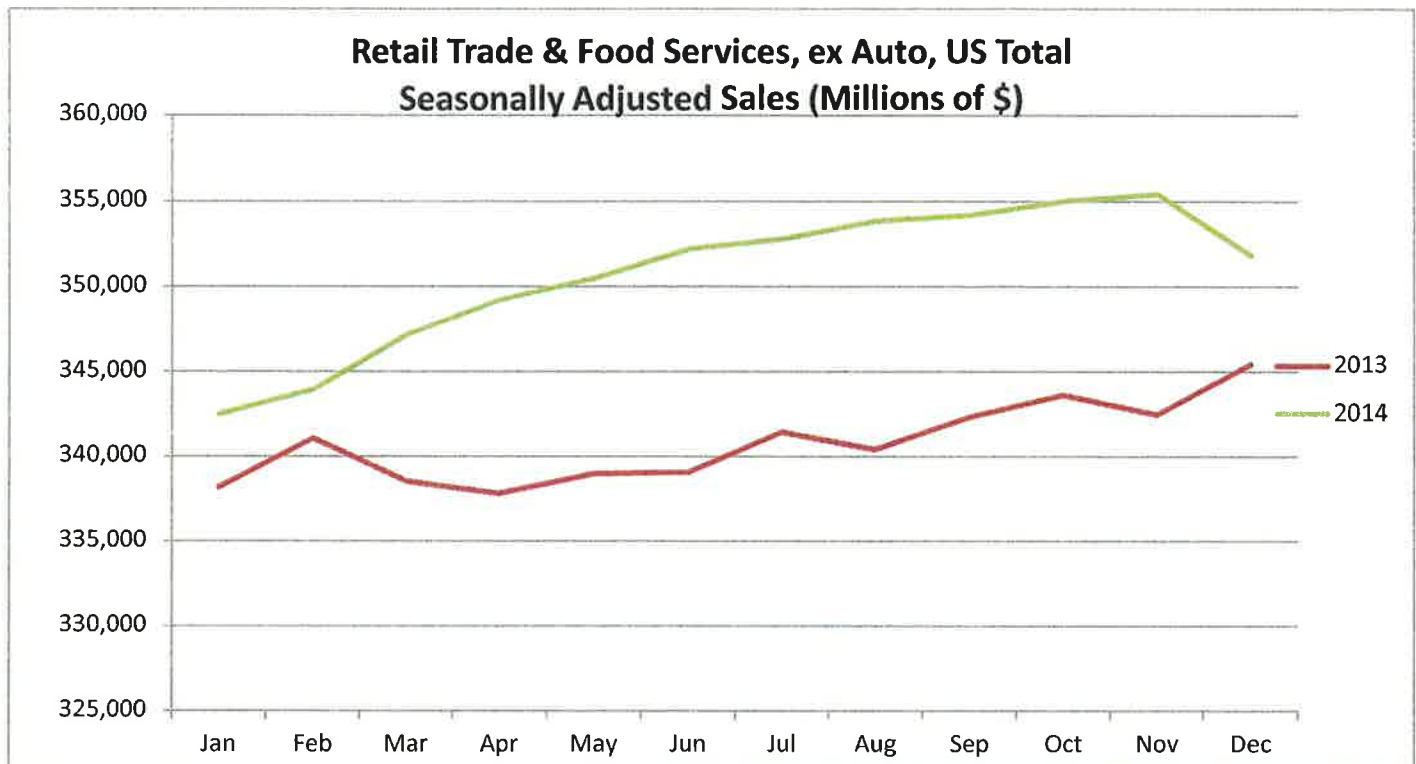


Source: <http://data.bls.gov/pdq/SurveyOutputServlet>

**Inflation:**



Source: <http://www.usinflationcalculator.com/inflation/current-inflation-rates/>



Source: United States Census Bureau - <http://www.census.gov/retail/index.html>

### **Investment Strategy:**

It is the City and City Treasurer's policy to invest funds in accordance with the Investment Policy and to meet all legal requirements regarding the safeguarding of funds.

As a part of the City's migration to a new banking structure, we have maintained a cash balance in order to offset our bank fees, and are now looking at our cash flow needs in order to determine which investments will maximize return while providing the proper level of liquidity.

The Liquidity Schedule provides an overview of when our current investments are due to mature. We will plan our future investments to coordinate with these maturities in order to ensure a liquidity balance to our portfolio. The Investments by Security Type schedule provides an additional breakdown of how our funds are presently allocated.

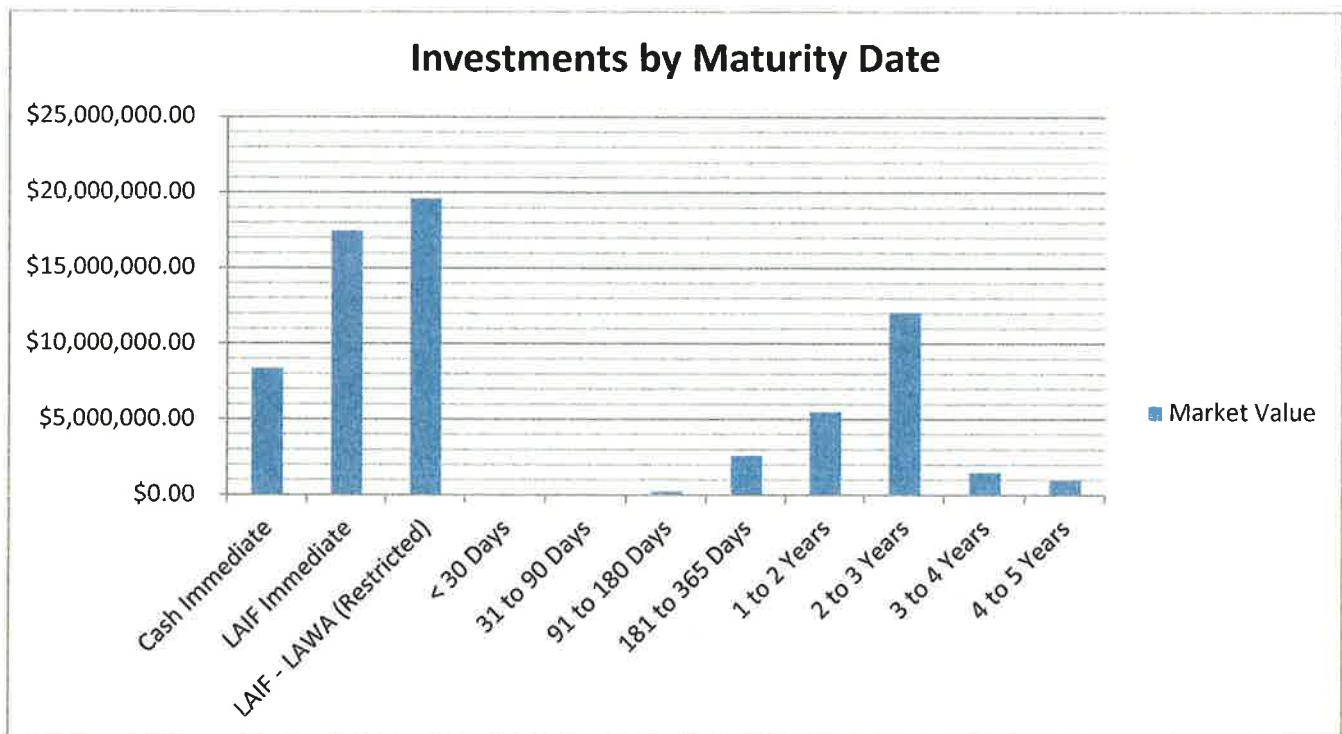
The Portfolio Summary for the month is included as an attachment to this report.

**Additional Notes:**

The City has funds of \$208,417.99 which belong to the El Segundo Senior Citizens Housing Development Corporation and are a part of our LAIF balance. There are also LAWA RSI (Los Angeles World Airports Residential Sound Insulation) funds of \$19,635,135.39 included in the City's LAIF balances. The applicable interest for these accounts is accrued monthly and posted quarterly in the same manner as the regular City LAIF interest posting.

City of El Segundo  
Investment Advisory Committee  
Liquidity Schedule  
As of: December 31, 2014

<u>Item</u>	<u>Availability</u>	<u>Market Value</u>	<u>Cumulative Balances</u>	<u>Cumulative % of Total Assets</u>	<u>% of Total Assets</u>
<b>Cash in Bank</b>					
Chase	Immediate	\$8,389,737.04			
Union Bank - Trust Account	Immediate	<b>\$0.00</b>			
	Cash in Bank - Total	<b>\$8,389,737.04</b>	<b>\$8,389,737.04</b>	<b>12.26%</b>	<b>12.26%</b>
L.A.I.F. (State of California)	LAIF Immediate	<b>\$17,491,678.87</b>	<b>\$25,881,415.91</b>	<b>37.81%</b>	<b>25.56%</b>
	Cash Immediate	<b>\$25,881,415.91</b>			
L.A.I.F. - LAWA (Restricted)	LAIF Immediate	\$19,635,135.39	\$45,516,551.30	66.50%	28.69%
Portfolio Investments:	< 30 Days	\$0.00	\$45,516,551.30	66.50%	0.00%
	31 to 90 Days	\$0.00	\$45,516,551.30	66.50%	0.00%
	91 to 180 Days	\$249,857.50	\$45,766,408.80	66.87%	0.37%
	181 to 365 Days	\$2,600,149.82	\$48,366,558.62	70.66%	3.80%
	1 to 2 Years	\$5,498,505.59	\$53,865,064.21	78.70%	8.03%
	2 to 3 Years	\$12,094,335.85	\$65,959,400.06	96.37%	17.67%
	3 to 4 Years	\$1,484,790.00	\$67,444,190.06	98.54%	2.17%
	4 to 5 Years	\$1,001,535.00	\$68,445,725.06	100.00%	1.46%
	Subtotal	<b>\$42,564,309.15</b>			
	<b>Grand Total</b>	<b>\$68,445,725.06</b>			<b>100.00%</b>
	Investment Portfolio subtotal	<b>\$60,055,988.02</b>			

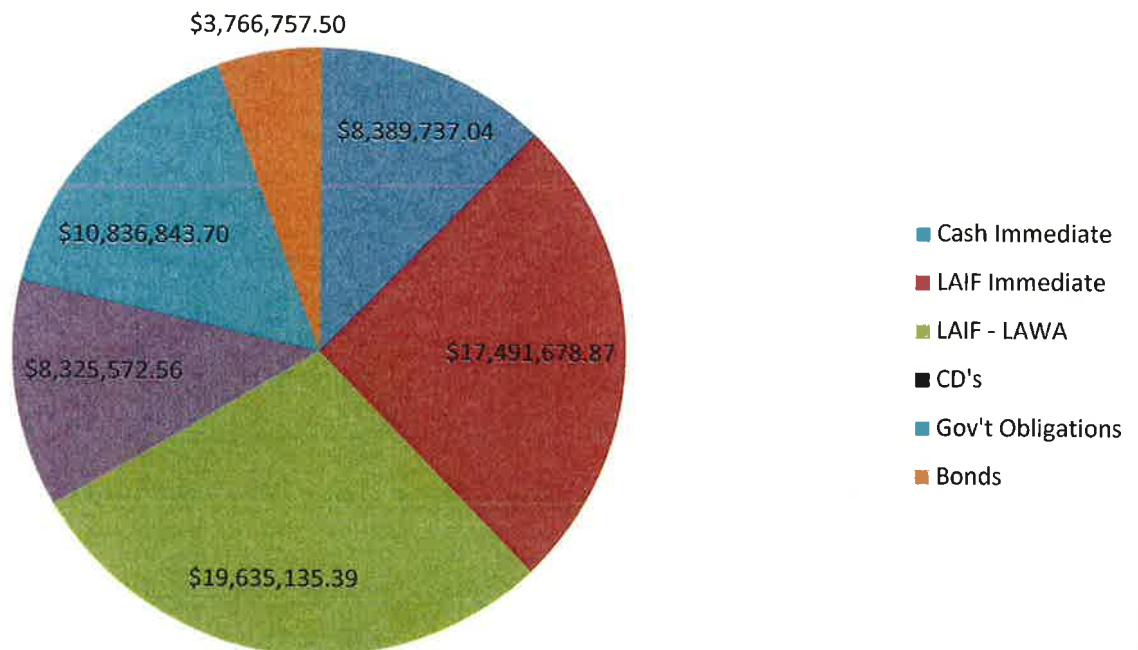




City of El Segundo  
Investment Advisory Committee  
Investments by Security  
Type  
As of: December 31, 2014

<u>Item</u>	<u>Availability</u>	<u>Market Value</u>	<u>Cumulative Balances</u>	<u>Cumulative % of Total Assets</u>	<u>% of Total Assets</u>
<u>Cash in Bank</u>					
Chase	Immediate	\$8,389,737.04			
Union Bank - Trust Account	Immediate	\$0.00			
	Cash in Bank - Total	\$8,389,737.04	\$8,389,737.04	12.26%	12.26%
L.A.I.F. (State of California)	LAIF Immediate	\$17,491,678.87	\$25,881,415.91	37.81%	25.56%
	Cash Immediate	\$25,881,415.91			
L.A.I.F. - LAWA (Restricted)	LAIF Immediate	\$19,635,135.39	\$45,516,551.30	66.50%	28.69%
Portfolio Investments:	CD's	\$8,325,572.56	\$53,842,123.86	78.66%	12.16%
	Gov't Obligations	\$10,836,843.70	\$64,678,967.56	94.50%	15.83%
	Bonds	\$3,766,757.50	\$68,445,725.06	100.00%	5.50%
	Subtotal	\$42,564,309.15			
	<b>Grand Total</b>	<b>\$68,445,725.06</b>			<b>100.00%</b>
	Investment Portfolio subtotal	\$60,055,988.02			

**Investments by Security Type**





3004570 - 3004723

REGISTER # 9

AS OF FEBRUARY 17, 2015

DATE OF APPROVAL:

CITY OF EL SEGUNDO  
WARRANTS TOTALS BY FUND

001	GENERAL FUND	350,744.27
104	TRAFFIC SAFETY FUND	-
106	STATE GAS TAX FUND	16,150.00
108	ASSOCIATED RECREATION ACTIVITIES FUND	-
109	ASSET FORFEITURE FUND	461.42
111	COMM. DEVEL. BLOCK GRANT	4,427.50
112	PROP "A" TRANSPORTATION	237.81
114	PROP "C" TRANSPORTATION	43.75
115	AIR QUALITY INVESTMENT PROGRAM	-
116	HOME SOUND INSTALLATION FUND	164,366.38
117	HYPERION MITIGATION FUND	366.05
118	TDA ARTICLE 3 - SB 821 BIKEWAY FUND	-
119	MTA GRANT	-
121	FEIMA	-
120	C.O.P.S. FUND	-
122	L.A.W.A. FUND	16.45
202	ASSESSMENT DISTRICT #73	-
301	CAPITAL IMPROVEMENT FUND	-
302	INFRASTRUCTURE REPLACEMENT FUND	-
405	FACILITIES MAINTENANCE	-
501	WATER UTILITY FUND	7,969.59
502	WASTEWATER FUND	7,352.25
503	GOLF COURSE FUND	-
601	EQUIPMENT REPLACEMENT	-
602	LIABILITY INSURANCE	15,818.03
603	WORKERS COMP. RESERVE/INSURANCE	101.92
701	RETIRED EMP. INSURANCE	4,667.35
702	EXPENDABLE TRUST FUND - DEVELOPER FEES	162.90
703	EXPENDABLE TRUST FUND - OTHER	9,750.00
708	OUTSIDE SERVICES TRUST	-
TOTAL WARRANTS		\$ 582,701.20

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

Information on actual expenditures is available in the Director of Finance's 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/urgency payments for materials, supplies and services in support of City Operations

For Ratification:

A = Payroll and Employee Benefit checks

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

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

FINANCE DIRECTOR *D. Baruch*

CITY MANAGER

DATE: 2/9/15

DATE:

VOID CHECKS DUE TO ALIGNMENT:

N/A

VOID CHECKS DUE TO INCORRECT CHECK DATE:

VOID CHECKS DUE TO COMPUTER SOFTWARE ERROR:

NOTES

*[Signature]*

**CITY OF EL SEGUNDO  
PAYMENTS BY WIRE TRANSFER  
1/19/15 THROUGH 2/1/15**

<u>Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Description</u>
1/20/2015	IRS	291,491.66	Federal 941 Deposit
1/20/2015	Employment Development	3,232.38	State SDI payment
1/20/2015	Employment Development	66,904.28	State PIT Withholding
1/21/2015	Cal Pers	103,384.92	EFT Retirement Misc
1/21/2015	Cal Pers	289,613.51	EFT Retirement Safety
1/21/2015	Cal Pers	2,308.02	EFT Retirement Safety-Police
1/21/2015	Cal Pers	8,576.93	EFT Retirement Misc
1/22/2015	Lane Donovan Golf Ptr	18,903.43	Payroll Transfer
1/23/2015	Health Comp	1,175.35	Weekly claims
1/27/2015	Unum	208.70	Long Term Care Premium
1/29/2015	CA Infrastructure Bank	114,836.97	Semi Annual Infrastructure payment
1/29/2015	IRS	1,762.63	Federal 941 Deposit - Q4-2014 return
1/29/2015	Employment Development	518.73	State PIT Withholding - Q4-2014 return
1/30/2015	Health Comp	3,584.27	Weekly claims
1/30/2015	Manufacturers & Traders	25,331.42	457 payment Vantagepoint
1/30/2015	Manufacturers & Traders	477.31	IRA payment Vantagepoint
1/30/2015	Manufacturers & Traders	5,371.75	401 payment Vantagepoint
1/30/2015	US Bank - Trust Acct	7,119.15	PARS payment
1/30/2015	South Bay Credit Union	12,630.38	Payroll credit union deduction pmt
1/30/2015	Nationwide NRS EFT	41,208.54	EFT 457 payment
1/30/2015	Nationwide NRS EFT	1,665.15	EFT 401a payment
1/30/2015	State of CA EFT	910.14	EFT Child support payment
1/17/15-1/23/15	Workers Comp Activity	14,122.23	SCRMA checks issued
1/24/15-1/30/15	Workers Comp Activity	12,772.27	SCRMA checks issued
		<u>1,028,110.12</u>	

**DATE OF RATIFICATION: 2/2/15  
TOTAL PAYMENTS BY WIRE:**

1,028,110.12

Certified as to the accuracy of the wire transfers by:

  
Deputy City Treasurer II      2/2/15  
Date

  
Director of Finance      2/9/15  
Date

  
City Manager      2-9-15  
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, FEBRUARY 3, 2015 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 5:01 PM

ROLL CALL

Mayor Fuentes	-	Present
Mayor Pro Tem Jacobson	-	Present
Council Member Atkinson	-	Present
Council Member Fellhauer	-	Present
Council Member Dugan	-	Absent

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 Fuentes 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 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(d) (3): -3- matter

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(d) (2) and (3): -0- matter.

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

PUBLIC EMPLOYMENT (Gov't Code § 54957) -0- matter

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -8- matters

1. Employee Organizations: Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; City Employees Association; Executive Management Group (Unrepresented Group); Management/Confidential Group (Unrepresented Group)

Agency Designated Representative: Steve Filarsky and City Manager

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

Council recessed at 6:45 PM

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, FEBRUARY 3, 2015 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 7:00 PM

PLEDGE OF ALLEGIANCE – Council Member Atkinson

INVOCATION – Tracy Weaver, City Clerk

PRESENTATIONS

ROLL CALL

Mayor Fuentes	-	Present
Mayor Pro Tem Jacobson	-	Present
Council Member Atkinson	-	Present
Council Member Fellhauer	-	Present
Council Member Dugan	-	Absent

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.

**Ray Pok**, Region Manager for the South Bay City's, introduced himself as the City's new representative for SCE.

**Talia Gerard**, Tree Musketeers Youth Director, announced Arbor Day will be held on Saturday, March 7, 2015 from 9:30 AM – 12:30 PM. Please visit [www.treemusketeers.com](http://www.treemusketeers.com) for more information.

**Loretta Frye**, resident, announced today (February 3, 2015) kicked off Tax Preparation season for low income and senior citizens. Tax preparation will be held on Tuesday's from 11:00 AM – 3:00 PM at the Joslyn Center. Call 310.524.2705 to make an appointment.

**Robert Pullen-Miles**, District Director for Assembly member Autumn Burke, welcomed everyone to the swearing in of our new Assembly member, Autumn Burke, Reception at 11:00 AM and Ceremony at 12:00 PM on February 21, 2015 at the Hyperion Plant, located at 12000 Vista Del Mar.

CITY COUNCIL COMMENTS – (Related to Public Communications)

A. PROCEDURAL MOTIONS

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

MOTION by Mayor Pro Tem Jacobson, SECONDED by Council Member Fellhauer to read all ordinances and resolutions on the agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0.

**B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)**

1. Consideration and possible adoption of an Ordinance amending El Segundo Municipal Code Chapter 4-10 and ESMC §§ 15-5F-2 and 15-5F-5 concerning regulation of massage establishments within the City of El Segundo. Applicant: City of El Segundo.  
(Fiscal Impact: None)

Mayor Fuentes stated this was the time and place for a Public Hearing to adopt an Ordinance amending El Segundo Municipal Code Chapter 4-10 and ESMC §§ 15-5F-2 and 15-5F-5 concerning regulation of massage establishments within the City of El Segundo. Applicant: City of El Segundo.

City Clerk Weaver stated that proper notice had been given in a timely manner and that written communication has been received in the City Clerk's office and council was copied.

Mayor Fuentes opened the Public Hearing.

Sam Lee, Director of Planning and Building Safety, gave a presentation.

MOTION by Council Member Fellhauer, SECONDED by Council Member Atkinson to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

**Council Discussion**

Mark Hensley, City Attorney, read by title only:

**ORDINANCE NO. 1504**

**AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE CHAPTER 4-10 AND §§ 15-F5 AND 15-5F-5 REGULATIONS MASSAGE ESTABLISHMENTS WITHIN THE CITY OF EL SEGUNDO.**

Council Member Fellhauer introduced the Ordinance. Second reading will be on Tuesday, February 17, 2015.

**C. UNFINISHED BUSINESS**

2. Consideration and possible action regarding the adoption of an ordinance setting the City's water and wastewater (sewer) rates for Fiscal Year 2014/15-2018/19. (Fiscal Impact: \$24,510,401 in revenue to the Water Enterprise Fund and \$3,817,519 in revenue to the Sewer Enterprise Fund in 2015 for distribution, operations and CIP.)

#### Council Discussion

Mark Hensley, City Attorney, answered Council questions.

MOTION by Council Member Fellhauer, SECONDED by Mayor Pro Tem Jacobson to waive the second reading and adopt Ordinance No. 1501 setting the amount of Water and Wastewater (sewer) Rates and Charges pursuant to Safety Codes §5471 and El Segundo Municipal Code §11-1-5. MOTION PASSED BY UNANIMOUS VOICE VOTE.  
4/0

#### D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

#### E. CONSENT AGENDA

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

3. Approve Warrant Numbers 3004314 through 3004569 on Register No. 8 in the total amount of \$1,339,927.19 and Wire Transfers from 1/05/2015 through 1/18/2015 in the total amount of \$3,294,961.00. 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. Approve Regular City Council Meeting Minutes of January 20, 2015.
5. Accept as complete the City's Tennis Court Resurfacing Grant Project at Recreation and Park, Project No. PW 13-30 and authorize the City Clerk to file a Notice of Completion in the County Recorder's Office (Fiscal Impact: \$59,597.47 from Grant Funds)
6. Receive and file this report regarding emergency work to repair dwelling units at the Park Vista Senior Housing Facility due to water intrusion without the need for bidding in accordance with Public Contracts Code §§ 20168 and 22050 and El Segundo Municipal Code ("ESMC")§ 1-7-12 and 1-7A-4. (Fiscal Impact: \$50,000.00)

7. Read by title only and adopt Ordinance No. XXX amending El Segundo Municipal Code § 1-6-4 regarding Employment Exclusions from Civil Service. (Fiscal Impact: \$324,312.00)
8. Award a contract, no. 4780 (refer to city council meeting minutes of 12/16/14,) to Landrum and Brown, agreement no. 4780 for acoustical testing and supplemental design services (related to RFQ 14-07) for the 2014/2015 fiscal year and authorize the City Manager to execute a contract in a form approved by the City. Attorney for the 2014/2015 fiscal year. (Fiscal Impact: Up to \$105, 340.00; funding source: RSI Program)
9. Receive and file without objection a request for modification of an existing Department of Alcoholic Beverage Control (ABC) License to allow the relocation of a brewery tasting room within an existing brewery and expansion of tasting room hours for on-site sale and consumption of beer (Type 23 State of California Alcoholic Beverage Control License) at a small beer manufacturer facility (El Segundo Brewing Company) at 140 Main Street. Applicant: Rob Croxall, El Segundo Brewing Company, LLC. (Fiscal Impact: N/A)

MOTION by Mayor Pro Tem Jacobson, SECONDED by Council Member Atkinson to approve Consent Agenda items 3, 4, 5, 6, 7, 8, and 9. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

#### F. NEW BUSINESS

10. Presentation from the Department of Recreation and Parks and the Isaac Sports Group for the City of El Segundo and Wiseburn Unified School District Aquatic Center Facility Programming, Design, and Financial Analysis Report Preliminary Report. (Fiscal Impact: None)

Meredith Petit, Director of Recreation and Parks, gave a presentation.

Stu Isaac, Isaac Sports Group, gave a presentation.

#### Council Discussion

Meredith Petit, Director of Recreation and Parks, states a final report will be presented at the March 3, 2015 City Council Meeting.

11. Consideration and possible action to approve a request from the Special Olympics World Games in Los Angeles 2015 for the City of El Segundo to be a Host Town. (Fiscal Impact: Unknown)



Greg Carpenter, City Manager, presented the item.

Joann Klonowski, Special Olympics World Games – Vice President-Host Towns, gave a brief overview of a Host Town's responsibility.

Krystal Sylvia, Special Olympics World Games - Global Messenger, spoke briefly on how the Special Olympics have changed her life.

William H Yarroll II, answered Council questions.

#### Council Discussion

MOTION by Council Member Fellhauer, SECONDED by Council Member Atkinson approved the request from the Special Olympics World Games in Los Angeles 2015 to participate as a Host Town. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

- G. REPORTS – CITY MANAGER - None
- H. REPORTS – CITY ATTORNEY - None
- I. REPORTS – CITY CLERK - None
- J. REPORTS – CITY TREASURER – Not Present
- K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fellhauer – Recently attended the Independent Cities Association Winter Conference. Ms. Fellhauer stated our own officer, Lt. Carlos Mendoza spoke at the conference on behalf of LA IMPACT.

Council Member Atkinson – Thanked everyone for coming out to the meeting this evening.

Council Member Dugan - Absent

Mayor Pro Tem Jacobson – None

Mayor Fuentes – Attended and presented at Mayor Eric Garcetti's Convening of the Mayors meeting, held at the Columbia Memorial Space Center in Downey. Ms. Fuentes spoke on the importance of the Los Angeles Air Force Base.

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.

**Jack Axelrod**, resident, made several request of our Council.

MEMORIALS – Brian Kutil

ADJOURNMENT at 8:35 PM

---

Tracy Weaver

**AGENDA DESCRIPTION:**

Consideration and possible action to award a standard Public Works Contract in a form approved by the City Attorney to Vantage Utility Services, Inc. for fiber optic conduit and cable installation, project no. PW 14-08. (Fiscal Impact: \$372,752 (includes 20% contingency)).

**RECOMMENDED COUNCIL ACTION:**

1. Authorize the City Manager to award a standard Public Works Contract in a form approved by the City Attorney to Vantage Utility Services, Inc. for fiber optic conduit and cable installation, project no. PW 14-08 in the amount of \$745,155.
2. Issue Change Order #1 to reduce the contract by \$434,529 for a project total of \$310,626.
3. Alternatively, discuss and take other action related to this item.


**ATTACHED SUPPORTING DOCUMENTS:**


Project Bid Sheet  
Change Order #1

**FISCAL IMPACT: Included in Adopted Budget**

**Amount Budgeted:** \$312,263  
**Additional Appropriation:** Yes \$60,489  
**Account Number(s):** 601-400-8201-8497 (Capital Improvements – I-Net Fiber Optics Capital Project)

**ORIGINATED BY:** Larry Klingaman, Information Systems Manager 

**REVIEWED BY:** Mitch Tavera, Chief of Police 

**APPROVED BY:** Greg Carpenter, City Manager 

---

**BACKGROUND AND DISCUSSION:**

As part of the City's ongoing fiber optic cable connection project, on October 7, 2014, the City Council adopted plans and specifications to connect facilities on each side of Sepulveda Boulevard and authorized Staff to advertise for construction bids (PW 14-08). This phase of the project includes installing a new section of conduit across Sepulveda Blvd. and the installation of new fiber optic cable through both the new and existing conduit pathways. The existing pathways were recently installed during Public Works Project PW 11-13.

Additionally, this phase will extend the City owned fiber optic network into a data center on the eastern side of the City.

The plans and specifications included additional sections of conduit and fiber cabling identified by Staff to expand the City's network and provide access into two (2) additional data centers located within the City.

Completion of this phase in the next six months will provide City access to ultra-high speed Internet connectivity increasing website speeds and enabling downtown wireless. This phase also lays the foundation for a dark fiber program where the City provides fiber optic connectivity to businesses in the Smokey Hollow area.

In response to PW 14-08, on January 13, 2015, the City Clerk received and opened one (1) responsible bid as follows:

1. Vantage Utility Services, Inc.	\$745,155
-----------------------------------	-----------

Staff verified the contractor's references and license status, and received favorable reviews for similar type work.

Because the project was advertised with new sections of conduit and cable into two additional data centers, the bid received was well above the initial budget. Staff and Vantage Utility Services, Inc. agreed to reduce the scope of work back to the initial goal of the project which included extending the City owned fiber network across Sepulveda Boulevard and into the Equinix data center only. This change order reduced the contract cost with Vantage Utility Services, Inc. by \$434,529.

Staff recommends that City Council award a standard public works contract to Vantage Utility Services, Inc. in the amount of \$745,155 and immediately issue Change Order #1 to Project Number PW 14-08 in the amount of \$434,529, thus reducing the approved project total to \$310,626. Staff also recommends adding a 20% construction contingency to the project in the amount of \$62,125 bringing the total approved funding to \$372,752.

# CITY OF EL SEGUNDO- BID SHEET

FIBER OPTIC NETWORK EXPANSION

PROJECT NO. PW 14-08

Line	Quantity	Description	Bid \$ Per	Bid \$ Total (Qty x Bid \$ Per)
1	LS	Mobilization for <u>Ten Thousand</u> lump sum Dollars	\$ <u>10,000.00</u>	\$ <u>10,000.00</u>
2	LS	Pothole existing utilities prior to commencing any excavation for <u>Twenty Seven Thousand</u> lump sum And Sixty Five Dollars	\$ <u>27,065.00</u>	\$ <u>27,065.00</u>
3	5,715 LF	Provide, furnish, test and deliver all materials, tools, equipment, labor and services necessary for installation of 4-inch PVC conduit at various locations using open trench method including backfill and AC pavement for <u>Seventy Five Dollars</u> per LF and Forty Two Cents	\$ <u>75.42</u> LF	\$ <u>431,025.30</u>
4	400 LF	Provide, furnish, test and deliver all materials, tools, equipment, labor and services necessary for installation of 4-inch PVC conduit at various locations using direct boring method for <u>Fifty Dollars</u> per LF and Fifty Eight Cents	\$ <u>50.58</u> LF	\$ <u>20,232.00</u>
5	7 EA	Provide, furnish, test and deliver all materials, tools, equipment, labor and services necessary for installation of Jensen 44X-FOH48-09 or equivalent Pullboxes at various locations for <u>Eight Thousand Five</u> each Hundred Twenty Four Dollars	\$ <u>8,524.00</u> EACH	\$ <u>59,668.00</u>
6	6,115 LF	Provide, furnish, test and deliver all materials, tools, equipment, labor and services necessary for installation of Cable Identification tapes for all new conduit for <u>Forty Three Cents</u> per LF	\$ <u>0.43</u> LF	\$ <u>2,629.45</u>

I-C-3

Line	Quantity	Description	Bid \$ Per	Bid \$ Total
7	6,115 LF	Provide, furnish, test and deliver all materials, tools, equipment, labor and services necessary for installation of low friction, polyethylene jacketed polypropylene rope with 1800 psi tensile strength for <u>One Dollar and</u> per LF Thirty One Cents	\$ <u>1.31</u> LF	\$ <u>8,010.65</u>
8	6,323 LF	Provide, furnish, test and deliver all materials, tools, equipment, labor and services necessary for installation of Corning Altos 144EU4-T4101D20 144 strand single mode fiber optic cable or equivalent through existing conduit for <u>Three</u> per LF Dollars and Twenty Cents	\$ <u>3.20</u> LF	\$ <u>20,233.60</u>
9	1 EA	Provide, furnish, test and deliver all materials, tools, equipment, labor and services necessary for fusion splicing and termination of one Corning Altos 144EU4-T4101D20 144 strand single mode fiber optic cable (Both sides for a total of 288 connections) for <u>Thirteen Thousand</u> each <del>Five Hundred Thirteen Dollars</del>	\$ <u>13,513.00</u> EACH	\$ <u>13,513.00</u>
10	1 EA	Provide, furnish, test and deliver all materials, tools, equipment, labor and services necessary for installation of a Corning CCH-04U Closet Connector Housing or equivalent (populated with 6 CCH-CS24-A9-POORE Pigtailed Cassettes) for <u>Six Thousand</u> each <del>Seven Hundred Fifty Seven Dollars</del>	\$ <u>6,757.00</u> EACH	\$ <u>6,757.00</u>
11	1 EA	Provide, furnish, test and deliver all materials, tools, equipment, labor and services necessary for installation of a Corning WCH-12P wall mount connector housing or equivalent with a Corning WCH-SPLC-12 Splice Tray Holder or equivalent (populated with 6 CCH-CP24-A9 dual LC panels) for <u>Three Thousand</u> each Seven Hundred Eighty Five Dollars	\$ <u>3,785.00</u> EACH	\$ <u>3,785.00</u>

Line	Quantity	Description	Bid \$ Per	Bid \$ Total
12	LS	Provide water-tight electrical conduit sealant and fire rated caulks for Four Thousand Four <u>          </u> lump sum. Hundred Thirty Five Dollars	\$ <u>4,435.00</u>	\$ <u>4,435.00</u>
13	LS	Provide Traffic Control for Thirteen Thousand Two Dollars <u>          </u> lump sum.	\$ <u>13,002.00</u>	\$ <u>13,002.00</u>
14	LS	Provide replacement street striping and markings for Eleven Thousand Six Hundred <u>          </u> lump sum. Thirty Two Dollars	\$ <u>11,632.00</u>	\$ <u>11,632.00</u>
<b>SUB TOTAL</b>				631,988.00

### OPTIONAL

Line	Quantity	Description	Bid \$ Per	Bid \$ Total
(Qty x Bid \$ Per)				
A1	57,150 SqFt	(EITHER A1 or A2) Provide slurry seal for Forty Five Cents <u>          </u> sq ft	\$ <u>0.45</u> SqFt	\$ <u>25,717.50</u>
A2	57,150 SqFt	(EITHER A1 or A2) Provide 2" Overlay for the width of the travel lane in which the trench is located	\$ <u>1.98</u> SqFt	\$ <u>113,157.00</u>
<b>OPTIONAL TOTAL</b>				138,874.50

**BID TOTAL** 770,862.50  
(SUB+OPTIONAL)

## Change Order 1

### Overview

Item	Description	Bid Qty	Adjustment	Award	Price	Extended
3	Installation of 4" Conduit (Open Trench)	5715	-3750	1965	\$ 75.42	\$ (282,825.00)
5	Installation of Pull Box	7	-4	3	\$ 8,524.00	\$ (34,096.00)
2	Pothole Existing Utilities	27065	-17759	9306	\$ 1.00	\$ (17,759.19)
6	Cable ID Tape	6115	-3750	2365	\$ 0.43	\$ (1,612.50)
7	Pull Rope	6115	-3750	2365	\$ 1.31	\$ (4,912.50)
12	Water Tight Sealant	4435	-2910	1525	\$ 1.00	\$ (2,910.10)
13	Traffic Control	13002	-8531	4471	\$ 1.00	\$ (8,531.50)
14	Street Striping	11632	-7633	3999	\$ 1.00	\$ (7,632.55)
A1	2" Overlay for Entire lane of travel	57150	-37500	19650	\$ 1.98	\$ (74,250.00)
						\$ (434,529.33)

### Detail

Item	Remove Conduit for Digital Realty	Bid Qty	Adjustment	Award	Price	Extended
3	Installation of 4" Conduit (Open Trench)	5715	-1775	3940	\$ 75.42	\$ (133,870.50)
5	Installation of Pull Box		-2		\$ 8,524.00	\$ (17,048.00)
2	Pothole Existing Utilities	27065	-8406	18659	\$ 1.00	\$ (8,406.01)
6	Cable ID Tape	6115	-1775	4340	\$ 0.43	\$ (763.25)
7	Pull Rope	6115	-1775	4340	\$ 1.31	\$ (2,325.25)
12	Water Tight Sealant	4435	-1377	3058	\$ 1.00	\$ (1,377.45)
13	Traffic Control	13002	-4038	8964	\$ 1.00	\$ (4,038.24)
14	Street Striping	11632	-3613	8019	\$ 1.00	\$ (3,612.74)
A1	2" Overlay for Entire lane of travel	57150	-17750	39400	\$ 1.98	\$ (35,145.00)
						\$ (150,918.50)

Item	Remove Conduit for T5	Bid Qty	Adjustment	Award	Price	Extended
3	Installation of 4" Conduit (Open Trench)	5715	-1975	3740	\$ 75.42	\$ (148,954.50)
5	Installation of Pull Box	4	-2	2	\$ 8,524.00	\$ (17,048.00)
2	Pothole Existing Utilities	27065	-9353	17712	\$ 1.00	\$ (9,353.17)
6	Cable ID Tape	6115	-1975	4140	\$ 0.43	\$ (849.25)
7	Pull Rope	6115	-1975	4140	\$ 1.31	\$ (2,587.25)
12	Water Tight Sealant	4435	-1533	2902	\$ 1.00	\$ (1,532.66)
13	Traffic Control	13002	-4493	8509	\$ 1.00	\$ (4,493.25)
14	Street Striping	11632	-4020	7612	\$ 1.00	\$ (4,019.81)
A1	2" Overlay for Entire lane of travel	57150	-19750	37400	\$ 1.98	\$ (39,105.00)
						\$ (166,002.50)

*The removal of the segments for Digital Realty and T5 Data Centers reduces the amount of 4" conduit being installed by 65.62%. Bid items 2,6,7,12,13,14, and A1 are adjusted down for the reduced work proportionately. Items shown with a price of \$1.00 were bid lump sum.*





## Change Order

City of El Segundo, Public Works Department

<b>Permit No.:</b> N/A		<b>Plan No.(S): Project Number:</b> PW 14-08		<b>Change Order No.:</b> 1	
<b>Contractor Name:</b> Vantage Utility Services <b>Contractor Address:</b> 1369 W. Ninth Street Upland, CA 91786 <b>Contractor Phone:</b> 909-949-6060			<b>Project Manager Name:</b> Frank Madera <b>Project Manager Phone:</b> 909-949-6060		
<b>Contract No.:</b> TBD		<b>File Reference:</b> N/A		<b>Inspector Name:</b> Larry Klingaman <b>Phone:</b> 310-524-2392	
<b>Contract Description:</b> Installation of Fiber Optic Network conduit and cable to across Sepulveda.					
<div style="display: flex; align-items: flex-start;"><div style="margin-right: 20px;"><input checked="" type="checkbox"/> <b>Change order request Approved for the following reasons:</b> Project scope was expanded to include conduit to two additional data centers on the East side of town. Project bid came in above the budgeted amount of \$312,000. These changes will scale back the project to the original scope to fit within the budgeted amount.</div><div><input type="checkbox"/> <b>You Are Hereby Authorized And Instructed to Make The Following Change(S). Add the Following items of Work:</b> See Attachment A for description of changes.</div></div>					
<b>Method of Payment (May Be Combination):</b> <input checked="" type="checkbox"/> <b>Contract Unit Prices</b> <input type="checkbox"/> <b>Contractor's Quote (see attached)</b> <input type="checkbox"/> <b>Time &amp; Materials (Estimated)*</b>					
<b>REVISED CONTRACT COSTS:</b>			<b>REVISED CONTRACT TIMELINE:</b>		
<b>Original Contract Cost:</b> \$745,155.00			<b>Original Start Date:</b> TBD		
<b>Previous Changes:</b> \$0			<b>Original Working Days:</b> 60		
<b>Deletions to Bid</b>			<b>Previous Work Days Changes:</b> -		
<b>Items Per this CO:</b> \$<434,529.33>			<b>Current CO Work Days Change:</b> -		
<b>New Contract Cost:</b> \$310,625.67			<b>New Total Working Days:</b> 60		
<b>% Above Original Contract Cost:</b> N/A%			<b>New Completion Date:</b> TBD		
<b>CITY OF EL SEGUNDO</b>  <div style="display: flex; justify-content: space-between;"><div><b>Approved By:</b> _____ Greg Carpenter, City Manager</div><div><b>Date:</b> _____</div></div> <p><b>Note:</b> This Change Order is Effective on the date signed by the City Representative. Notify the Project Engineer immediately if there is any disagreement. The Change Order costs indicated on this form represent the complete cost to perform the noted work. No other incidental or related costs are due or will be claimed by the contractor for this item of work without the express written approval from the City.</p> <p><b>Received:</b></p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div>_____ Frank Madera – President Vantage Utility Services</div><div>_____ Date</div></div>					

**AGENDA DESCRIPTION:**

Consideration and possible action to purchase a Palo Alto enterprise network firewall with three years of support from DZ Solutions in the amount of \$99,678. (Fiscal Impact: \$99,678)

**RECOMMENDED COUNCIL ACTION:**

- (1) Purchase a Palo Alto enterprise network firewall with three years of support from DZ Solutions in the amount of \$99,678.
- (2) Alternatively, discuss and take other action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

DSA Technologies Inc. Quote  
DZ Solutions Quote  
Insight Quote

**FISCAL IMPACT:** Included in Adopted Budget

**Amount Budgeted:** \$100,000.00  
**Additional Appropriation:** No  
**Account Number(s):** 301-400-2505-8108 Enterprise Network Firewall

**ORIGINATED BY:** Larry Klingaman, Information Systems Manager  
**REVIEWED BY:** Mitch Tavera, Chief of Police  
**APPROVED BY:** Greg Carpenter, City Manager

---

**BACKGROUND AND DISCUSSION:**

On September 16, 2014, the City Council adopted the budget for fiscal year 2014/15 which included the purchase of an enterprise network firewall at a cost not to exceed \$100,000. The new firewall is required to keep the City's growing computer network fast, safe, and reliable. After researching top firewall technology providers, Staff selected to evaluate market leaders Palo Alto Networks and Check Point Software Technologies. Staff also evaluated Cisco Systems as the City utilizes their product for most other networking equipment, however, based on initial vendor presentations, it became apparent that Cisco's solution would not meet the City's needs.

Staff next conducted onsite demonstrations with both Palo Alto Networks and Check Point Software Solutions by installing their equipment in the City's production environment.

Staff spent considerable time working with both firewall products by performing tasks typical of our environment. Both products gave staff the ability to manage network traffic by limiting

access to specific areas based on traffic content, end user, and pattern matching and destination. Additionally, both products provided adequate protection for our network resources.

From the management perspective, the Palo Alto device allowed Staff to be more effective as Staff could perform changes more rapidly, and the interface was considerably easier to use.

Staff obtained the following budgetary hardware quotes for the initial purchase for both vendor products:

Palo Alto Networks -	\$36,000
Check Point Software Solutions -	\$39,600

Although the initial costs for both systems were nearly the same, the recurring costs for the Check Point Software solution were estimated at \$53,000 (annually), while the recurring costs for the Palo Alto Network solution were estimated to be \$22,000 (annually). Due to the similarity of the Firewall effectiveness and large recurring cost differential, Staff recommends purchasing the Palo Alto Network solution.

Staff then obtained the listed quotes for the initial equipment purchase and three years of maintenance/support for the Palo Alto Network product from the following providers:

1. DSA Technologies	\$114,835.00
2. DZ Solutions	\$ 99,678.52
3. Insight	\$ 95,145.22

Although Insight provided the lowest quote, their proposal failed to include the professional services necessary to migrate from existing City equipment. DSA Technologies and DZ Solutions included these services at a charge of \$12,500 and \$8,750 respectively. Therefore, DZ Solutions was deemed to be the lowest responsible quote.

It should be noted, Staff recommends purchasing the three year support option as it yields a saving to the City of approximately 22% every year. Refer chart:

	<b>1 Year</b>		<b>3 Year</b>		<b>Yearly Savings</b>	
Equipment Support	\$	5,484	\$	4,385	\$	1,099 20%
Threat Prevention	\$	6,480	\$	4,976	\$	1,504 23%
DB URL Filtering	\$	6,480	\$	4,976	\$	1,504 23%
<b>Total</b>	<b>\$</b>	<b>18,444</b>	<b>\$</b>	<b>14,337</b>	<b>\$</b>	<b>4,107 22%</b>

Based on the aforementioned research and quotes, Staff recommends purchasing a Palo Alto enterprise network firewall, along with three years of maintenance and support from DZ Solutions in the amount of \$99,678.



DSA Technologies, Inc.

## DSA Technologies, Inc.

2372 Maritime Drive  
Elk Grove, CA 95758  
916-567-4444

### Bill To

Scott Kim  
City of El Segundo  
348 Main Street  
El Segundo CA 90245

### Ship To

Scott Kim  
City of El Segundo  
348 Main Street  
El Segundo CA 90245

## Quote

Date 1/12/2015  
Quote # 24862  
Expires 1/27/2015  
Acct Manager  
Project  
Terms Net 30  
Shipping Method

Small Business Certification #34638

Accepted By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Qty	Description	List Price	Excl Price	Tax Rate
1	Palo Alto Networks PA-3060	36,000.00	36,000.00	9.0%
1	Palo Alto Networks PA-3060, OnSite Spare unit	13,500.00	13,500.00	9.0%
1	Palo Alto Threat prevention subscription 3 year prepaid, PA-3060	17,280.00	17,280.00	
1	PANDB URL Filtering subscription 3-year prepaid, PA-3060	17,280.00	17,280.00	
1	Premium support 3-year prepaid, PA-3060	13,820.00	13,820.00	
50	DSA Technologies Professional Services - Per Hour Rate Installation and configuration services	250.00	12,500.00	

Subtotal 110,380.00  
Total Tax 4,455.00  
Total \$114,835.00

PRICES SUBJECT TO CHANGE - PRICES BASED UPON TOTAL PURCHASE - ALL DELIVERY, TRAINING OR CONSULTING SERVICES TO BE BILLED AT PUBLISHED RATES FOR EACH ACTIVITY INVOLVED - WE SPECIFICALLY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OR WITH REGARD TO ANY LICENSED PRODUCTS. WE SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, DATA, INTERRUPTION OF BUSINESS, NOR FOR INCIDENTAL OR CONSEQUENTIAL MERCHANTABILITY OR FITNESS OF PURPOSE, DAMAGES RELATED TO THIS AGREEMENT. MINIMUM 15% RESTOCKING FEE WITH ORIGINAL PACKAGING.

12424 Wilshire Blvd.  
Suite 800  
Los Angeles, CA 90025  
Office: 424-238-7300  
Fax: 424-238-7305



Date: 1/7/14  
Valid Until: 2/5/14  
Quote #: 215Q1EO-EL-PA3060\_COLD  
SPARE\_v5(3YR\_PREMIUM)

Quotation Prepared For:		DZ Solutions Account Executive	
Customer:	City of El Segundo	Name:	Elin Olomu
Contact:	Larry Klingerman	Phone:	424-238-7300 x218
Phone:	310-524-2392	E-Mail:	Elin.Olomu@dzsolutions.com
E-Mail:	lklingerman@elsegundo.org	Cell:	517-974-3779

Comments:
Palo Alto 3060 Firewall - On-Site Cold Spare Unit Config Includes 3 Year Premium Support Coverage

Hardware				
Quantity	Part Number	Description	Unit Price	Ext Price
1	PAN-PA-3060	Palo Alto Networks PA-3060	\$ 31,104.00	\$ 31,104.00
1	PAN-PA-3060-OSS	Palo Alto Networks PA-3060 - On-Site Spare Unit	\$ 12,852.00	\$ 12,852.00
Total				\$ 43,956.00

Software				
Quantity	Part Number	Description	Unit Price	Ext Price
1	PAN-PA-3060-TP-3YR	Palo Alto Networks - Threat Prevention Subscription - 3-Year Prepaid - PA-3060	\$ 14,929.92	\$ 14,929.92
1	PAN-PA-3060-URL-3YR	Palo Alto Networks DB URL Filtering Subscription - 3-Year Prepaid - PA-3060	\$ 14,929.92	\$ 14,929.92
Total				\$ 29,859.84

Hardware Support				
Quantity	Part Number	Description	Unit Price	Ext Price
1	PAN-SVC-PREM-3060-3YR	Palo Alto Networks Premium Support - 3 Year - PA-3060	\$ 13,156.64	\$ 13,156.64
Total				\$ 13,156.64

Installation/Professional Services				
Quantity	Part Number	Description	Unit Price	Ext Price
50	DZ_PROSERV	DZ Solutions Professional Service Hours	\$ 200.00	\$ 10,000.00
50	BKT_DSCT	DZ Solutions Professional Services - Bucket Hours Discount	\$ -25.00	\$ -1,250.00
1	DZ_INSTALL	DZ Solutions Full Install/Config of Palo Alto Firewall Appliances: Total of 38 Hrs 6 Hours - Audit Current Network Routing and Firewall (ASA) Configuration - City of El Segundo (CES) to provide DZ Solutions with full configurations of firewall (ASA) and adjacent network devices (core switches, routers, etc) and/or read-only access to those devices to map out the current network architecture and routing design. - CES to provide DZ all relevant network diagrams - DZ to review relevant device configurations 5 Hours - ASA Security Policies / Translations Report and CES Review/Prune - DZ Solutions to generate report of all security policies and translation (NAT) policies and provide to CES for review. - CES will remove unused or unnecessary policies and provide DZ with final list of policies required for the new Palo Alto deployment. 8 Hours - Palo Alto Configuration - DZ Solutions to create documentation (change request) of final Palo Alto configuration and the proposed method of procedure (MOP) for the maintenance to deploy the new Palo Alto firewalls, including roll-back plan 2 Hours - Configuration Review and Deployment Plan - DZ Solutions to meet with CES to review final planned Palo Alto configuration and discuss the proposed MOP 4 Hours - Palo Alto Firewall Pre-Install Preparation - DZ Solutions to upgrade Palo Alto firewalls to latest stable software and install all licenses - Using information from the network device configuration audit and pruned policies provided by CES. DZ Solutions to pre-configure Palo Alto firewalls	BKT_HRS	BKT_HRS

		<p><b>5 Hours - Deploy Palo Alto Firewall Appliance</b></p> <ul style="list-style-type: none"> <li>- During approved maintenance window, DZ Solutions and CES to cut over network from current ASA to new Palo Alto firewall. DZ to execute against the previously agreed-upon MOP</li> </ul> <p><b>8 Hours - Training / Handoff - 8HR Post Mortem</b></p> <ul style="list-style-type: none"> <li>- CES to provide feedback and any necessary firewall configuration changes to be made</li> <li>- Palo Alto Knowledge Transfer: DZ to discuss the following topics and strategies for feature rollout <ul style="list-style-type: none"> <li>- Threat Prevention (IPS, antivirus, anti-spyware)</li> <li>- URL Filtering</li> <li>- Deployment of application-aware security policies</li> <li>- Viewing logs and report generation</li> </ul> </li> </ul> <p><b>** These hours are based on the assumption that the firewall configuration has 300 or less security and translation policies, 2 VPN tunnels and static routing. We have been informed there is currently no dynamic routing, policy-based routes, IPS or other threat prevention features enabled.</b></p>		
Total				\$ 8,750.00

Hardware	\$ 43,956.00
Software	\$ 29,659.84
HW Support	\$ 13,156.64
SW Support	\$ 0.00
Tax	\$ 3,956.04
Install/PS	\$ 8,750.00
Shipping	\$ 0.00
Total	\$ 99,678.52



Insight Public Sector SLED  
6820 S HARL AVE  
TEMPE AZ 85283-4318  
Tel: 800-467-4448

#### SOLD-TO PARTY

City of El Segundo  
350 MAIN ST  
EL SEGUNDO CA 90245-3813  
USA

#### SHIP-TO ADDRESS

City of El Segundo  
350 MAIN ST  
EL SEGUNDO CA 90245-3813  
USA

### Quotation

<b>Quotation Number</b>	<b>Creation Date</b>
216373146	12-JAN-2015
<b>PO Number</b> :	
<b>PO Release</b> :	
<b>Customer No.</b> :	10086662
<b>Sales Rep</b> :	Christopher Letsinger
<b>Email</b> :	cletsing@insight.com
<b>Telephone</b> :	800-467-4448 X 5820

#### We deliver according to the following terms:

<b>Payment Terms</b>	: Net 30 days
<b>Ship Via</b>	: Insight Assigned Carrier / Ground
<b>Terms of Delivery</b>	: FOB DESTINATION
<b>Currency</b>	: USD

Material	Description	Quantity	Unit Price	Extended Price
NON_STOCK_ITEM	PAN-PA-3060-OSS Palo Alto Networks PA-3060, OnSite Spare unit	1	13,209.75	13,209.75
OPEN MARKET				
PAN-PA-3060	PALO ALTO NETWORKS PA-3060	1	33,372.00	33,372.00
OPEN MARKET				
NON_STOCK_ITEM	PAN-PA-3060-TP-3YR Threat prevention subscription 3-year prepaid, PA-3060	1	16,018.56	16,018.56
OPEN MARKET				



Quotation Number/ Creation Date  
216373146 / 12-JAN-2015

Material	Description	Quantity	Unit Price	Extended Price
NON_STOCK_ITEM	PAN-PA-3060-URL4-3YR PANDB URL Filtering subscription 3-year prepaid, PA-3060	1	16,018.56	16,018.56
OPEN MARKET				
NON_STOCK_ITEM	PAN-SVC-PREM-3060-3YR Premium support 3-year prepaid, PA-3060	1	13,522.87	13,522.87
OPEN MARKET				
Product Subtotal				92,141.74
Tax				3,003.48
Total				95,145.22

Thank you for considering Insight. Please contact us with any questions or for additional information about Insight's complete IT solution offering.

Sincerely,

Christopher Letsinger  
800-467-4448 Ex 5820  
clelsing@insight.com  
Fax: 480-760-8104

Insight Global Finance has a wide variety of flexible financing options and technology refresh solutions. Contact your Insight representative for an innovative approach to maximizing your technology and developing a strategy to manage your financial options.  
Subject to IPS Terms & Conditions online unless purchase is being made pursuant to a separate written agreement in which case the terms and conditions of the separate written agreement shall govern.  
<https://www.ips.insight.com/us/en/terms-conditions/terms-of-sale-products.html>



**AGENDA DESCRIPTION:**

Consideration and possible action to adopt a Resolution approving Plans and Specifications for construction of American with Disabilities Act (ADA) Sidewalk Ramps (CDBG Project). Project No. PW 14-09 (Fiscal Impact: \$53,933.00 in CDBG grant funds)

**RECOMMENDED COUNCIL ACTION:**

1. Adopt the attached resolution approving Plans and Specification for the construction of American with Disabilities Act (ADA) Sidewalk Ramps (CDBG Project).
2. Authorize staff to advertise the project for receipt of construction bids.
3. Alternatively, discuss and take other possible actions related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

Resolution and Location Map

**FISCAL IMPACT:** \$53,933 in anticipated grant funding

**Amount Budgeted:** \$53,933.00  
**Additional Appropriation:** No  
**Account Number(s):** 111-400-2781-8441 (Community Development Block Grant: Capital Projects)

**ORIGINATED BY:** Arianne Bola, Senior Engineer Associate **AB**  
**REVIEWED BY:** Stephanie Katsouleas, Public Works Director **SK**  
**APPROVED BY:** Greg Carpenter, City Manager **GC**

**BACKGROUND AND DISCUSSION:**

Each year, the City of El Segundo applies for Community Development Block Grant (CDBG) funds (federal funds) from the Community Development Commission of the County of Los Angeles (CDC). This funding is available for community development projects that meet national objectives that benefit low and moderate income persons, address slums or blight and/or meet a particular urgent community development need. The City's specific ADA Ramp Installation Project, which consists of installation of new curb ramps at thirteen (13) locations within the City (see attached location map), meets this funding criteria.

As with many federally funded projects, the City will pay for all construction costs and receive reimbursement once the applicable project documents have been approved by CDC administrator. Funding for this year's project is approximately \$53,933. The City has been actively identifying and pursuing grant funding for priority locations, including known routes of disabled citizens and areas which experience high volumes of pedestrian traffic. Last year, the City was able to program CDBG grant funding towards the construction of eleven (11) new

ADA ramps. Once bids are opened and costs known, the City will evaluate whether additional locations can be added to the contract to maximize our installation goals.

Staff therefore recommends that City Council adopt the plans and specifications for the installation of ADA ramps, approve the attached resolution, and authorize the project for receipt of construction bids.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE DESIGN AND PLANS  
FOR THE CONSTRUCTION OF ADA RAMPS (CDBG  
PROJECT) PURSUANT TO GOVERNMENT CODE SECTION  
830.6 AND ESTABLISHING A PROJECT PAYMENT  
ACCOUNT.**

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

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

- A. The City Engineer prepared specifications and plans requesting Construction of ADA Ramps (CDBG Project) (the "Project"). These plans are complete. Bidding for construction of the Project may begin;
- B. The City Council wishes to obtain the immunities set forth in Government Code § 830.6 with regard to the plans and construction of the Project.

**SECTION 2:** Design Immunity; Authorization.

- A. The design and plans for the Project are determined to be consistent with the City's standards and are approved.
- B. The design approval set forth in this Resolution occurred before actual work on the Project construction commenced.
- C. The approval granted by this Resolution conforms with the City's General Plan.
- D. The City Engineer, or designee, is authorized to act on the City's behalf in approving any alterations or modifications of the design and plans approved by this Resolution.
- E. The approval and authorization granted by this Resolution is intended to avail the City of the immunities set forth in Government Code § 830.6.

**SECTION 3:** Project Payment Account. For purposes of the Contract Documents administering the Project, the City Council directs the City Manager, or designee, to establish a fund containing sufficient monies from the current fiscal year budget to pay for the Project ("Project Payment Account") following receipt of construction bids. The Project Payment Account will be the sole source of funds available for the Contract Sum, as defined in the Contract Document administering the Project.

**SECTION 4:** The City Clerk is directed to certify the adoption of this Resolution.

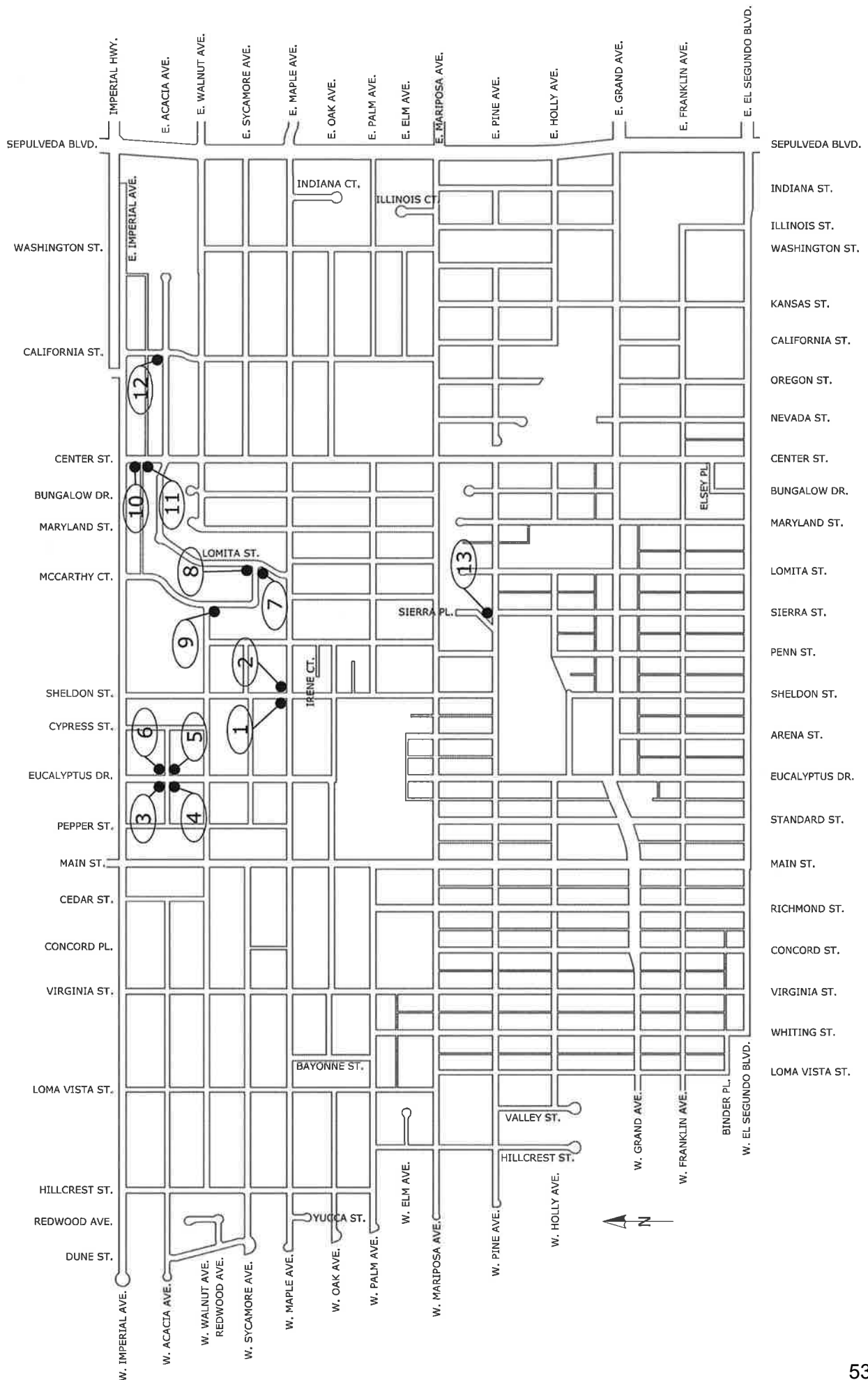
SECTION 5: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this 17<sup>th</sup> day of February, 2015.

\_\_\_\_\_  
Suzanne Fuentes, Mayor

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

By: \_\_\_\_\_  
Karl H. Berger, Assistant City Attorney



**EL SEGUNDO CITY COUNCIL  
AGENDA ITEM STATEMENT**

**MEETING DATE: February 17, 2015  
AGENDA HEADING: Consent Agenda**

**AGENDA DESCRIPTION:**

Consideration and possible action regarding the El Segundo Senior Housing Corporation 2015 Annual Budget for the Park Vista Apartments located at 615 East Holly Street.

(Fiscal Impact: None)

**RECOMMENDED COUNCIL ACTION:**

1. Approve the 2015 Park Vista Budget;
2. Alternatively, discuss and take other action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

1. 2015 Park Vista Budget

**FISCAL IMPACT:** N/A– No General Fund


**Amount Budgeted:** N/A

**Additional Appropriation:** N/A

**Account Number(s):** N/A

**PREPARED BY:** Jesse Bobbett, Recreation Superintendent 

**REVIEWED BY:** Meredith Petit, Director of Recreation and Parks 

**APPROVED BY:** Greg Carpenter, City Manager 

**BACKGROUND & DISCUSSION:**

On Wednesday, January 28, 2015, the El Segundo Senior Housing Corporation Board of Directors approved the 2015 Annual Budget (see summary below) for the Park Vista Apartments located at 615 East Holly Street. The increase in revenues is a result of a 2% rental rate increase effective April 1, 2015. The increases in expenses are primarily due to general building maintenance, insurance, management fees, and utilities. The Plan of Operations of the Senior Housing Board Corporation mandates that the annual budget be approved by City Council before being adopted.

**Operating Budget Annual Comparison**

	<b>2014</b>	<b>2015</b>	<b>Variance</b>	<b>Increase/Decrease</b>
<b>Revenue</b>	\$ 601,548	\$ 613,100	\$ 11,552	1.92 %
<b>Expenses</b>	\$ 386,990	\$ 401,225	\$ 14,235	3.68 %
<b>Loan Payment</b>	\$ 156,000	\$ 156,000	\$ 0	0 %
<b>Net Income</b>	\$ 58,558	\$ 55,875	(\$ 2,684)	(4.58 %)

# Park Vista 2015 Budget Worksheet

	2014 Jan - Sep	2014 Annualized	2014 Budget	2013 Actual	2012 Actual	2015 Budget
<b>Income</b>						
RENT						
Rent Income	436,334.48	581,779.31	578,548.40	571,673.72	569,666.12	590,000.00
Parking Income	13,137.93	17,517.24	18,000.00	17,145.00	17,869.57	18,000.00
Total RENT	449,472.41	599,296.55	596,548.40	588,818.72	587,535.69	608,000.00
Laundry Income	3,161.02	4,214.69	4,500.00	3,906.28	4,169.41	4,500.00
<b>Total Operating Income</b>	<b>452,633.43</b>	<b>603,511.24</b>	<b>601,048.40</b>	<b>592,725.00</b>	<b>591,705.10</b>	<b>612,500.00</b>
<b>Expense</b>						
Fire Service	2,104.76	2,806.35	1,100.00	2,142.36	698.36	3,000.00
Maintenance	39,437.54	52,583.39	80,000.00	57,857.23	68,051.86	70,000.00
Elevator service	5,656.54	7,542.05	4,500.00	8,549.29	4,733.58	8,000.00
Gardening	8,383.90	11,178.53	12,000.00	11,946.00	17,841.38	12,000.00
Management Fees	110,999.97	147,999.96	147,999.96	147,999.96	147,999.96	156,000.00
Security Service	572.76	763.68	0.00	0.00	0.00	0.00
Pest Control	3,129.00	4,172.00	1,200.00	778.00	1,029.80	4,300.00
Insurance - Property	14,852.00	19,802.67	17,000.00	14,852.00	11,645.00	21,000.00
Licenses and Permits	525.00	700.00	570.00	620.00	0.00	700.00
Electricity	14,357.44	19,143.25	19,000.00	16,660.63	15,781.42	22,000.00
Gas	8,322.91	11,097.21	12,000.00	10,472.85	8,960.64	12,000.00
Water	21,368.77	28,491.69	29,000.00	26,457.51	25,010.06	30,000.00
Telephone/Internet	5,565.33	7,420.44	7,000.00	6,561.57	5,807.03	7,700.00
Cable/Television	27,292.89	36,390.52	36,000.00	34,219.81	33,174.00	38,000.00
Stenographer	1,000.00	1,333.33	2,400.00	1,200.00	2,000.00	2,400.00
Office Supplies	1,193.96	1,591.95	4,750.00	2,117.48	4,474.91	1,750.00
Uniforms	1,725.13	2,300.17	2,500.00	2,239.10	1,047.09	2,500.00
Advertising & Promotion	179.82	239.76	1,400.00	0.00	1,321.71	500.00
Entertainment	1,572.74	2,096.99	1,500.00	1,361.65	300.00	2,000.00
Bank Service Fees	72.90	97.20	70.00	70.00	91.00	125.00
Postage	178.73	238.31	0.00	0.00	0.00	250.00
Professional Fees	5,000.00	6,666.67	7,000.00	5,880.00	4,730.00	7,000.00
<b>Total Operating Expense</b>	<b>273,492.09</b>	<b>364,656.12</b>	<b>386,989.96</b>	<b>351,985.44</b>	<b>354,687.80</b>	<b>401,225.00</b>
<b>NOI - Net Operating Income</b>	<b>179,141.34</b>	<b>238,855.12</b>	<b>214,058.44</b>	<b>240,739.56</b>	<b>237,017.30</b>	<b>211,275.00</b>
<b>Other Income &amp; Expense</b>						
Other Income						
Interest on Bank Accounts	506.70	675.60	500.00	1,084.01	1,362.09	600.00
Total Other Income	506.70	675.60	500.00	1,084.01	1,362.09	600.00
Other Expense						
Loan Principle Reduction	117,000.00	156,000.00	156,000.00	156,000.00		156,000.00
Total Other Expense	117,000.00	156,000.00	156,000.00	156,000.00	156,000.00	156,000.00
Net Other Income	-116,493.30	-155,324.40	-155,500.00	-154,915.99	-154,637.91	-155,400.00
Total Income	453,140.13	604,186.84	601,548.40	593,809.01	593,067.19	613,100.00
Total Expense	390,492.09	520,656.12	542,989.96	507,985.44	510,697.80	557,225.00
<b>Net Income</b>	<b>62,648.04</b>	<b>83,530.72</b>	<b>58,558.44</b>	<b>85,823.57</b>	<b>82,369.39</b>	<b>65,875.00</b>

**EL SEGUNDO CITY COUNCIL  
AGENDA ITEM STATEMENT**

**MEETING DATE: February 17, 2015  
AGENDA HEADING: Consent Agenda**

**AGENDA DESCRIPTION:**

Consideration and possible action to authorize the City Manager to execute a 10-year License Agreement in a form approved by the City Attorney with Girl Scouts of Greater Los Angeles to continue utilizing Camp Eucalyptus. (Fiscal Impact: None)

**RECOMMENDED COUNCIL ACTION:**

1. Authorize the City Manager to execute an agreement with Girl Scouts of Greater Los Angeles in a form approved by the City Attorney;
2. Alternatively, discuss and take other action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**


1. Draft License Agreement.


**FISCAL IMPACT:** None


**Amount Budgeted:** N/A

**Additional Appropriation:** N/A

**Account Number(s):** N/A

**ORIGINATED BY:** Jesse Bobbett, Recreation Superintendent 

**REVIEWED BY:** Meredith Petit, Director of Recreation and Parks 

**APPROVED BY:** Greg Carpenter, City Manager 

---

**BACKGROUND & DISCUSSION:**

On May 20, 2014, City Council approved a fee schedule establishing new hourly reservation rates for Recreation and Parks Department facilities including Camp Eucalyptus. The Recreation and Parks Fee Analysis Task Force created and recommended the fee schedule with the understanding that long-standing non-profit organizations such as El Segundo Girl Scouts would be exempt from such charges for facilities they have historically utilized at no cost. The approved fee schedule reservation rate for Camp Eucalyptus was set at \$45 per hour for all other El Segundo Non-Profit Groups.

El Segundo Girl Scouts has partnered with the City of El Segundo to use Camp Eucalyptus as their home since the 1940's. Since that time, the Girl Scouts have offered a low cost program to local female youth which gives them the opportunity to learn various life skills and become leaders in the community. Over the past 70 years, Camp Eucalyptus has seen a number of changes including the construction of a new facility during the 1990's which was done with the input of the Girl Scouts along with various members of the community. The new building allowed the Girl Scouts to remain at the site as the main tenant at no cost and continue assisting with some general upkeep of the facility as needed. Currently, the Girl Scouts use 775 hours of reservation space each year which would cost the group \$34,875 in reservation fees annually. Due to their status as a 501(c) 3 non-profit organization and low registration costs, paying this fee would not be feasible for the program to continue.

City Staff recommends City Council approve the attached license agreement which would allow El Segundo Girl Scouts to continue using Camp Eucalyptus at no cost as they traditionally have for a term of 10 years.



**LICENSE AGREEMENT BETWEEN THE  
CITY OF EL SEGUNDO AND  
GIRL SCOUTS OF GREATER LOS ANGELES**

THIS LICENSE is made and executed this 18<sup>th</sup> day of February, 2015, between the CITY OF EL SEGUNDO, a municipal corporation ("CITY"), and GIRL SCOUTS OF GREATER LOS ANGELES, a California non-profit corporation ("LICENSEE").

1. **LICENSE; DESCRIPTION OF PROPERTY.** CITY licenses LICENSEE to use, on the terms and conditions in this License, real property located at Camp Eucalyptus located at 641 California Street ("Property"). CITY's action is not, and should not be construed to be, a conveyance of a property interest or a lease; it is a license to use property only.

2. **USE OF PROPERTY.**

- A. LICENSEE may temporarily use the Property for the purpose of Girl Scouts activities and programs.
- B. CITY may change, amend, or terminate LICENSEE's use of Property at any time, and in its sole discretion, verbally or in writing.

3. **TERM.** Except as provided in Section 4, the term of this license will begin on February 18, 2015 and end on September 30, 2025. Upon mutual written agreement between the parties, this License may be renewed for additional time.

4. **TERMINATION.**

- A. As stated above, CITY may terminate this License at any time with or without cause, upon written or verbal notification. Termination will be effective upon notification, unless CITY specifies otherwise.
- B. LICENSEE may terminate this License at any time in writing at least five (5) days before the effective termination date.
- C. By executing this document, LICENSEE waives any and all claims for damages that might otherwise arise from CITY's termination under this Section.
- D. Upon termination, LICENSEE will remove all personal property and improvements from Property within two (2) days. Property will be left in a clean and orderly fashion.

5. **COMPENSATION.** In exchange for the use of the facilities at Property, CITY agrees for LICENSEE not to pay any amount for the term of this License.

6. **CONDEMNATION.** If all or part of Property is acquired by eminent domain or purchase in lieu thereof, LICENSEE acknowledges that it will have no claim to any compensation awarded for the taking of Property or any portion thereof or for loss of or damage to LICENSEE's improvements.

7. **RELOCATION BENEFITS.** LICENSEE acknowledges that it has been informed that CITY is a public entity and that Property was previously acquired by CITY for a public purpose. LICENSEE further acknowledges that any rights acquired under this License arose after the date of acquisition of Property and that said rights are subject to termination when Property is needed by CITY. LICENSEE hereby acknowledges that at the time of said termination of this License by CITY, it will not be a "displaced person" entitled to any of the relocation assistance or benefits offered to displaced persons under State or Federal law.

8. **ALTERATIONS.** LICENSEE will not make, or cause to be made, any alterations to Property, or any part thereof, without CITY's prior written consent.

9. **HAZARDOUS/TOXIC WASTE.** CITY has not, nor, to CITY's knowledge, has any third party used, generated, stored or disposed of, or permitted the use, generation, storage or disposal of, any Hazardous Material (as defined below) on, under, about or within Property in violation of any law or regulation. LICENSEE agrees that it will not use, generate, store or dispose of any Hazardous Material (as defined below) on, under, about or within Property in violation of any law or regulation. LICENSEE agrees to defend and indemnify CITY, to the extent stated in Section 12, against any and all losses, liabilities, claims or costs arising from any breach of any warranty or agreement contained in this Section. As used in this Section, "Hazardous Material" means any substance, chemical or waste that is identified as hazardous, toxic or dangerous in any applicable federal, state or local law or regulation (including petroleum and asbestos).

10. **SIGNS.** LICENSEE will not place any sign upon Property without CITY's prior written consent. LICENSEE will pay for all costs of any approved signage and comply with all applicable sign codes and ordinances.

11. **ASSIGNMENT.** LICENSEE will not be permitted to assign this License or any interest therein.

12. **INDEMNIFICATION.**

- A. **LICENSEE will hold CITY harmless and free from any and all liability arising out of this License, or its performance, except for such loss or damage arising from CITY's sole negligence or willful misconduct. Should CITY be named in any suit, or should any claim be against it, by suit or otherwise, whether the same be groundless or not, arising out of this License, or its performance, pursuant to this License, LICENSEE will defend CITY (at CITY's request and with counsel satisfactory to CITY) and will indemnify it for any judgment rendered against it or any sums paid out in settlement or**

**otherwise.**

- B. For purposes of this section "CITY" includes CITY's officers, officials, employees, agents, representatives, and certified volunteers.
- C. LICENSEE expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as is permitted by the law of the State of California and that if any portion is held invalid, it is agreed that the balance will, notwithstanding, continue in full legal force and effect.
- D. It is expressly understood and agreed that the foregoing provisions will survive termination of this License.
- E. The requirements as to the types and limits of insurance coverage to be maintained by LICENSEE as required by Section 13 below, and any approval of said insurance by CITY, are not intended to and will not in any manner limit or qualify the liabilities and obligations otherwise assumed by LICENSEE pursuant to this License, including but not limited to the provisions concerning indemnification.

### **13. INSURANCE.**

- A. Before commencing performance under this License, and at all other times this License is effective, LICENSEE will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

<u>Type of Insurance</u>	<u>Limits (combined single)</u>
Commercial general liability:	\$2,000,000
Business automobile liability:	\$1,000,000
Workers compensation	Statutory limits

- B. Commercial general liability insurance will meet or exceed the requirements of the most current ISO Forms. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies must be endorsed to name CITY, its officials, and employees as "additional insureds" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CITY will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable except upon thirty (30) days prior written notice to CITY except for nonpayment of premiums which may be cancelable upon ten (10) day notice.

- C. LICENSEE will furnish to CITY duly authenticated Certificates of Insurance and Endorsements evidencing maintenance of the insurance required under this License and such other evidence of insurance or copies of policies as may be reasonably required by CITY from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage. CONTRACTOR will require its insurer to modify such certificates to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions.
- D. Should LICENSEE, for any reason, fail to obtain and maintain the insurance required by this License, CITY may obtain such coverage at LICENSEE's expense and charge the cost of such insurance to LICENSEE under this License or terminate pursuant to Section 4.

**14. COMPLIANCE WITH LAW.** LICENSEE will, at its sole cost and expense, comply with all of the requirements of all federal, state, and local authorities now in force, or which may hereafter be in force, pertaining to Property and will faithfully observe in the use of Property all applicable laws. The judgment of any court of competent jurisdiction, or the admission of LICENSEE in any action or proceeding against LICENSEE, whether CITY be a party thereto or not, that LICENSEE has violated any such ordinance or statute in the use of Property will be conclusive of that fact as between CITY and LICENSEE.

**15. BREACH OF AGREEMENT.** The violation of any of the provisions of this License will constitute a breach of this License by LICENSEE, and in such event said License will automatically cease and terminate.

**16. WAIVER OF BREACH.** Any express or implied waiver of a breach of any term of this License will not constitute a waiver of any further breach of the same or other term of this License.

**17. ENTRY BY CITY AND PUBLIC.** This License does not convey any property interest to LICENSEE. Except for areas restricted because of safety concerns, CITY and the general public will have unrestricted access upon Property for all lawful acts.

**18. INSOLVENCY; RECEIVER.** Either the appointment of a receiver to take possession of all or substantially all of the assets of LICENSEE, or a general assignment by the LICENSEE for the benefit of creditors, or any action taken or offered by LICENSEE under any insolvency or bankruptcy action, will constitute a breach of this License by LICENSEE, and in such event said License will automatically cease and terminate.

**19. NOTICES.** Except as otherwise expressly provided by law, all notices or other communications required or permitted by this License or by law to be served on or given to

either party to this License by the other party will be in writing and will be deemed served when personally delivered to the party to whom they are directed, or in lieu of the personal service, upon deposit in the United States Mail, certified or registered mail, return receipt requested, postage prepaid, addressed to LICENSEE at:

**GIRL SCOUTS OF GREATER LOS ANGELES**  
Attn: Naomi McElvain  
801 S. Grand Avenue, Suite 300 and 325  
Los Angeles, CA. 90017

or to CITY at:

Department of Recreation & Parks  
Attn. Jesse Bobbett  
350 Main Street  
El Segundo, CA 90245

Either party may change its address for the purpose of this Section by giving written notice of the change to the other party.

**20. ACCEPTANCE OF FACSIMILE SIGNATURES.** The Parties agree that agreements ancillary to this License and related documents to be entered into in connection with this License will be considered signed when the signature of a party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

**21. GOVERNING LAW.** This License 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 License will be in Los Angeles County.

**22. PARTIAL INVALIDITY.** Should any provision of this License be held by a court of competent jurisdiction to be either invalid or unenforceable, the remaining provisions of this License will remain in effect, unimpaired by the holding.

**23. ENTIRE AGREEMENT.** This instrument and its Attachments constitute the sole agreement between CITY and LICENSEE respecting Property, the use of Property by LICENSEE, and the specified License term, and correctly sets forth the obligations of CITY and LICENSEE. Any agreement or representations respecting Property or its licensing by CITY to LICENSEE not expressly set forth in this instrument are void.

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

25. **AUTHORITY/MODIFICATION.** The Parties represent and warrant that all necessary action has been taken by the Parties to authorize the undersigned to execute this License and to engage in the actions described herein. This License may be modified by written agreement. CITY’s city manager, or designee, may execute any such amendment on behalf of CITY.

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

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

CITY OF EL SEGUNDO

\_\_\_\_\_  
Greg Carpenter,  
City Manager

\_\_\_\_\_  
  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Tracy Weaver,  
City Clerk

Taxpayer ID No. \_\_\_\_\_

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

By: \_\_\_\_\_  
David H. King, Deputy City Attorney

## **Exhibit A**

### **Scope of Services**

CITY agrees that LICENSEE will provide the following services at City's Camp Eucalyptus located at 641 California Street:

1. Certified and/or trained staff to operate Girl Scouts activities and programs.

**AGENDA DESCRIPTION:**

Consideration and possible action regarding 1) Approval of staff's recommendation to provide affordable health coverage to staff as mandated by the Affordable Care Act (ACA); and 2) Adoption of a Resolution establishing the monthly health contribution for unrepresented hourly employees considered full-time under the Affordable Care Act. Fiscal Impact: \$36,960 annually

**RECOMMENDED COUNCIL ACTION:**




1. Approve affordable coverage for unrepresented hourly employees defined as "full-time" under the Affordable Care Act
2. Adopt the month health contribution for unrepresented hourly employees.
3. Alternatively, discuss and take other action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

1. Resolution establishing the monthly health contribution for unrepresented hourly employees defined by the Affordable Care Act.

**FISCAL IMPACT:**

**Amount Budgeted:** \$ N/A  
**Additional Appropriation:** \$36,960  
**Account Number(s):** Salary and Benefit departmental budgets for employees electing coverage

**ORIGINATED BY:** Lisa Jenkins, Senior Human Resources Analyst   
**REVIEWED BY:** Martha A. Dijkstra  Director of Human Resources  
**APPROVED BY:** Greg Carpenter, City Manager 

---

**BACKGROUND AND DISCUSSION:**

Effective January 1, 2015, the Affordable Care Act (ACA) requires employers with 100 or more employees to offer affordable, minimum essential health insurance coverage to employees who meet the definition of a "full-time" employee. Under the Act, a full-time employee is someone who works an average of 30 hours a week during the designated measurement period. Under the Act, employers may be subject to penalties 1) for not offering minimum essential coverage to at least 70% of the eligible employees (known as Penalty A) and/or 2) for not offering affordable coverage (known as Penalty B).

The City currently offers health insurance to all full-time employees and permanent part-time employees covered by a bargaining unit. Health Benefits are provided through CalPERS under the Public Employees' Hospital and Medical Care Act (PEHMCA), and the City must follow applicable provisions of the PEMHCA in the administering health benefits.



The City will not be subject to Penalty A as the City provides minimum essential coverage (MEC) to substantially all employees. All health plans offered through CalPERS meet the Act's minimum essential requirements and the City offers coverage to substantially all eligible employees with the exception of the newly eligible ten (10) employees. Therefore, the City meets the 70% threshold. The 70% threshold is a form of transitional relief that will increase to 95% in 2016.

The recommended contribution to health benefits for the hourly unrepresented employees classified as full-time under the ACA addresses Penalty B. Penalty B is assessed if any of the ten (10) newly eligible employees is not offered health insurance and as a result, goes to California's Healthcare Exchange (also known as Covered California or "the Exchange") to purchase insurance. The penalty assessed is per individual employee in the monthly amount of \$260 for 2015 (\$3,120 per employee annually).

In order to comply with the ACA, Staff began tracking and monitoring work hours for the hourly, unrepresented part-time population in order to determine which employees worked an average of 30 hours a week from 10/5/13-10/3/14 (the City's designated measurement period for determining eligibility for health insurance coverage in 2015). Records show a total of ten (10) hourly, part-time employees met this threshold (or were hired into a position approved to work 30 hours per more/week) and are eligible to be offered health insurance coverage. Therefore, Staff conducted an analysis of the affordability calculation for each employee in order to determine a contribution that would satisfy the affordability coverage for all hourly unrepresented employees qualifying for coverage under the ACA. The City utilized a "rate of pay safe harbor" for calculating affordability for employees designated as full-time under the ACA. In order for coverage to be affordable under this designated safe harbor, the cost for employees cannot exceed 9.5% of their average rate of pay. Although the City is obligated to offer coverage to the employee and eligible dependents under the ACA, the affordability calculation is based upon the cost of the least expensive self-only plan (\$430.71/month for Calendar Year 2015 based upon available CalPERS plans). Under PEMHCA rules, the City must provide the same contribution to all employees in the same group or class of employees, so the City does not have the ability to pay premiums for employees based upon an individual affordability calculation. As stated above, offering a monthly health contribution that does not provide affordable coverage to all City employees would subject the City to the potential penalty of \$260/month for each employee seeking coverage from the Exchange.

The following provides a listing of employees (listed by position title) eligible for coverage under the ACA:

**Maximum exposure calculation for unrepresented hourly employees meeting the definition of Full-Time under the Affordable Care Act (10/05/13 - 10/03/14)**

Position Title	Average Weekly Hours	Calculated Rate of Pay (Monthly = Hourly Rate x 130)	Maximum employee can pay for affordable coverage (9.5% of rate of pay)	Lowest Monthly Plan Cost 2015	City Cost for "affordable" coverage per employee	Cost of making coverage affordable (\$280/mo.)	Possible Penalty for not providing affordable coverage (\$260/mo.)
Water/Wastewater Worker	40.59	3086.20	293.19	430.71	137.52	<b>\$3,360</b>	\$3,120
Recreation Leader	39.37	2516.80	239.10	430.71	191.61	<b>\$3,360</b>	\$3,120
Recreation Leader	37.15	2070.90	196.74	430.71	233.97	<b>\$3,360</b>	\$3,120
Recreation Leader	36.31	2397.20	227.73	430.71	202.98	<b>\$3,360</b>	\$3,120

Police Assistant I	36.06	2680.60	254.66	430.71	176.05	<b>\$3,360</b>	\$3,120
Recreation Leader	35.49	2070.90	196.74	430.71	233.97	<b>\$3,360</b>	\$3,120
Recreation Leader	34.70	1618.50	153.76	430.71	276.95	<b>\$3,360</b>	\$3,120
Park Maintenance Worker	31.06	2984.80	283.56	430.71	147.15	<b>\$3,360</b>	\$3,120
Recreation Leader	30.53	2516.80	239.10	430.71	191.61	<b>\$3,360</b>	\$3,120
Administrative Specialist	30.30	3296.80	313.20	430.71	117.51	<b>\$3,360</b>	\$3,120
Park Maintenance Worker	approved for 30 hr./week position	2707.90	257.25	430.71	173.46	<b>\$3,360</b>	\$3,120
<b>Total (Maximum Exposure):</b>						<b>\$36,960</b>	\$34,320

Contributing a monthly amount of \$280 will satisfy the affordability requirement for all existing unrepresented hourly employees. Employees qualifying for coverage under the ACA will be responsible for paying the remainder of their monthly premiums for themselves and qualifying dependents they choose to enroll in a health plan. The cost associated with this contribution is comparable to paying the \$260 monthly penalty should employees purchase insurance through the Exchange.

## FISCAL IMPACT

The ACA requires only that employees be *offered* coverage, and the fiscal impact associated with offering coverage will be fully dependent upon the number of employees who accept health insurance through the City and the City's designated contribution. Therefore, the fiscal impact information is based upon a maximum exposure calculation, and the actual cost to the City will be dependent upon the number of employees who select the offered coverage. Based upon 10 qualifying employees at \$3,360 per year (\$280/month), the maximum fiscal impact is estimated at \$36,960 annually.

## RECOMMENDATION

Staff recommends the City offer a monthly medical contribution in the amount of \$280/month to all ten (10) employees to make insurance affordable, consistent with the intent of the law. In order to implement this contribution through CalPERS, Staff is also recommending the approval of the attached Health Resolution for unrepresented hourly employees.

**RESOLUTION ELECTING TO BE SUBJECT TO PUBLIC  
EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AND  
FIXING THE EMPLOYER'S CONTRIBUTION AT AN AMOUNT  
EQUAL TO OR GREATER THAN THAT PRESCRIBED  
BY GOVERNMENT CODE SECTION 22892(b)**

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

- WHEREAS, (1) Government Code Section 22922(a) provides the benefits of the Public Employees' Medical and Hospital Care Act to employees and annuitants of local agencies contracting with the Public Employees' Retirement System on proper application by a local agency; and
- WHEREAS, (2) Section 22892(a) of the Act provides that a local contracting agency shall fix the amount of the employer's contribution; and
- WHEREAS, (3) City of El Segundo hereinafter referred to as Public Agency, is a local agency contracting with the Public Employees' Retirement System; and
- WHEREAS, (4) The Public Agency desires to obtain for the members of **Unrepresented Hourly Employee Group** who are employees and annuitants of the agency, the benefit of the Act and to accept the liabilities and obligations of an employer under the Act and Regulations; now, therefore, be it
- RESOLVED, (a) That the Public Agency elects, and it does hereby elect, to be subject to the provisions of the Act; and be it further
- RESOLVED, (b) That the employer's contribution for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan or plans up to a maximum of \$280.00 dollars per month, plus administrative fees and Contingency Reserve Fund assessments; and be it further
- RESOLVED, (c) That City of El Segundo has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above; and be it further
- RESOLVED, (d) That the participation of the employees and annuitants of the City of El Segundo shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that the City of El Segundo would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.

RESOLVED, (e) That the executive body appoint and direct, and it does hereby appoint and direct, the City Clerk to file with the Board of Administration of the Public Employees' Retirement System a verified copy of this Resolution, and to perform on behalf of said Public Agency all functions required of it under the Act and Regulations of the Board of Administration; and be it further

RESOLVED, (f) That coverage under the Act be effective on April 1, 2015.

PASSED, APPROVED AND ADOPTED this 17th day of February, 2015.

---

Suzanne Fuentes  
Mayor

**EL SEGUNDO CITY COUNCIL  
AGENDA STATEMENT**

**MEETING DATE: February 17, 2015  
AGENDA HEADING: Consent**

**AGENDA DESCRIPTION:**

Consideration and possible action to extend the Encore subscription rate after the first year for an additional four years (five years total) to enhance the existing Library's Circulation and Online Catalog System, Millennium, and the recently approved upgrade to the Sierra version from Innovative Interfaces, Inc. (Fiscal Impact: \$59,973 over four years)

**RECOMMENDED COUNCIL ACTION:**

1) Authorize the City Manager to enter into an amendment to a contract with Innovative Interfaces, Inc. in a form approved by the City Attorney; 2) Alternatively, discuss and take other possible action related to this item.

**FISCAL IMPACT:**

**Amount Budgeted:** \$59,973  
**Account Number(s):** 001-400-2505-6217; 601-400-6101-8108

**ORIGINATED BY:** Debra Brighton, Director of Library Services   
**REVIEWED BY:** Larry Klingaman, Information Services Manager  
**APPROVED BY:** Greg Carpenter, City Manager 

**BACKGROUND AND DISCUSSION:**

At the City Council meeting on December 16, 2014, Council approved a contract with Innovative Interfaces, Inc., to install and maintain the migration from the Library's Millennium System to Sierra System, and a subscription to Encore for access to enhanced technologies. The first year of the Encore subscription services was estimated to be approximately \$14,000, which was part of the total \$46,000 total contract amount approved by the City Council.

Since the Council's approval of the contract, staff has actively negotiated the contract with Innovative representatives. During negotiations, Innovative advised City staff the price of the Encore subscription depends on the City approving a 5-year amendment to the contract. The yearly costs of the subscription services are below.

Year	Contract	Market	Savings	
1	\$ 16,523	\$ 16,523	-	(Already Approved)
2	\$ 14,086	\$ 17,349	\$ 3,263	
3	\$ 14,674	\$ 18,217	\$ 3,543	
4	\$ 15,287	\$ 19,127	\$ 3,840	
5	\$ 15,926	\$ 20,084	\$ 4,158	
			\$ 14,804	

If the City approves the “Contract” prices listed above for Years 2 through 5 (*i.e.*, for a total of \$59,973 over four years), the subscription services will be “locked in”. If the City does not approve an amendment to the contract approving these prices, then the yearly prices for the subscription service could increase by 5%, as reflected in the “Market” column above. The “Savings” column above reflects the amount of money the City will save if it approves Encore subscription services for Years 2 through 5 now (*i.e.*, \$14,800 over the term of the agreement).

Staff recommends extending the Encore subscription rate after the first year for an additional four years (five years total) to enhance the existing Library’s Circulation and Online Catalog System, Millennium, and the recently approved upgrade to the Sierra version from Innovative Interfaces, Inc. (Fiscal Impact: \$59,973 over four years)

**EL SEGUNDO PLANNING COMMISSION  
AGENDA ITEM STATEMENT**

**MEETING DATE:** February 17, 2015  
**AGENDA HEADING:** Consent Agenda

---

**AGENDA DESCRIPTION:**

Consideration and potential action regarding adopting Ordinance No. 1504 to amend El Segundo Municipal Code Chapter 4-10 and ESMC §§ 15-5F-2 and 15-5F-5 concerning regulation of massage establishments within the City of El Segundo. Applicant: City of El Segundo (Fiscal Impact: None)

**RECOMMENDED ACTION:**

1. Waive second reading and adopt Ordinance No 1504; and/or
2. Alternatively, discuss and take other possible action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

1. Ordinance No. 1504.

**FISCAL IMPACT:** None

**Amount Budgeted:** N/A

**Additional Appropriation:** N/A

**Account Number(s):** N/A

**ORIGINATED BY:** Kimberly Christensen, AICP, Planning Manager

**REVIEWED BY:** Sam Lee, Director of Planning and Building Safety

**APPROVED BY:** Greg Carpenter, City Manager

---

**BACKGROUND & DISCUSSION:**

**I. Background and Discussion**

On February 3, 2015, the City Council introduced an Ordinance to amend El Segundo Municipal Code Chapter 4-10 and ESMC §§ 15-5F-2 and 15-5F-5 concerning regulation of massage establishments within the City of El Segundo. If adopted, Ordinance No.1504 will become effective in 30 days.

P:\Planning & Building Safety\0 Planning - Old\PROJECTS (Planning)\1101-1125\1101-Massage Ordinance\EA 1101 - CC Staff Report 2nd Reading.doc

## ORDINANCE NO. 1504

### AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE CHAPTER 4-10 AND §§ 15-5F-2 AND 15-5F-5 REGULATING MASSAGE ESTABLISHMENTS WITHIN THE CITY OF EL SEGUNDO.

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

#### SECTION 1: Findings. The City Council finds as follows:

- A. The City currently regulates the practice of massage and the operation of massage establishments for the benefit of the public health, safety and welfare.
- B. Business and Professions Code §§ 4600, *et seq.* (enacted by SB 731 in 2008 and amended by AB 619 in 2011) created a statewide system for issuing massage worker permits, preempting local permitting systems and requirements. The statewide permitting system is administered by the California Massage Therapy Council or "CAMTC."
- C. Assembly Bill 1147 (enacted in 2014 and effective January 1, 2015) amended Business and Professions Code §§ 460 and 4600.5 and Government Code § 51034 to return land use authority over massage establishments to cities.
- D. On December 22, 2014, the City of El Segundo initiated an application for Environmental Assessment No. EA-1101 and Zone Text Amendment No. ZTA14-04 to amend the ESMC regulating massage establishments within the City of El Segundo.
- E. 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 El Segundo Municipal Code ("ESMC").
- F. The City reviewed the project's environmental impacts under the California Environmental Quality Act (California Public Resource 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).
- G. The Planning and Building Safety Department completed its review and scheduled the public hearing regarding the application before the Planning Commission for January 8, 2015.
- H. On January 8, 2015, the Planning Commission held a public hearing to



receive public testimony and other evidence regarding this Ordinance, including, without limitation, information provided to the Planning Commission by City staff and public testimony.

- I. On January 8, 2015, the Planning Commission adopted Resolution No. 2766 recommending the City Council approve Environmental Assessment No. EA-1101 and Zone Text Amendment No. ZTA 14-04.
- J. The City Council desires to amend the ESMC to reestablish the City's land use authority and to regulate massage establishments to the fullest extent allowed under state law.
- K. 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 February 3, 2015, hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Environmental Assessment. The proposed Zone Text Amendment is exempt from further review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures to permit operation of existing facilities; consists only of minor revisions and clarifications to existing regulations and specification of procedures related thereto; and consists of actions taken to assure the maintenance, protection and enhancement of the environment. This ordinance, therefore, does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt from further CEQA review under 14 Cal. Code Regs. §§ 15301, 15305, and 15308.

SECTION 3: General Plan Findings. As required under Government Code § 65860, the ESMC amendments proposed by the Ordinance are consistent with the El Segundo General Plan as follows:

- A. The proposed zone text amendment conforms with Land Use Element Goal LU4 in that the amendment will help provide a stable tax base for the City by providing a clear regulatory framework for massage uses and permit their operation in a manner similar to other personal service uses.
- B. The proposed zone text amendment is also consistent with Economic Development Element Goal ED1 in that the amendment will help create in El Segundo a strong, healthy economic community in which all diverse stakeholders may benefit.

SECTION 4: Zone Text Amendment Findings. In accordance with ESMC § 15-26-4,

the proposed Zone Text Amendment is consistent with the goals, policies, and objectives of the General Plan as follows:

- A. It is consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources.
- B. It is necessary to comply with Business and Professions Code §§ 4600, *et seq.*, to provide a clear regulatory framework for massage uses and permit their operation in a manner similar to other personal service uses consistent with state regulations.

**SECTION 5:** ESMC § 15-5F-2 is amended to read as follows:

**"15-5F-2: PERMITTED USES:**

The following uses are permitted in the MU-S zone:

- A. Business service establishments such as electronic computer facilities and addressing services.
- B. Engineering, industrial design, consultation and other offices.
- C. Financial institutions.
- D. General offices of commercial, financial or industrial establishments.
- E. Hotels and motels.
- ~~F. Massage establishments that meet the requirements of title 4, chapter 10 of this code, in addition to all other requirements imposed by law.~~
- ~~G~~F. Medical-dental offices or facilities.
- ~~H~~G. Motion picture/television production facilities (excluding outdoor facilities).
- ~~I~~H. Restaurants and cafes.
- ~~J~~I. Retail (excluding off site alcohol sales) and wholesale sales and service.
- ~~K~~J. Scientific research and experimental development laboratories.
- L. K. Other similar uses approved by the director of planning and building safety, as provided by chapter 22 of this title."

**SECTION 6:** ESMC § 15-5F-5 is amended to read as follows:

**"15-5F-5: USES SUBJECT TO CONDITIONAL USE PERMIT:**

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

- A. Assembly halls.
- B. Catering services and flight kitchens.
- C. Drive-through restaurants.
- D. Freight forwarding.
- E. Helicopter landing facilities subject to the provisions of section 15-2-13 of this title.
- F. Hospitals.

**FG. Massage establishments that meet the requirements of chapter 4-10 of this code, in addition to all other requirements imposed by law.**

**GH.** Motion picture/television production facilities (outdoor facilities only).

**HI.** On site sale and consumption of alcohol at bars.

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

**JK.** Parking facilities, including park and ride lots.

**KL.** Recreational facilities (public and commercial).

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

**MN.** Video arcades with four (4) or more video or arcade machines.

**NO.** Other similar uses approved by the director of planning and building safety, as provided by chapter 22 of this title."

**SECTION 7:** ESMC § 4-10-1 is amended to read as follows:

**“4-10-1: PURPOSE:**

- A. This chapter establishes new permitting standards intended to comply with California law and establish zoning, business licensing, and health and safety guidelines for massage establishments.
- B. This chapter is not intended to be exclusive and compliance will not excuse noncompliance with any state or local laws or regulations that are uniformly applied to other professional or personal services businesses including, without limitation, all zoning applications; business license regulations; building, fire, electrical, and plumbing codes; and health and safety code laws and regulations applicable to professional or personal services businesses.
- C. This chapter establishes a local regulatory system that allows only state certified massage therapists and massage practitioners to operate within the City. This chapter is also intended to allow a ~~transitional period for certain existing massage practitioners to continue practicing while they obtain state certification before December 31, 2012, and to coordinate the timing of the City's business license renewals with the state massage certification process.~~ the City to exercise broad control over land use in regulating massage establishments and to impose and enforce reasonable and necessary fees and regulations, in keeping with the requirements of existing law, while being mindful of the need to protect legitimate business owners and massage professionals.”

**SECTION 8:** ESMC § 4-10-2 is amended to read as follows:

**“4-10-2: DEFINITIONS:**

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter. Words and phrases not defined by this chapter have the meaning set forth elsewhere in this Code, the Business and Professions Code, or Government Code.

“California Massage Therapy Council (CAMTC)” means the California Massage Therapy Council created pursuant to Business and Professions Code § 4500.5(a).

"Certified Massage Practitioner" means a person who is currently certified as a massage practitioner by the CAMTC, and who administers massage for compensation.

"Certified Massage Therapist" means a person who is currently certified as a massage therapist by the CAMTC, and who administers massage for compensation.

"City" means the City of El Segundo.

"Director" means the planning manager or such other ~~director~~ person designated by the city manager.

"Massage" means any method of pressure on, or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating the external parts of the human body with the hands or with the aid of any mechanical or electrical apparatus, or other appliances or devices, with or without such supplementary aids as rubbing alcohol, liniment, antiseptic, oil, powder, cream, lotion, ointment or other similar preparations.

"Massage Establishment" means and includes any massage establishment, parlor, or any room, place or institution where massage is given or administered by a massage technician as the primary service of the business establishment.

"Massage Technician" means any person, who gives, performs or administers to another person a massage for any form of consideration.

"Person" means and includes person(s), firms, corporations, partnerships, associations or other forms of business organization or group.

"Specified anatomical areas" means and includes any of the following human anatomical areas: genitals, pubic regions, anuses or female breasts below a point immediately above the top of the areola.

"Specified sexual activities" means and includes all of the following:

- A. Fondling or other erotic touching of specified anatomical areas;
- B. Sex acts including, without limitation, intercourse, oral copulation, or sodomy;
- C. Masturbation; or
- D. Excretory functions as part of or in connection with any specified sexual activity listed in this definition."

SECTION 9: ESMC Chapter 4-10 is amended by adding a new § 4-10-5 to read as follows:

**“4-10-5: PERMIT REQUIRED:**

**Every person conducting, managing, operating, owning or in control of a massage establishment or any other place that is open to the public or is a private club, where facial massages, fomentations, massages, electric or magnetic treatments, or alcohol rubs are administered or given, or any public bathing place, which has in connection therewith a steam room, dry or hot room plunge, swimming pool, shower, bath, or sleeping accommodations, must obtain a conditional use permit. A conditional use permit issued pursuant to this section must include, as a condition of approval, a requirement that the permittee notify the City of any change in ownership.”**

SECTION 10: ESMC Chapter 4-10 is amended by adding a new § 4-10-6 to read as follows:

**“4-10-6: BUSINESS LICENSE REQUIRED:**

**Before operating any massage establishment or becoming engaged in the occupation of a massage practitioner or massage technician, the individual proposing to conduct the business must obtain the required business license to do so and, in addition, unless otherwise specified, is subject to each and all of the terms, conditions and provisions of this chapter. A business license is not transferable.”**

SECTION 11: ESMC Chapter 4-10 is amended by renumbering existing §§ 4-10-5 through 4-10-12 as follows:

- § 4-10-5 is renumbered as § 4-10-7.
- § 4-10-6 is renumbered as § 4-10-8.
- § 4-10-7 is renumbered as § 4-10-9.
- § 4-10-8 is renumbered as § 4-10-10.
- § 4-10-9 is renumbered as § 4-10-11.
- § 4-10-10 is renumbered as § 4-10-12.
- § 4-10-11 is renumbered as § 4-10-13.
- § 4-10-12 is renumbered as § 4-10-14.

SECTION 12: Existing § 4-10-13 is renumbered as § 4-10-15 and is amended to read as follows:

**“4-10-1315: REVOCATION:**

A. Grounds for Revocation. The Director or City Attorney may revoke approvals issued under this chapter for one or more of the following grounds:

1. Fraud or Deceit. That the applicant practiced fraud or deceit in obtaining an approval under this chapter;
2. Violation of Chapter. That the massage establishment owner, operator, massage technician, or its employee, agent, independent contractor or other representative violated a provision or provisions of this chapter;
3. Criminal Conviction. That the massage establishment owner, operator, massage technician, or its employee, agent, independent contractor or other representative has been convicted in a court of competent jurisdiction of any offense described in this chapter;
4. Improperly Maintained Facilities. That the facilities and operations of the massage establishment are not kept in compliance with this chapter, and that the owner or operator has failed to promptly remedy any deficiency of which they have been notified. For purposes of this subsection, "notice" means notice given personally or by leaving notice at the massage establishment premises, or by first class mail, postage prepaid, to the address designated by the massage technician or establishment in accordance with this chapter;
5. Employment of Uncertified Technicians. That the massage establishment has employed, allowed or permitted an uncertified person to perform massage in the massage establishment;
6. Error. That the approval was issued in error;
7. Civil Penalties. Assessment of three or more civil penalties as provided by this chapter during any six month period; or
8. Prohibited Conduct. A massage establishment owner, operator, massage technician, or its employee, ~~or agent,~~ independent contractor or other representative has been found to have engaged in prohibited conduct in violation of this chapter.

B. Notice of Revocation. Upon a determination on the grounds to revoke an approval under this chapter, the Director or City Attorney must cause a notice of revocation to be mailed by first class, postage

prepaid mail, to the address designated by the massage technician or establishment pursuant to this chapter.

**C. Suspension or Revocation of Conditional Use Permit. A conditional use permit issued to a massage establishment may be suspended or revoked pursuant to Chapter 15-23 of this code."**

**SECTION 13:** Existing § 4-10-14 is renumbered as § 4-10-16.

**SECTION 14:** Existing § 4-10-15 is renumbered as § 4-10-17 and is amended to read as follows:

**"4-10-1517 APPEAL:**

Any person denied an approval under this chapter or a massage establishment owner or operator whose approval has been revoked may appeal the denial or revocation in writing pursuant to the appeal procedures provided in by section 1-2A-15 *et seq.* of this code. Such appeal must be in writing and must be filed with the City Clerk not more than fifteen (15) days following the Director's deposit into the mail of the notice of denial or revocation sent to the applicant or massage establishment owner or operator to the address listed by the applicant or massage establishment owner or operator pursuant to this chapter. Any successful appeal will result in approval or reinstatement of an approval and refund of any fines collected by the City. **Notwithstanding the foregoing, any appeal of a suspension or revocation of a conditional use permit issued to a massage establishment must comply with Chapter 15-23 of this code."**

**SECTION 15: 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 16: Enforceability.** Repeal of any provision of the ESMC 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 17: 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 18: Severability. 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 19: 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 20: This Ordinance will take effect on the 31st day following its final passage and adoption.

PASSED, APPROVED, AND ADOPTED this 17th day of February, 2015.

\_\_\_\_\_  
Suzanne Fuentes,  
Mayor

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

By: \_\_\_\_\_  
Karl H. Berger, Assistant City Attorney

ATTEST:  
TRACY SHERRILL WEAVER, City Clerk

By: \_\_\_\_\_

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

I, TRACY SHERRILL WEAVER, City Clerk of the City of El Segundo, California, do hereby certify that the foregoing Ordinance No.1504 was introduced, and placed upon its first reading at a meeting of the City Council of the City of El Segundo, held on the 3rd day of February, 2015. That thereafter on the 17th day of February, 2015, said Ordinance was duly passed, approved and adopted by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Dated this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Tracy Sherrill Weaver, City Clerk  
City of El Segundo, California

**EL SEGUNDO CITY COUNCIL  
AGENDA ITEM STATEMENT**

**MEETING DATE: February 17, 2015  
AGENDA HEADING: Consent Agenda**

**AGENDA DESCRIPTION:**

Consideration and possible action to authorize the City Manager to execute a 3-year License Agreement in a form approved by the City Attorney with El Segundo Youth Sports Organizations to implement the Youth Sports Per Player Fee for the utilization of City athletic fields.

(Fiscal Impact: None. Estimated Revenues of \$35,000 included in the FY 14-15 Budget)

**RECOMMENDED COUNCIL ACTION:**

- (1) Authorize the City Manager to execute License Agreements in a form approved by the City Attorney with each El Segundo Youth Sports Organization identified in the Youth Sports Council Athletic Field/Facility Use and Allocation Policy; and,
- (2) Alternatively, discuss and take other action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

- (1) List of Youth Sports Council Organizations
- (2) Sample License Agreement

**FISCAL IMPACT:** None. Estimated Revenues of \$35,000 included in the FY 14-15 Budget

**Amount Budgeted:** \$35,000

**Additional Appropriation:** None

**Account Number(s):** 001-300-5204-3874 (Sports Leagues)

**ORIGINATED BY:** Jesse Bobbett, Recreation Superintendent 

**REVIEWED BY:** Meredith Petit, Director of Recreation and Parks 

**APPROVED BY:** Greg Carpenter, City Manager 

---

**BACKGROUND & DISCUSSION:**

The Recreation and Parks Fee Analysis Task Force was created on September 18, 2012, and was tasked with analyzing and recommending fees associated with programs and services offered through the Recreation and Parks Department, with cost-recovery and sustainability as a primary focus. The Task Force recommended that the El Segundo Youth Sports Organizations that are identified in the Youth Sports Council pay a “per player” fee in the amount of \$10 for each resident player and \$30 for each non-resident player within their organization. Traditionally, these organizations have utilized available City fields at no charge for their traditional, post, and non-traditional seasons and have also been allowed one no-cost camp or clinic each calendar year.

At the City Council meeting on May 20, 2014, City Council approved the per player fee as stated above. Once approved, City staff began working with a subcommittee of Youth Sports Council representatives to craft a policy for implementation of the fee to be included with revisions to the current Athletic Field/Facility Use and Allocation Policy. The organizations met eight times throughout the summer and fall to discuss the most practicable process and timeframe for the fee implementation. The representatives agreed on the following regulations for the per player fee:

***Per Player Fee***

*Youth Sports Council Organizations are required to pay a per player fee of \$10 for resident and \$30 for a non-resident as mandated by City Council in May 2014. Rules for the per player fee and these organizations are as follows:*

- 1) *The per player fee applies to all players and teams that practice or play on City of El Segundo fields during regular season practices and games.*
- 2) *If a portion of the league does not utilize a City of El Segundo field, they are not required to pay the fee for those players that do not use the field during the regular season.*
- 3) *If a league has teams that come from outside the City to participate in regular season games, then these leagues must either:*
  - a. *Pay the per player Fee for all teams (Resident and Non-Resident) in their respective organization that utilize City fields.*
  - or
  - b. *Pay the per player fee for Resident teams that utilize City fields and in addition pay these per hour rates:*

***El Segundo Team vs. Non-Resident Team*** *pay 50% ES Non-Profit Field Rate per hour*

***Non-Resident Team vs. Non-Resident Team*** *pay full ES Non-Profit Field Rate per hour*

***The deadline for payment of this fee to the Recreation and Parks Department is two weeks after the start of that organization's primary season. Refunds for the per player fee will not be issued once the fee is paid to the City of El Segundo, but an organization can rollover any unused fee to the next primary season due to player withdrawal upon providing proof to the City that said player was withdrawn and refunded their league fee. All payments can be made by cash, check or money order to the Recreation and Parks Department for reservations made throughout the season.***

The revisions to the Athletic Field/Facility Use and Allocation Policy also address many of the challenges and nuances of each organization, including scheduling teams based outside of El Segundo for participation in league play and the specific age groups of each leagues that utilize City fields versus other fields within the City (i.e. school property). The increased annual revenue from the fees is estimated at \$32,000 to \$45,000 depending upon enrollment for each organization. City staff recommends City Council approve the license agreements to establish appropriate guidelines for the implementation of the new fee.

**CITY OF EL SEGUNDO YOUTH SPORTS ORGANIZATIONS**  
**Proposed License Agreements for 3 Years**

1. El Segundo AYSO
2. El Segundo Babe Ruth Baseball League
3. El Segundo Girls Softball
4. El Segundo Inline Hockey Association
5. El Segundo Little League
6. El Segundo Lacrosse League
7. South Bay Youth Sports (ES Flag Football)
8. El Segundo United States Youth Volleyball League

**LICENSE AGREEMENT BETWEEN THE  
CITY OF EL SEGUNDO AND  
SOUTH BAY YOUTH SPORTS  
(EL SEGUNDO YOUTH FLAG FOOTBALL)**

THIS LICENSE is made and executed this 18<sup>th</sup> day of February, 2015, between the CITY OF EL SEGUNDO, a municipal corporation ("CITY"), and SOUTH BAY YOUTH SPORTS (EL SEGUNDO YOUTH FLAG FOOTBALL), a California non-profit corporation ("LICENSEE").

**1. LICENSE; DESCRIPTION OF PROPERTY.** CITY licenses LICENSEE to use, on the terms and conditions in this License, real property located at Campus El Segundo Athletic Fields located at 2201 E. Mariposa and Richmond Field located at the corner of Mariposa Avenue and Virginia Street ("Property"). CITY's action is not, and should not be construed to be, a conveyance of a property interest or a lease; it is a license to use property only.

**2. USE OF PROPERTY.**

- A. LICENSEE may temporarily use the Property for the purpose of operating a youth sports program.
- B. CITY may change, amend, or terminate LICENSEE's use of Property at any time, and in its sole discretion, verbally or in writing. The CITY may offer other athletic fields to be utilized if mutually agreed upon by both parties.

**3. TERM.** Except as provided in Section 4, the term of this license will begin on February 18, 2015 and end on September 30, 2018. Upon mutual written agreement between the parties, this License may be renewed for additional time.

**4. TERMINATION.**

- A. As stated above, CITY may terminate this License at any time with or without cause, upon written or verbal notification. Termination will be effective upon notification, unless CITY specifies otherwise.
- B. LICENSEE may terminate this License at any time in writing at least five (5) days before the effective termination date.
- C. By executing this document, LICENSEE waives any and all claims for damages that might otherwise arise from CITY's termination under this Section.
- D. Upon termination, LICENSEE will remove all personal property and improvements from Property within two (2) days. Property will be left in a clean and orderly fashion.

5. **COMPENSATION.** In exchange for the use of the facilities at Property, LICENSEE agrees to pay CITY in an amount set forth in the attached Exhibit "B," which is incorporated by reference for the term of this License.

6. **CONDEMNATION.** If all or part of Property is acquired by eminent domain or purchase in lieu thereof, LICENSEE acknowledges that it will have no claim to any compensation awarded for the taking of Property or any portion thereof or for loss of or damage to LICENSEE's improvements.

7. **RELOCATION BENEFITS.** LICENSEE acknowledges that it has been informed that CITY is a public entity and that Property was previously acquired by CITY for a public purpose. LICENSEE further acknowledges that any rights acquired under this License arose after the date of acquisition of Property and that said rights are subject to termination when Property is needed by CITY. LICENSEE hereby acknowledges that at the time of said termination of this License by CITY, it will not be a "displaced person" entitled to any of the relocation assistance or benefits offered to displaced persons under State or Federal law.

8. **ALTERATIONS.** LICENSEE will not make, or cause to be made, any alterations to Property, or any part thereof, without CITY's prior written consent.

9. **HAZARDOUS/TOXIC WASTE.** CITY has not, nor, to CITY's knowledge, has any third party used, generated, stored or disposed of, or permitted the use, generation, storage or disposal of, any Hazardous Material (as defined below) on, under, about or within Property in violation of any law or regulation. LICENSEE agrees that it will not use, generate, store or dispose of any Hazardous Material (as defined below) on, under, about or within Property in violation of any law or regulation. LICENSEE agrees to defend and indemnify CITY, to the extent stated in Section 12, against any and all losses, liabilities, claims or costs arising from any breach of any warranty or agreement contained in this Section. As used in this Section, "Hazardous Material" means any substance, chemical or waste that is identified as hazardous, toxic or dangerous in any applicable federal, state or local law or regulation (including petroleum and asbestos).

10. **SIGNS.** LICENSEE will not place any sign upon Property without CITY's prior written consent. LICENSEE will pay for all costs of any approved signage and comply with all applicable sign codes and ordinances.

11. **ASSIGNMENT.** LICENSEE will not be permitted to assign this License or any interest therein.

12. **INDEMNIFICATION.**

- A. **LICENSEE will hold CITY harmless and free from any and all liability arising out of this License, or its performance, except for such loss or damage arising from CITY's sole negligence or willful misconduct. Should CITY be named in any suit, or should any claim be against it, by suit or otherwise,**

**whether the same be groundless or not, arising out of this License, or its performance, pursuant to this License, LICENSEE will defend CITY (at CITY's request and with counsel satisfactory to CITY) and will indemnify it for any judgment rendered against it or any sums paid out in settlement or otherwise.**

- B. For purposes of this section "CITY" includes CITY's officers, officials, employees, agents, representatives, and certified volunteers.
- C. LICENSEE expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as is permitted by the law of the State of California and that if any portion is held invalid, it is agreed that the balance will, notwithstanding, continue in full legal force and effect.
- D. It is expressly understood and agreed that the foregoing provisions will survive termination of this License.
- E. The requirements as to the types and limits of insurance coverage to be maintained by LICENSEE as required by Section 13 below, and any approval of said insurance by CITY, are not intended to and will not in any manner limit or qualify the liabilities and obligations otherwise assumed by LICENSEE pursuant to this License, including but not limited to the provisions concerning indemnification.

### **13. INSURANCE.**

- A. Before commencing performance under this License, and at all other times this License is effective, LICENSEE will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

<u>Type of Insurance</u>	<u>Limits (combined single)</u>
Commercial general liability:	\$2,000,000
Business automobile liability:	\$1,000,000
Workers compensation	Statutory limits

- B. Commercial general liability insurance will meet or exceed the requirements of the most current ISO Forms. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies must be endorsed to name CITY, its officials, and employees as "additional insureds" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CITY will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be



cancelable except upon thirty (30) days prior written notice to CITY except for nonpayment of premiums which may be cancelable upon ten (10) day notice.

- C. LICENSEE will furnish to CITY duly authenticated Certificates of Insurance and Endorsements evidencing maintenance of the insurance required under this License and such other evidence of insurance or copies of policies as may be reasonably required by CITY from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage. CONTRACTOR will require its insurer to modify such certificates to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions.
- D. Should LICENSEE, for any reason, fail to obtain and maintain the insurance required by this License, CITY may obtain such coverage at LICENSEE's expense and charge the cost of such insurance to LICENSEE under this License or terminate pursuant to Section 4.

**14. COMPLIANCE WITH LAW.** LICENSEE will, at its sole cost and expense, comply with all of the requirements of all federal, state, and local authorities now in force, or which may hereafter be in force, pertaining to Property and will faithfully observe in the use of Property all applicable laws. The judgment of any court of competent jurisdiction, or the admission of LICENSEE in any action or proceeding against LICENSEE, whether CITY be a party thereto or not, that LICENSEE has violated any such ordinance or statute in the use of Property will be conclusive of that fact as between CITY and LICENSEE.

**15. BREACH OF AGREEMENT.** The violation of any of the provisions of this License will constitute a breach of this License by LICENSEE, and in such event said License will automatically cease and terminate.

**16. WAIVER OF BREACH.** Any express or implied waiver of a breach of any term of this License will not constitute a waiver of any further breach of the same or other term of this License.

**17. ENTRY BY CITY AND PUBLIC.** This License does not convey any property interest to LICENSEE. Except for areas restricted because of safety concerns, CITY and the general public will have unrestricted access upon Property for all lawful acts.

**18. INSOLVENCY; RECEIVER.** Either the appointment of a receiver to take possession of all or substantially all of the assets of LICENSEE, or a general assignment by the LICENSEE for the benefit of creditors, or any action taken or offered by LICENSEE under any insolvency or bankruptcy action, will constitute a breach of this License by LICENSEE, and in such event said License will automatically cease and terminate.

19. **NOTICES.** Except as otherwise expressly provided by law, all notices or other communications required or permitted by this License or by law to be served on or given to either party to this License by the other party will be in writing and will be deemed served when personally delivered to the party to whom they are directed, or in lieu of the personal service, upon deposit in the United States Mail, certified or registered mail, return receipt requested, postage prepaid, addressed to LICENSEE at:

**SOUTH BAY YOUTH SPORTS (EL SEGUNDO FLAG FOOTBALL)**

or to CITY at:

Department of Recreation & Parks  
Attn. Jesse Bobbett  
350 Main Street  
El Segundo, CA 90245

Either party may change its address for the purpose of this Section by giving written notice of the change to the other party.

20. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The Parties agree that agreements ancillary to this License and related documents to be entered into in connection with this License will be considered signed when the signature of a party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

21. **GOVERNING LAW.** This License 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 License will be in Los Angeles County.

22. **PARTIAL INVALIDITY.** Should any provision of this License be held by a court of competent jurisdiction to be either invalid or unenforceable, the remaining provisions of this License will remain in effect, unimpaired by the holding.

23. **ENTIRE AGREEMENT.** This instrument and its Attachments constitute the sole agreement between CITY and LICENSEE respecting Property, the use of Property by LICENSEE, and the specified License term, and correctly sets forth the obligations of CITY and LICENSEE. Any agreement or representations respecting Property or its licensing by CITY to LICENSEE not expressly set forth in this instrument are void.

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

**25. AUTHORITY/MODIFICATION.** The Parties represent and warrant that all necessary action has been taken by the Parties to authorize the undersigned to execute this License and to engage in the actions described herein. This License may be modified by written agreement. CITY's city manager, or designee, may execute any such amendment on behalf of CITY.

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

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

CITY OF EL SEGUNDO

\_\_\_\_\_  
Greg Carpenter,  
City Manager

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Tracy Weaver,  
City Clerk

Taxpayer ID No. \_\_\_\_\_

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

By: \_\_\_\_\_  
David H. King, Deputy City Attorney

## **Exhibit A**

### **Scope of Services**

LICENSEE agrees to provide the following services:

1. Certified and/or trained staff to operate youth and adult sports programs.

CITY agrees that LICENSEE may utilize the approved fields and facilities based on the City's Athletic Field/Facility Use and Allocation Policy.

## Exhibit B

### Fee Schedule

#### Per Player Fee

Youth Sports Advisory Committee Organizations are required to pay a per player fee of \$10 for a resident and \$30 for a non-resident as mandated by City Council in May 2014. Rules for the per player fee and these organizations are as follows:

- 1.) The per player fee applies to all players and teams that practice or play on City of El Segundo fields during regular season practices and games.
- 2.) If a portion of the league does not utilize a City of El Segundo field, they are not required to pay the fee for those players that do not use the field during the regular season.
- 3.) If a league has teams that come from outside the City to participate in regular season games, then these leagues must either:
  - a. Pay the per player Fee for all teams (Resident and Non-Resident) in their respective organization that utilize City fields.  
or
  - b. Pay the per player fee for Resident teams that utilize City fields and in addition pay these per hour rates:  
**El Segundo Team vs. Non-Resident Team** pay ½ ES Non-Profit Field Rate per hour  
**Non-Resident Team vs. Non-Resident Team** pay full ES Non-Profit Field Rate per hour

**The deadline for payment of this fee to the Recreation and Parks Department is 2 weeks after the start of that organization's primary season.** Refunds for the per player fee will not be issued once the fee is paid to the City of El Segundo, but an organization can rollover any unused fee to the next primary season due to player withdrawal upon providing proof to the City that said player was withdrawn and refunded their league fee. All payments can be made by cash, check, or money order to the Recreation and Parks Department for reservations made throughout the season.

**EL SEGUNDO CITY COUNCIL  
AGENDA STATEMENT**

**MEETING DATE:** February 17, 2015  
**AGENDA HEADING:** Consent Agenda

---

**AGENDA DESCRIPTION:**

Consideration and possible action to receive and file this report regarding emergency work to repair dwelling units at the Park Vista Senior Housing Facility due to water intrusion without the need for bidding in accordance with Public Contracts Code §§ 20168 and 22050 and El Segundo Municipal Code ("ESMC")§ 1-7-12 and 1-7A-4. (Fiscal Impact: \$50,000.00)

**RECOMMENDED COUNCIL ACTION:**

- (1) Receive and file this report regarding emergency work to repair dwelling units at the Park Vista Senior Housing Facility due to water intrusion without the need for bidding in accordance with Public Contracts Code §§ 20168 and 22050 and El Segundo Municipal Code ("ESMC")§ 1-7-12 and 1-7A-4.
- (2) Alternatively, discuss and take other possible action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

None

**FISCAL IMPACT:** Included in Adopted Budget

**Amount Budgeted:** \$50,000.00

**Additional Appropriation:** No

**Account Number(s):** 405-400-0000-6215 (Facilities Maintenance: Repairs and Maintenance)

**ORIGINATED BY:** Stephanie Katsouleas, Director of Public Works 

**REVIEWED BY:** Gregg Kovasevich, Assistant City Attorney

**APPROVED BY:** Greg Carpenter, City Manager 

---

**BACKGROUND AND DISCUSSION:**

On November 18, 2014 City Council approved a contract to complete emergency work to repair three dwelling units at the Park Vista Senior Housing Facility due to water intrusion caused by improperly sloped decks. Surveying was completed in January and designs for the repair are underway which consists of three primary options. They include: 1) modifying the drain openings to allow for more water infiltration, 2) removing the top layer of the deck and replacing it with thinner deck/roof materials to increase the slope between the doors and the drains, and 3) modifying the sliding glass door openings to create a larger lip between the apartment flooring and the deck, starting with surveying the building's rooftop deck and balconies and reviewing existing construction drawings. The structural engineer expects to have draft plans for engineering review by mid-February. Once approved, bidding and award of the construction portion of the project will commence, which is expected to be in late February.

Public Contracts Code § 22050 (c) requires that the City Council receive updates at every regularly scheduled meeting until the emergency repair is completed. Therefore, staff recommends that City Council receive and file this report on the status of the emergency repair to address the water intrusion issues at Park Vista Senior Housing Facility.

**AGENDA DESCRIPTION:**

Consideration and possible action regarding awarding a contract to Big West Construction Corporation for construction at 22 homes related to Project RSI 14-33 (Group 62 of the City's Residential Sound Insulation Program..

(Estimated construction costs and retention: \$1,137,400)

**RECOMMENDED COUNCIL ACTION:**

1. Award a contract to Big West Construction Corporation;
2. Authorize the City Manager to execute a contract in a form approved by the City Attorney; and/or
3. Alternatively discuss and take other action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

1. Bid Log for RSI 14-33
2. Bidder's Proposal and Statement submitted by Big West Construction Corporation

**FISCAL IMPACT:** Included in Adopted Budget

**Amount Budgeted:** \$14,000,000  
**Additional Appropriation:** N/A  
**Account Number(s):** 116-400-0062-8960

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

---

**BACKGROUND AND DISCUSSION:**

On January 27, 2015 the City Clerk's office opened sealed bids for RSI 14-33 (Group 62 of the City's Residential Sound Insulation (RSI) Program). The results were as follows:

1. Big West Construction Corporation .....\$1,034,000
2. Spec Construction Co., Inc. ....\$1,106,252

The Bid submitted by Big West Construction Corporation ("Big West") appears responsive.

As City Council is aware, the City received four (4) bids in response to the City's original Notice Inviting Sealed Bids for the project (RSI 14-19), but those bids were rejected due to the three lowest being non-responsive and the presumption that advertising for new bids would result in multiple responsive bids. The City received no bids in response to the second Notice Inviting Sealed Bids for the project (RSI 14-29).

The staff estimate for the project was \$631,488.



As the lowest bid is more than 10% higher than the staff estimate, concurrence is required of the Federal Aviation Administration (FAA) and Los Angeles World Airports prior to the City awarding a contract to the lowest responsible bidder to comply with grant requirements.

Staff is recommending awarding a contract to Big West Construction Corporation (“Big West”) based on the following:

1. The bid is in response to the City’s third Notice Inviting Sealed Bids, and it does not practical to expect that advertising a fourth Notice Inviting Sealed Bids would result in better pricing
2. Attempting to re-bid the project would further delay the construction, and delay it to a time period where additional costs would be required in the form of testing the interior noise levels of each of the homes to comply with federal requirements set by Program Guidance Letter (PGL) 12-09
3. The 22 homes in this project are condominiums at 123 East Oak Avenue, which shows evidence of significant settling of the building. Although not structurally unsound, this issue seems to have been overlooked by contractors who originally submitted bids in October. The issue of settling was a focus of bidders, and the subcontractor responsible for replacement of windows, during the pre-bid meeting and job walk, and likely was a factor in higher bid pricing in current bids. This is evidenced by the inclusion of a subcontractor for “scaffolding & ladders” in the current bid from Big West, whereas their previous bid did not include such subcontractor costs in their previous bid in October.

Additionally, the increased cost of this project may be a result of the September 30<sup>th</sup> deadline of FAA PGL 12-09. Because RSI Programs are racing to complete as much work as possible in 2015, it appears that existing, historical bidders are bidding on more projects and attempting to perform more work than they have in the past. This seems to be resulting in additional “start-up costs” as the existing, historical bidders add new crews and equipment to keep up with the demand, and assume the risks of adhering to schedules for more projects than typical at any given time, which also may translate to increase bid pricing.

As such, given the totality of issues facing bidders at this time, and not accounted for in the original staff estimate, Big West’s bid is the best pricing practical to expect for the project.

For all of the reasons stated, staff is recommending the award of a contract to the lowest bidder, Big West Construction Corporation.

Staff is making the recommendation contingent upon receiving concurrence from the FAA and LAWA prior to the City Council meeting on February 17<sup>th</sup>, and if concurrence is not received, will recommend postponing City Council action until a formal response is received from both agencies.

The amount requested for the contract is \$1,137,400, which represents the Total Bid amount and an additional 10% for potential change orders related to unforeseen conditions.

**CITY OF EL SEGUNDO  
 BID/RFP LOG  
 BID NO. #RSI 14-33  
 City of El Segundo**

**Residential Sound Insulation Group 62 (Re Re-Bid) (RSI 14-29 & RSI 14-19)**

**Date of BID Opening:** Tuesday, January 27 2015  
**Time of BID Opening:** 11:00 A.M.  
**Place of BID Opening:** City Clerk's Office

<b>COMPANY NAME/ADDRESS</b>	<b>Total BID Amount</b>
1. Spec Construction Co., Inc. 1870 S. Carlos Ave. Ontario, CA 91761	\$1,106,252.00
2. Big West Construction	\$1,034,000.00
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

Staff Present: [Signature], City Clerk's Office

[Signature], City Clerk's Office

[Signature], RSI, Representative

FORMS\BID\OPENLOG1



City of El Segundo  
Residential Sound Insulation Program

RSI 14-33 (Group 62 Re-Bid)

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 14-33**

**"Residential Sound Insulation Program – Group 62 Re-Bid"**

at the following lump sum price:

RSI ID	Property Address	Bid Price
62.01	123 East Oak Avenue, Unit 101	\$ 46,870
62.16	123 East Oak Avenue, Unit 301	\$ 46,870
62.02	123 East Oak Avenue, Unit 102	\$ 49,070
62.09	123 East Oak Avenue, Unit 202	\$ 49,070
62.17	123 East Oak Avenue, Unit 302	\$ 49,070
62.03	123 East Oak Avenue, Unit 103	\$ 46,870
62.10	123 East Oak Avenue, Unit 203	\$ 46,870
62.18	123 East Oak Avenue, Unit 303	\$ 46,870
62.04	123 East Oak Avenue, Unit 104	\$ 44,170
62.11	123 East Oak Avenue, Unit 204	\$ 44,170
62.05	123 East Oak Avenue, Unit 105	\$ 44,170
62.12	123 East Oak Avenue, Unit 205	\$ 44,170
62.19	123 East Oak Avenue, Unit 305	\$ 44,170
62.06	123 East Oak Avenue, Unit 106	\$ 56,630
62.13	123 East Oak Avenue, Unit 206	\$ 46,870
62.20	123 East Oak Avenue, Unit 306	\$ 46,870

*Per [Signature]* 1/27/15



City of El Segundo  
Residential Sound Insulation Program

RSI 14-33 (Group 62 Re-Bid)

62.07	123 East Oak Avenue, Unit 107	\$ 46,870
62.14	123 East Oak Avenue, Unit 207	\$ 46,870
62.21	123 East Oak Avenue, Unit 307	\$ 46,870
62.08	123 East Oak Avenue, Unit 108	\$ 46,870
62.15	123 East Oak Avenue, Unit 208	\$ 46,870
62.22	123 East Oak Avenue, Unit 308	\$ 46,870

Total Bid (Contract Sum)

ONE MILLION THIRTY-FOUR THOUSAND DOLLARS  
(words)

\$ 1,034,000.00  
(figures)

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

Contractor Representative:

Thomas R. Carr  
Signature

1/27/2015  
Date

Thomas R. Carr

Name (printed or typed)

Title: President

Contractor's State License Number:

Name of Firm: Big West Construction Corp. 812085

Address: 15331 Normandie Ave.

License Expiration Date:

Irvine, CA 92604

8-31-2016

Telephone Number: 949-795-2219

Type of Entity: ☐ Sole Proprietorship ☐ Partnership ☒ Corporation\* ☐ Other

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

Thomas R. Carr 1/27/15

**AGENDA DESCRIPTION:**

Consideration and possible action regarding awarding a contract to Spec Construction Co., Inc. for construction at 25 homes related to Project RSI 14-32 (Group 66 of the City's Residential Sound Insulation Program..

(Estimated construction costs and retention: \$1,488,629)

**RECOMMENDED COUNCIL ACTION:**



1. Award a contract to Spec Construction Co., Inc.;
2. Authorize the City Manager to execute a contract in a form approved by the City Attorney; and/or
3. Alternatively discuss and take other action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

1. Bid Log for RSI 14-32
2. Bidder's Proposal and Statement submitted by Spec Construction Co., Inc.

**FISCAL IMPACT:** Included in Adopted Budget

**Amount Budgeted:** \$14,000,000  
**Additional Appropriation:** N/A  
**Account Number(s):** 116-400-0066-8960

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

---

**BACKGROUND AND DISCUSSION:**

On January 22, 2015 the City Clerk's office opened sealed bids for RSI 14-32 (Group 66 of the City's Residential Sound Insulation (RSI) Program). The results were as follows:

1. Spec Construction Co., Inc. ....\$1,353,299
2. Big West Construction Corporation .....\$1,390,014

The Bid submitted by Spec Construction Co., Inc. ("Spec") appears responsive.

As City Council is aware, the City received one (1) bid in response to the City's original Notice Inviting Sealed Bids for the project (RSI 14-24), but that bid was rejected and the presumption that advertising a new Notice Inviting Sealed Bids would result in multiple responsive bids.

The staff estimate for the project was \$984,342.50.

As the lowest bid is more than 10% higher than the staff estimate, concurrence is required of the Federal Aviation Administration (FAA) and Los Angeles World Airports prior to the City awarding a contract to the lowest responsible bidder to comply with grant requirements.

Staff is recommending awarding a contract to Spec Construction Co., Inc. ("Spec") based on the following:

1. The bid is in response to the City's second Notice Inviting Sealed Bids, and advertising a third Notice Inviting Sealed Bids would not likely result in better pricing
2. Attempting to re-bid the project would further delay the construction, and delay it to a time period where additional costs would be required in the form of testing the interior noise levels of each of the homes to comply with federal requirements set by Program Guidance Letter (PGL) 12-09

Additionally, the increased cost of this project may be a result of the September 30<sup>th</sup> deadline of FAA PGL 12-09. Because RSI Programs are racing to complete as much work as possible in 2015, it appears that existing, historical bidders are bidding on more projects and attempting to perform more work than they have in the past. This seems to be resulting in additional "start-up costs" as the existing, historical bidders add new crews and equipment to keep up with the demand, and assume the risks of adhering to schedules for more projects than typical at any given time, which also may translate to increase bid pricing.

As such, given the totality of issues facing bidders at this time, and not accounted for in the original staff estimate, Spec's bid is the best pricing practical to expect for the project.

For all of the reasons stated, staff is recommending the award of a contract to the lowest bidder, Spec Construction Co., Inc.

Staff is making the recommendation contingent upon receiving concurrence from the FAA and LAWA prior to the City Council meeting on February 17<sup>th</sup>, and if concurrence is not received, will recommend postponing City Council action until a formal response is received from both agencies.

The amount requested for the contract is \$1,488,629, which represents the Total Bid amount and an additional 10% for potential change orders related to unforeseen conditions.

**CITY OF EL SEGUNDO  
 BID/RFP LOG  
 BID NO. #RSI 14-32  
 City of El Segundo  
 Residential Sound Insulation Group 66 (Re-Bid) (RSI 14-24)**

**Date of BID Opening:** Thursday, January 22, 2015  
**Time of BID Opening:** 11:00 A.M.  
**Place of BID Opening:** City Clerk's Office

COMPANY NAME/ADDRESS	Total BID Amount
1. Spec Construction Co., Inc. 1870 S. Carlos Ave. Ontario, CA 91761	\$ 1,353,299.00
2. Big West Construction Corp. 15331 Normandie Irvine, CA 92604	\$ 1,390,014.00
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

Staff Present: Grace Weaver, City Clerk's Office  
Mary Spring, City Clerk's Office  
John S. Davis, RSI, Representative

FORMS\BID\OPENLOG1



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 14-32**  
**"Residential Sound Insulation Program – Group 66 Re-Bid"**

at the following lump sum price:

<b>RSI ID</b>	<b>Property Address</b>	<b>Bid Price</b>
66.01	521 Hillcrest Street	\$ 61,287.00
66.02	617 West Mariposa Street	\$ 60,166.00
66.03	637 Hillcrest Street	\$ 66,146.00
66.04	622 West Palm Avenue	\$ 95,011.00
66.05	308 West Oak Avenue	\$ 46,999.00
66.06	215 West Palm Avenue, Unit 304	\$ 41,479.00
66.07	527 Standard Street	\$ 65,571.00
66.08	531 Standard Street	\$ 41,996.00
66.09	622 Arena Street	\$ 59,476.00
66.10	521 Irene Court	\$ 50,219.00
66.11	641 Bungalow Drive	\$ 48,465.00
66.12	647 Bungalow Drive	\$ 45,619.00
66.13	1205 East Oak Avenue	\$ 47,631.00
66.14	1233 East Oak Avenue	\$ 49,500.00
66.15	1406 East Walnut Avenue	\$ 47,746.00
66.16	1629 East Palm Avenue, Unit 1	\$ 55,192.00





City of El Segundo  
Residential Sound Insulation Program

RSI 14-32 (Group 66 Re-Bid)

66.17	1629 East Palm Avenue, Unit 2	\$ 51,369.00
66.18	1629 East Palm Avenue, Unit 3	\$ 51,484.00
66.19	1629 East Palm Avenue, Unit 4	\$ 51,484.00
66.20	1629 East Palm Avenue, Unit 5	\$ 56,227.00
66.21	1629 East Palm Avenue, Unit 6	\$ 56,572.00
66.22	1629 East Palm Avenue, Unit 7	\$ 51,944.00
66.23	1629 East Palm Avenue, Unit 8	\$ 51,944.00
66.24	1629 East Palm Avenue, Unit 9	\$ 47,574.00
66.25	1629 East Palm Avenue, Unit 10	\$ 52,198.00

**Total Bid (Contract Sum)**

One-Million, Three-Hundred & Fifty-Three Thousand, Two-Hundred & Ninty-Nine.

(words)

\$ 1,353,299.00

(figures)

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

Contractor Representative: \_\_\_\_\_

Signature

01/21/2015

Date

Jasen DeLaFosse

Name (printed or typed)

Title: Vice President

Contractor's State License Number:

Name of Firm: Spec Construction Co., Inc.

419626

Address: 1870 S. Carlos Ave.

License Expiration Date:

Ontario, CA 91761

08/31/2015

Telephone Number: 909 - 947- 4601

Type of Entity: ☐ Sole Proprietorship ☐ Partnership ☒ Corporation\* ☐ Other

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

**AGENDA DESCRIPTION:**

Consideration and possible action regarding awarding a contract to Spec Construction Co., Inc. for construction at 30 homes related to Project RSI 14-27 (Group 69 of the City's Residential Sound Insulation Program).

(Estimated construction costs and retention: \$1,976,688)

**RECOMMENDED COUNCIL ACTION:**



1. Award a contract to Spec Construction Co., Inc.;
2. Authorize the City Manager to execute a contract in a form approved by the City Attorney; and/or
3. Alternatively discuss and take other action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

1. Bid Log for RSI 14-27
2. Bidder's Proposal and Statement submitted by Spec Construction Co., Inc.

**FISCAL IMPACT:** Included in Adopted Budget

**Amount Budgeted:** \$14,000,000  
**Additional Appropriation:** N/A  
**Account Number(s):** 116-400-0069-8960

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

---

**BACKGROUND AND DISCUSSION:**

On January 27, 2015 the City Clerk's office opened sealed bids for RSI 14-27 (Group 69 of the City's Residential Sound Insulation (RSI) Program). The results were as follows:

1. Spec Construction Co., Inc. ....\$1,796,989
2. Big West Construction Corporation ....\$1,800,000

The Bid submitted by Spec Construction Co., Inc. ("Spec") appears responsive.

The staff estimate for the project was \$934,392.

As the lowest bid is more than 10% higher than the staff estimate, concurrence is required of the Federal Aviation Administration (FAA) and Los Angeles World Airports prior to the City awarding a contract to the lowest responsible bidder to comply with grant requirements.

Staff is recommending awarding a contract to Spec Construction Co., Inc. ("Spec") based on the following:

1. The bids received around the same time for other projects are also significantly higher than staff estimates, seemingly justifying an adjustment to the estimating formulas
2. Attempting to re-bid the project would further delay the construction, and delay it to a time period where additional costs would be required in the form of testing the interior noise levels of each of the homes to comply with federal requirements set by Program Guidance Letter (PGL) 12-09

Additionally, the increased cost of this project may be a result of the September 30<sup>th</sup> deadline of FAA PGL 12-09. Because RSI Programs are racing to complete as much work as possible in 2015, it appears that existing, historical bidders are bidding on more projects and attempting to perform more work than they have in the past. This seems to be resulting in additional “start-up costs” as the existing, historical bidders add new crews and equipment to keep up with the demand, and assume the risks of adhering to schedules for more projects than typical at any given time, which also may translate to increase bid pricing.

As such, given the totality of issues facing bidders at this time, and not accounted for in the original staff estimate, Spec’s bid is the best pricing practical to expect for the project.

For all of the reasons stated, staff is recommending the award of a contract to the lowest bidder, Spec Construction Co., Inc.

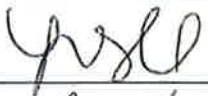


Staff is making the recommendation contingent upon receiving concurrence from the FAA and LAWA prior to the City Council meeting on February 17<sup>th</sup>, and if concurrence is not received, will recommend postponing City Council action until a formal response is received from both agencies.

The amount requested for the contract is \$1,976,688, which represents the Total Bid amount and an additional 10% for potential change orders related to unforeseen conditions.

**CITY OF EL SEGUNDO  
 BID/RFP LOG  
 BID NO. #RSI 14-27  
 City of El Segundo  
 Residential Sound Insulation Group 69 (RSI 14-27)**

**Date of BID Opening:** Tuesday, January 27, 2015  
**Time of BID Opening:** 11:30 A.M.  
**Place of BID Opening:** City Clerk's Office

COMPANY NAME/ADDRESS	Total BID Amount
1. Spec Construction Co., Inc. 1870 S. Carlos Ave. Ontario, CA 91761	\$ 1,796,989.00
2. Big West Construction	\$ 1,800,000.00
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

Staff Present: , City Clerk's Office  
, City Clerk's Office  
, RSI, Representative

FORMS\BID\OPENLOG1



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 14-27**  
**"Residential Sound Insulation Program – Group 69"**

at the following lump sum price:

<b>RSI ID</b>	<b>Property Address</b>	<b>Bid Price</b>
69.01	690 West Palm Avenue	\$ 70,115.00
69.02	404 West Palm Avenue	\$ 55,215.00
69.03	645 Virginia Street	\$ 57,265.00
69.04	438 Virginia Street	\$ 57,215.00
69.05	506 Concord Street	\$ 61,365.00
69.06	525 Richmond Street	\$ 53,615.00
69.07	525 ½ Richmond Street	\$ 39,880.00
69.08	215 West Palm Avenue, Unit 305	\$ 41,600.00
69.09	116 West Oak Avenue	\$ 56,965.00
69.10	608 Arena Street	\$ 77,280.00
69.11	754 Sheldon Street	\$ 50,980.00
69.12	506 East Oak Street	\$ 57,665.00
69.13	518 East Oak Street	\$ 58,165.00
69.14	511 East Palm Avenue	\$ 55,765.00
69.15	513 East Palm Avenue	\$ 49,765.00
69.16	614 Lomita Street	\$ 61,515.00



City of El Segundo  
Residential Sound Insulation Program

RSI 14-27 (Group 69)

69.17	526 Lomita Street	\$ 63,165.00
69.18	530 Maryland Street	\$ 77,915.00
69.19	540 Maryland Street	\$ 60,265.00
69.20	614 Maryland Street	\$ 61,965.00
69.21	715 Center Street	\$ 58,165.00
69.22	828 Center Street	\$ 102,315.00
69.23	1192 East Mariposa Street	\$ 55,265.00
69.24	1225 East Maple Avenue	\$ 66,065.00
69.25	748 California Street	\$ 48,984.00
69.26	1505 East Oak Avenue	\$ 69,665.00
69.27	1507 East Sycamore Avenue	\$ 58,490.00
69.28	1507 ½ East Sycamore Avenue	\$ 57,130.00
69.29	765 Washington Street	\$ 54,015.00
69.30	1564 East Palm Avenue	\$ 59,215.00

**Total Bid (Contract Sum)**

One-Million, Seven-Hundred & Ninty-Six Thousand, Nine-Hundred & Eighty-Nine.

(words)

\$ 1,796,989.00

(figures)

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

Contractor Representative: \_\_\_\_\_

Signature

01/26/2015

Date

Jasen DeLaFosse

Name (printed or typed)

Title: Vice President

Contractor's State License Number:

Name of Firm: Spec Construction Co., Inc.

419626

Address: 1870 S. Carlos Ave.

License Expiration Date:

Ontario, CA 91761

08/31/2015

**AGENDA DESCRIPTION:**

Consideration and possible action regarding the Fiscal Year 2013-2014 Yearend Report and FY 2014-2015 First Quarter Financial Review. (Fiscal Impact: none)

**RECOMMENDED COUNCIL ACTION:**

- (1) Receive and file FY 2013-2014 Yearend and FY 2014-2015 First Quarter Financial Review.
- (2) Alternatively discuss and take other action related to this item

**ATTACHED SUPPORTING DOCUMENTS:**

**FISCAL IMPACT:** Included in Adopted Budget

**Amount Budgeted:** \$0  
**Additional Appropriation:** N/A  
**Account Number(s):** none

**ORIGINATED BY:** Angelina Garcia, Fiscal Services Manager

**REVIEWED BY:** Deborah Cullen, Director of Finance

**APPROVED BY:** Greg Carpenter, City Manager

---

**BACKGROUND AND DISCUSSION:**

**Fiscal Year 2013-2014 Yearend**

***General Fund Year-End Results***

The Fiscal Year 2013-2014 General Fund operations resulted in Total Revenues of \$62,856,800, Expenditures of \$59,512,700, resulting in an increase to Fund Balance of \$3,344,100. This is an increase of \$3,052,800 to the projected surplus of \$290,300 that was reported at the September 16, 2014 Second Budget Hearing. At this time, revenues expected to end the year at \$59,708,300 and expenditures at \$59,417,000.

Revenues(taxes and fees) continued to improve over the summer and during the last quarter of the fiscal year revenues increased \$3,148,500 over the yearend estimate that was provided at the September 2014 budget adoption Council Meeting. Generally, the City experienced significant growth over this period in Charges for Services, Sales and Use Tax and Transient Occupancy Tax. UUT Gas and Electric have both had positive improvements based on the stabilization of the price of natural gas and an increase in consumption.



**Table 1 – Summary of General Fund Operations for Yearend 9/30/14:**

<b>General Fund Operations</b>	<b><i>FY 2013-2014 Year-End Estimate</i></b>	<b><i>FY 2013-2014 Year-End Actual</i></b>	<b><i>\$ Change in Estimate</i></b>
<b>Revenues</b>	\$59,708,300	62,856,800	3,148,500
<b>Expenditures</b>	59,417,000	59,512,700	95,700
<b>Surplus</b>	291,300	3,344,100	3,052,800

**Table 2 – FY 2013-2014 Yearend Revenues –Estimates v. Actual**

<b>Revenue Source</b>	<b><i>FY 2013- 2014 Year-End Estimate</i></b>	<b><i>FY 2013- 2014 Year- End Actual</i></b>	<b><i>\$ Change in Estimate</i></b>	<b><i>% Change in Estimate</i></b>
<b>Business License</b>	\$10,900,000	10,965,900	65,900	1%
<b>Sales &amp; Use Tax</b>	7,450,000	8,290,900	840,900	11%
<b>Sales Tax in Lieu</b>	2,006,800	2,006,800	0	0%
<b>Property Tax</b>	6,655,000	6,758,000	103,000	2%
<b>Transient Occupancy (TOT)</b>	5,375,000	5,964,400	589,400	11%
<b>Charges for Services</b>	4,031,800	4,882,400	850,600	21%
<b>Electric Utility Tax</b>	2,985,000	3,098,900	113,900	4%
<b>Franchise Tax</b>	3,075,000	3,098,400	23,400	1%
<b>Cogeneration Electric</b>	1,590,000	1,583,000	-7,000	0%
<b>License &amp; Permits</b>	1,764,900	1,759,600	-5,300	0%
<b>Gas Utility Tax</b>	2,900,000	3,215,200	315,200	11%
<b>Tax Resolution Agreement</b>	5,750,900	5,750,900	0	0%
<b>Interest on Investments</b>	255,400	324,800	69,400	27%
<b>Other Revenues</b>	4,568,500	4,957,600	389,100	9%
<b>Total General Fund Revenues, Net of Transfers</b>	59,308,300	62,656,800	3,348,500	5.65%
<b>Transfers In</b>	400,000	200,000	-200,000	-50.00%
<b>Total General Fund Revenues</b>	\$59,708,300	\$62,856,800	3,148,500	5.27%

As noted in the table above, the major changes to estimates in revenues are as follows:

- **Sales & Use Tax** – The City meets on a quarterly basis with its sales and use tax consultants to review this revenue stream. The primary reasons for the increase in this category during the fourth quarter were due to several large positive fund transfers and audit adjustments in El Segundo's favor from the State Board of Equalization. In addition, there were several larger than expected sales increases and use tax increases due to large purchases of equipment by in-city businesses. The City has no way of tracking these large purchases by in-city businesses to determine when these additional allocations will be received by the City. All of these factors caused sales & use tax to outperform its original yearend projections.



- Transient Occupancy Tax – This tax increased from yearend estimate by approximately \$589,400. City staff corresponds with the major hotels on a regular basis to review their revenue projections based on historical and market indicators. This category can be difficult to project actual revenues due to the unknown TOT exemptions taken by State and Federal employees. The new owners of one of the City’s largest hotels released a large block of rooms for occupancy not normally available during FY 2013-14. In addition, this same hotel enhanced its marketing strategy which led to approximately \$350,000 in increased revenue for the fiscal year due to an extremely high occupancy rate. Overall, this tax category experienced occupancy and room rates much higher than projected for the fiscal year during the final quarter.
- Charges for Services – Throughout the course of the 2013-2014 fiscal year, the City continued to experience positive growth in plan check fees. The summer months experienced a higher volume of plan check requests, which helped the increase in fees collected of approximately \$738,700 higher than anticipated.
- Gas Utility Tax – This category also came in over \$315,200 higher than anticipated in the earlier estimates, primarily due to the local power plant’s increase in usage in the last two months of the fiscal year. Going forward, tax estimation for this category will continue to be unpredictable as the local power plant currently does not have a contract with Southern California Edison, and therefore, cannot provide scheduled usage estimates.

**Table 3 – FY 2013-2014 Yearend Expenditures – Estimates v. Actual**

Overall, expenditures within the General Fund came in \$95,700 higher than expected. During this period Salaries and Benefits ended the year \$292,600 **below** yearend estimates primarily due to a number of vacancies in various departments. The following costs ended the year over the projected estimates:

- Electric Utility Charges – This category came in approximately \$27,400 higher than estimated, primarily in the Traffic Safety Division.
- Water Utility Charges – This category came in approximately \$80,100 higher than expected, primarily in the Parks Department. This increase was due to higher than expected usage on parks facilities.
- The remaining \$281,200 can be attributed to increases in contractual services and professional services used to fill short-term personnel needs. This overage is offset by the salary and benefit saving from those vacant positions.

**Table 3 – FY 2013-2014 Yearend Expenditures**

<b>Department</b>	<b>Yearend Estimate 13/14</b>	<b>Actuals 13/14</b>	<b>Over (Under) Estimate</b>
Elected Officials	\$ 980,000	918,900	(61,100)
Administrative Support	4,531,300	4,272,600	(258,700)
Police	16,977,900	17,319,100	341,200
Fire	14,388,900	14,087,500	(301,400)
Communications Center	1,389,500	1,362,200	(27,300)
Planning /Building Safety	2,855,700	2,501,400	(354,300)
Public Works	5,901,200	5,513,300	(387,900)
Recreation and Parks	5,093,600	5,046,200	(47,400)
Library	2,361,400	2,159,300	(202,100)
Nondepartment	4,591,100	4,788,500	197,400
Transfers to Other Funds	346,400	1,543,700	1,197,300
<b>Total General Fund Expenditures</b>	<b>\$ 59,417,000</b>	<b>59,512,700</b>	<b>95,700</b>

**Table 4 Summary of Expenditures by Cost Category:**

Salaries & Benefits	\$46,207,800	\$45,915,200	(\$292,600)
Nonpersonnel	13,209,200	13,597,500	388,300
	<u>\$59,417,000</u>	<u>\$59,512,700</u>	<u>\$95,700</u>

**FY 2013-2014 Yearend Revenues & Expenditures - Summary**

As was illustrated in Table 1, the yearend results show an increase to fund balance of \$3,344,100. Table 5 below illustrates the balancing of the FY 2013-14 Budget, the Required Reserve Deposit, and the estimated amounts available for FY 2014-2015 Adopted Shortfall, and the excess General Fund Surplus:

**Table 5 – General Fund Reserve**

<b>General Fund Yearend Reserve</b>		
<b>Beginning Fund Balance 10/1/13:</b>	<b>\$</b>	<b>15,360,208</b>
Less: Required Reserves and Designations:		(2,476,750)
<b>Available Fund Balance:</b>	<b>\$</b>	<b>12,883,458</b>
13/14 Revenues:	\$	62,856,800
13/14 Expenditures:		59,512,700
<b>9/30/14 Projected Increase to Fund Balance:</b>		<b>3,344,100</b>
<b>Subtotal:</b>		<b>16,227,558</b>
<b>Calculation of Required Reserve:</b>		
FY 2014-2015 General Fund Revenues:		60,642,700
Fund Balance Reserve Funded Level:		18%
<b>Required Reserve, 9/30/14:</b>		<b>10,915,686</b>
<b>Over (Under) Reserve:</b>	<b>\$</b>	<b>5,311,872</b>
<b>Excess Reserve to Fund for:</b>		
Adopted Revenues 9/30/15:		60,642,700
Adopted Expenditures 9/30/15:		64,043,100
<b>Projected Shortfall:</b>		<b>(3,400,400)</b>
<b>Projected Amounts Available @ 9/30/15:</b>	<b>\$</b>	<b>1,911,472</b>

The projected amounts available of \$1,911,500 will be revisited in the Spring once the Midyear projections are calculated and staff obtains a better estimate of where the FY 2014-2015 General Fund revenues and expenditures will end.

## **Other Funds**

### **Internal Service Funds**

The budgets in the Internal Service Funds, which include Equipment Replacement, General Liability, and Workers' Compensation, are all in balance. These funds are used to accumulate and allocate costs internally among the City's various functions.

The Equipment Replacement Fund collected 100% of the annual equipment replacement charge from all departments as budgeted.

The General Liability and Workers' Compensation Funds have been funded at the actuarially determined expected rate.

### **Enterprise Funds**

The budgets in the Water and Sewer are in balance.

The Golf Course Fund made a repayment to the General Fund of \$37,600. The repayment to the General Fund was scheduled for \$200,000. However, there was insufficient cash to cover the entire payment. Below is a summary of Golf Course Operations for the year ended September 30, 2014:

Operating Revenues	\$	2,047,100
Operating Expenditures		<u>2,152,100</u>
Net Operating Loss:	\$	(105,000)

Collectively, these are all separate funds where the City charges a fee to customers to cover all or most of the costs of services it provides. Although the funds currently are reporting positive annual results, the long-term capital asset replacements are still underfunded.

## First Quarter Financial Review Fiscal Year 2014-2015

Staff has reviewed all revenues and expenditures for the first quarter of Fiscal Year 2014-2015, with an emphasis on the General Fund, to determine if all sources and uses are on target with the originally adopted budget.

Staff analyzed the revenues for the first quarter compared to historical averages of the last 8 fiscal years and most revenue streams were tracking fairly close with historical averages.

### General Fund Revenues

General Fund revenues through the end of the first quarter are at 17.8% of total FY 2014-2015 budget. The following is a list of major General Fund revenues, and the performance of each source through the first quarter:

**Table 6 – FY 2014-2015 Revenues – First Quarter**

Revenue Source	Prior Year Q1 FY 2013-2014	Current Year Q1 FY 2014- 2015	Variance to Prior QTR Over/ (Under)	% change to SPLY*	Adopted Budget FY 2014-2015	% Received Q1 FY 2014- 2015	% Received Q1 Historically
Business License	168,734	955,520	786,786	466.29%	11,118,000	8.59%	5.98%
Sales & Use Tax	1,820,835	2,141,444	320,609	17.61%	7,942,500	26.96%	23.02%
Sales Tax in Lieu	0	0	0	0.00%	2,758,000	0.00%	2.29%
Property Tax	2,461,254	2,413,260	(47,994)	-1.95%	6,356,600	37.96%	36.41%
Tax Resolution Agreement	0	0	0	0.00%	5,108,300	0.00%	0.00%
Transient Occupancy (TOT)	1,180,420	1,241,983	61,563	5.22%	5,459,200	22.75%	21.34%
Charges for Services	1,439,191	954,498	(484,693)	-33.68%	4,720,500	20.22%	24.83%
Electric Utility Tax	814,034	838,960	24,926	3.06%	3,050,000	27.51%	25.72%
Franchise Tax	90,146	80,092	(10,054)	-11.15%	3,075,000	2.60%	2.73%
Cogenerated Electric	359,954	357,323	(2,631)	-0.73%	1,690,000	21.14%	23.89%
License & Permits	600,891	359,452	(241,439)	-40.18%	1,720,000	20.90%	27.50%
Gas Utility Tax	514,721	811,667	296,946	57.69%	3,000,000	27.06%	20.01%
Interest on Investments	52,254	63,259	11,005	21.06%	267,000	23.69%	27.60%
Other Revenues	518,587	520,396	1,809	.35%	3,977,600	13.08%	18.80%
<b>Total General Fund Revenues</b>							
Net of Transfers	10,021,021	10,737,854	716,833	7.15%	60,242,700	17.82%	16.69%
Transfers In	50,000	50,000	0	0%	400,000		
<b>Total General Fund Revenues</b>	<b>\$ 10,071,021</b>	<b>10,787,854</b>	<b>716,833</b>	<b>7.12%</b>	<b>60,642,700</b>	<b>17.82%</b>	<b>16.69%</b>

\* SPLY – Same period last year

**Business License Tax** is the City's largest General Fund revenue source, accounting for 18.33% of total estimated revenues. The majority of this revenue stream is collected in January and February, and based on the preliminary numbers through the end of January this category appears to be on target to meet the annual budget.

**Sales & Use Tax** is estimated to generate approximately \$7.9 million this fiscal year and is the City's second largest revenue source. As of December 31, 2014, sales tax revenue is 26.96% of budget received.

**Property Tax** is currently 1.95% or \$48,000 less over the same period last year. Although the City has experienced a decrease to the same period last year, it is still expected to be on target to meet the FY 2014-2015 budget.

**Transient Occupancy Tax (TOT)** is approximately 5.22% or \$61,600 above the same period last year, with 22.75% of budget received. This revenue is rebounding as the economy improves due to increased occupancies and room rates. At this time TOT seems to be on target to meet budget. Staff will continue to monitor and report any changes due to the economic conditions at mid-year.

**Charges for Services** includes Zoning and Planning fees, Plan Check fees, Plan Retention fees, Energy Plan Check fees, and Planning Service fees and have a combined budget of \$4,720,500. The City has received \$954,500 or 20.22% of budget through the first quarter. This is a 33.68% or \$484,700 decrease over the same period last year. According to the Planning and Building Safety Department, there has been a decrease in plan check fees during the 1st quarter compared to the same quarter last year, but is anticipated to pick up during the remainder of the fiscal year. At this time staff is estimating this revenue group to end the year on target.

**Electric Utility Users Tax** is only slightly higher than the same period last year. Additionally, 27.51% of revenue has been received and it is projected that this revenue source will make budget through this fiscal year.

**Franchise Tax** is currently on target when compared to the same period last year. The City has received 2.6% of total revenues in the first quarter, with the majority of this revenue coming from two payments received in April. Staff expects this revenue to be to meet budget at yearend.

**Cogenerated Electric** is within \$2,600 from revenues received in the same period last year with 21.14% of budget received. The fluctuation of the price of natural gas is the biggest impact affecting the price per megawatt hour. Electricity pricing was higher and volume was higher as the fourth Cogen train has been fully implemented. This revenue category expects to meet estimated revenue projections at year end.

**License and Permits** recorded revenues of \$359,500 or 20.9% of budget for the first quarter. According to the Planning and Building Safety Department, this decrease is primarily due to a decrease in building, plumbing, electrical, street, and mechanical permits during the first quarter compared to the same period last year. This revenue stream will be analyzed at midyear to determine if it is still on target for the original estimated budget amount.

**Gas Utility Tax** is currently at 27.06% of budget received. This is \$297,000 or 57.69% higher than the same period last year. The primary factor for the increase is the usage at the power plant is up because the new power plant has been fully operational this fiscal year compared to same

period last year. This category will be watched closely by focusing on the price of natural gas along with consumption.

**Interest on Investments** for the quarter ending December 31, 2014 is tracking according to plan with \$63,300 in general fund income received for the period net of bank fees. Earnings continue to improve due to low interest rate yields for investments with maturities between 1-day to 5-years. Currently, the City's portfolio is invested in Local Agency Investment Funds (LAIF – 2.98% of portfolio value), Federal Agency Issues (57.20%), negotiable Certificates of Deposit (28%), and corporate securities (12.51%) with an overall effective yield of 0.93%.

### **General Fund Expenditures**

The General Fund expenditures through December 31<sup>st</sup>, 2014 are at 26.42% of the adopted budget. It is important to mention here that historically the first quarter numbers track slightly higher than the remainder of the year due primarily to pay outs of vacation and sick leave balances for retirements and resignations.

**Table 7 – FY 2014-2015 General Fund Expenditures – First Quarter**

	<i>1st Quarter Fiscal Year 2014-2015 Expend.</i>	<i>Adopted Budget Fiscal Year 2014- 2015</i>	<i>% Budget Expended</i>
Elected Officials	\$215,750	1,016,000	21.24%
Administrative Support	1,071,200	4,457,000	24.03%
Police	4,957,300	17,999,600	27.54%
Fire	3,946,200	14,160,100	27.87%
Communications Center	329,300	1,398,300	23.55%
Planning /Building Safety	484,100	2,996,700	16.15%
Public Works	1,366,050	5,925,600	23.05%
Recreation and Parks	1,122,100	5,082,200	22.08%
Library	556,700	2,188,400	25.44%
Nondepartment	1,725,600	4,242,800	40.67%
Transfers to Other Funds	1,144,100	4,576,400	25.00%
<b>Total General Fund Expenditures</b>	<b>\$ 16,918,400</b>	<b>64,043,100</b>	<b>26.42%</b>

### **Elected Officials and Administrative Support Services**

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

### **Nondepartment**

Nondepartment expenditures are currently at 40.67% of the adopted budget. Historically, this department's first quarter expenditures exceed the 25% mark due to the payouts of overaccrued sick and vacation balances. For the quarter ended December 31, 2014, approximately \$803,000 in sick and vacation cashouts were recorded. This is 23% over the adopted budget of \$780,000.

At the time the FY 2014-2015 budget was adopted, staff estimated the balances that were expected to be cashed out based on a historical average prior to the 2011 concession which froze this expenditure for most labor groups. Looking at the Nondepartment budget in total, staff expects the expenditures during the remainder of the year to be on target with budget.

### **Public Safety**

The Fire Department in total is on target with budget. First-quarter expenditures totaled \$3,946,200 or 27.87% of budget.

The Police Department in total is on target with budget. First-quarter expenditures totaled \$4,957,300 or 27.54% of budget.

Historically, expenditures in these two departments come in slightly higher in the first quarter due to the Holiday Pay being paid out in December of each year. For Fiscal Year 2014-2015, total Holiday Pay amounted to \$676,400. Additionally, overtime appears to be on target with budget as of December 2014.

### **Planning and Building Safety**

Expenditures for the first quarter are \$484,100 or 16.15% of the budget. This department continues to adjust staff with consultant resources which will enable them to reduce expenditures if necessary due to the uncertain economic conditions.

### **Public Works**

This function's General Fund divisions consist of Government Buildings, Engineering, Street Services, Street Maintenance, Traffic Safety, Solid Waste Recycling, Wastewater, Storm Drains, Equipment Maintenance and Administration. At the end of the first quarter this department is on target with actual expenditures at \$1,366,050 or 23.05% of budget.

### **Recreational, Cultural and Information Services**

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

At the end of the first quarter the Recreation and Parks department is right on target with actual expenditures at \$1,122,100 or 22.08% of budget.

Library Services is on target with budget at \$556,700 or 25.44% of expenditures realized though the first quarter.

### **Summary**

With 25% of the fiscal year complete, General Fund expenditures are at 26.42% of budget and revenues are 17.8% of budget and both are generally on target.



**AGENDA DESCRIPTION:**

Discussion and possible action regarding an appeal from the El Segundo Council of Parents and Teachers, Inc., to adjust their given score indicating the fee waiver percentage for city support services associated with the Run for Education. (Fiscal Impact: Estimated \$3,183)

**RECOMMENDED COUNCIL ACTION:**

1. Discussion regarding the appeal from the El Segundo Council of Parents and Teachers, Inc., to adjust their given score indicating the fee waiver percentage; and,
2. Alternatively, discuss and take other action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

1. Original Scorecard for Run for Education
2. Scorecard Summary as approved by City Council July 15, 2014
3. Letter of Appeal from El Segundo Council of Parents and Teachers, Inc.

**FISCAL IMPACT:** Estimated      \$3,183

**Amount Budgeted:**      \$3,183

**Additional Appropriation:** Yes

**Account Number(s):**      Various Run for Education Accounts (702-400-5416-\*\*\*\*)

**ORIGINATED BY:** Meredith Petit, Director of Recreation and Parks

**REVIEWED BY:** Meredith Petit, Director of Recreation and Parks

**APPROVED BY:** Greg Carpenter, City Manager

**BACKGROUND & DISCUSSION:**

At the regular City Council meeting July 15, 2014, the City Council approved a new process of identifying amounts in which the City would waive expenses as a result of supporting non-profit organizations' community special events. As part of the process, a City Council appointed sub-committee created a "City of El Segundo Fee Waiver Scorecard" that assigned point values in the following categories: Type of Organization, Fundraising Status, Target Audience, Cost to Participate, Perceived Community Benefit, and Impact. The total score was then placed on a scale that indicated the percentage of the fees to be waived by the City.

At the time of City Council approval, the Run for Education event was assigned a score of 15 out of 25 (see Attachment #1). As the Scorecard Summary (Attachment #2) illustrates, a score of 15 placed the event in Level IV. The fee waiver levels are as follows:

Level I: Non-Fundraising/Free to Attend = 100% Fee Waiver

Level II: Scores 20-25 = 75% Fee Waiver

Level III: Scores 16-19 = 50% Fee Waiver

Level IV: Scores 11-15 = 25% Fee Waiver

On February 5, 2015, the El Segundo Council of Parents and Teachers, Inc., submitted a letter to the Department of Recreation and Parks requesting that the City Council consider adjusting the score in three of the scoring categories: Type of Organization, Target Audience, and Perceived Community Benefit. The justification for score changes are presented in the Letter of Appeal (Attachment #3). With just one of the adjustments as requested, the event would enter into Level III and receive a 50% Fee Waiver.

The estimated City expenses for the Run for Education are \$12,732. A Special Events account has been set up by the Finance Department to track expenses for all community special events and under the original 25% fee waiver the City has budgeted approximately \$3,183 to support the event. The City would incur another \$3,183 by increasing the fee waiver to 50% of the total expenses to support the Run for Education.

## CITY OF EL SEGUNDO FEE WAIVER SCORECARD

**EVENT NAME & DATE:** PTA - Run for Education 5K & 10K

Category	Comments	Score
<b>ORGANIZATION INFORMATION</b>		
<i>This section considers the organization's financial status and the percentage of the organization's funds that are used directly for social programs.</i>		
Type of Organization		
Resident / El Segundo Non-Profit (10)		
El Segundo School Org. (8)		
Non-Resident Non-Profit (6)		
Resident Commercial (4)		
Non-Resident Commercial (2)		
Other (0)		
<b>EVENT/PROGRAM INFORMATION</b>		
<i>This section considers whether or not the event is a fundraiser. It also considers who the event or program is designed for.</i>		
Fundraising Status		
Non-fundraising (4)		
Fundraising for ES Org (3)		
Fundraising for other (1)		
Target Audience		
(Defined as the population that the event or program is intended to serve.)		
El Segundo Residents (4)		
General Public (3)		
Exclusive Use (0)		
Cost to Participate		
Free to attend (2)		
Fee charged (0)		
<b>CONSIDERATIONS</b>		
<i>This section considers the perceived benefits and the impacts of the event or program to the residents of the City El Segundo.</i>		
Perceived Community Benefit		
Mostly Community (5)		
Considerable Community (4)		
Balanced (3)		
Considerably Individual (2)		
Mostly Individual (0)		
Impact		
Street Closure (-1)	Street Closures; Property:	
Property Wear & Tear (-1)	Library Park, Tables, Chairs;	
Sound Impact (-1)	Sound Permit	
Other Considerations & Recommendations		
<b>TOTAL SCORE</b>		15
Total Amount Requested to be Waived \$ _____		
Total Amount Waived \$ _____		

Level I: 25-20 = Consider waiving most fees (75%)  
 Level II: 19-15 = Consider waiving partial fees (50%)

Level III: 14-12 = Consider waiving minimal fees (25%)  
 Level IV: <12 = Do not consider waiving fees (0%)

**Annual Special Events  
Sample Fee Waiver Scorecard Summary**

EVENT	SPONSORED BY	SCORE (out of 25)	Estimated City Fees	Estimated Fees Paid by Organization (If waived according to Sample Score and Proposed Percentage)
<b>Level I: Non-Fundraising/Free to Attend - 100% Fee Waiver</b>				
Candy Cane Lane	Residents of E. Acacia Avenue	N/A	\$ 1,035	\$ -
Holiday Parade	El Segundo Chamber of Commerce	N/A	\$ 13,835	\$ -
Make a Difference Day	Tree Musketeers	N/A	\$ 1,370	\$ -
Opening Day Parade	El Segundo Little League	N/A	\$ 4,100	\$ -
Pancake Breakfast	El Segundo Police & Fire Associations	N/A	\$ 535	\$ -
Promotional Dance	El Segundo PTA	N/A	\$ 700	\$ -
Soap Box Derby	El Segundo Boys Scouts Association	N/A	\$ 1,671	\$ -
Tasting Bee	El Segundo Girls Scouts	N/A	\$ 500	\$ -
Homecoming Parade	El Segundo High School	N/A	\$ 7,735	\$ -
<b>Level II: 75% Fee Waiver (Scores 20-25)</b>				
Movie in the Park	El Segundo Rotary Club	21	\$ 6,700	\$ 1,675
Arbor Day	Tree Musketeers	20	\$ 2,200	\$ 550
Main Street Car Show	El Segundo Police Officers Association	20	\$ 1,935	\$ 484
Richmond Street Fair	El Segundo Kiwanis Club	20	\$ 4,135	\$ 1,034
Broadway in the Park	El Segundo Broadway in the Park	20	\$ 2,752	\$ 688
<b>Level III: 50% Fee Waiver (Scores 16-19)</b>				
<b>Level IV: 25% Fee Waiver (Scores 11-15)</b>				
Run for Education 5K & 10K	El Segundo PTA	15	\$ 7,635	\$ 5,726
<b>No Fee Waiver (Non El Segundo Organization)</b>				
Relay for Life	American Cancer Society	N/A	\$ 7,235	\$ 7,235
<b>TOTALS</b>			<b>\$ 64,073</b>	<b>\$ 17,392</b>



El Segundo Council of Parents and Teachers, Inc.  
641 Sheldon St  
El Segundo, CA 90245-3036



February 5, 2015

Meredith Petit  
Director of Recreation and Parks  
339 Sheldon Street  
El Segundo, CA 90245

Dear Ms. Petit:

First, we would like to thank the City of El Segundo and the Recreation and Parks Department for working with the El Segundo Council of PTAs to make the Run for Education a success. Without everyone working together, the Run for Education would not be such an outstanding community event.

The El Segundo Council of PTAs was recently reviewing the enclosed July 15, 2014 Run for Education Scorecard. We believe a few areas warrant an adjustment as follows:

1. The Run for Education was assigned a score of 15. According to the published table, a score of 15 is Level II and a partial fee waiver of 50% is indicated. Our Council believes the Run for Education was assigned the wrong fee waiver level based upon the table on the Fee Waiver Scorecard. The City Staff gave the Run a score of 15, but only recommended a 25% fee waiver. Here's what the table on the scorecard says:

Level I: 25-20 = Consider waiving most fees (75%)  
Level II: 19-15 = Consider waiving partial fees (50%)  
Level III: 14-12 = Consider waiving minimal fees (25%)  
Level IV: <12 = Do not consider waiving fees (0%)

The Run should get a 50% fee waiver, based on the table.

2. Type of Organization: The Run for Education is listed as an El Segundo School Organization. The El Segundo Council of PTA's Inc. is actually a Resident/El Segundo Non – Profit. While the PTA works closely with the El Segundo Unified School District, it is a separate, IRS 501(c)(3) legal entity with its own Tax ID. We think the Run for Education should be moved up to a Resident/El Segundo Non-Profit which would give us a score increase to 10.
3. Target Audience: The target audience for the Run has always been El Segundo since the Run's inception. The bulk of our advertising and outreach is actually inside the city limits particularly within the schools. With the advent of the internet and on-line registration, the Run gets a great deal of exposure outside of El Segundo—especially since it has become a high quality event that has a very good reputation with runners in Southern California. And that benefits El Segundo business which is part of our main target audience. Starting this year, rather than going for the lowest price for things like t-shirts, printing and signage, we are giving a preference to businesses located in El

Segundo. We are focusing our efforts on making this a community event, bringing together the schools, the city and especially our local businesses. Our target audience is El Segundo, not the general public. We believe our score should be "4" in this category.

4. The Run for Education is 100% Community Benefit. All money raised is donated directly back to El Segundo Schools. As a result, we feel we should be awarded another point in this category.

With these adjustments, our score would be increased by 4 points, giving us a score of 19 out of 25. This number represents a 50% fee waiver based on the table.

We appreciate your willingness to take our appeal to the City Council so they can make a final determination, if necessary. If you need any additional information or would like me to appear before the Council, I would be happy to do so. I can be reached at [ptathoman@gmail.com](mailto:ptathoman@gmail.com) or 310-640-8057. Thank you for your support.

Sincerely,



Kim Thoman  
President  
El Segundo Council of Parents and Teachers, Inc.

Enclosure  
City of El Segundo Fee Waiver Scorecard: PTA - Run for Education 5K & 10K, July 15, 2014

**AGENDA DESCRIPTION:**

Consideration and possible action to appoint Mayor Pro Tem Carl Jacobson and Councilmember Dave Atkinson to serve on the Richmond Street Design Committee.  
(Fiscal Impact: None)

**RECOMMENDED COUNCIL ACTION:**

1. Appoint Carl Jacobson and Dave Atkinson to serve on the Richmond Street Design Committee; or
2. Alternatively, discuss and take other possible action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**


None

**FISCAL IMPACT:** None

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

**ORIGINATED BY:** Stephanie Katsouleas, Public Works Director 

**REVIEWED BY:** Suzanne Fuentes, Mayor

**APPROVED BY:** Greg Carpenter, City Manager 

---

**BACKGROUND AND DISCUSSION:**

On December 18, 2014, staff provided City Council an update on the Richmond Street re-striping plan that had been implemented in October, and received direction to make certain modifications to the lane widths, curb stop placement and loading zones in the 100 and 200 blocks of Richmond St. Those changes were implemented in January, 2015.

In the interim, staff has moved forward with the steps necessary to secure design and construction document services in anticipation of starting construction in early 2016. Among other elements, the proposed Scope of Work includes conducting extensive outreach to businesses and residents located on Richmond Street and formation of a Richmond Street Design Committee to help guide the final design elements for Council consideration. Staff sent out "Invitations to Participate" in the design process to all businesses, property owners and/or residents within the 100, 200 and 300 blocks of Richmond St. on February 11<sup>th</sup> with responses requested by March 15<sup>th</sup>. Staff also requested that the Mayor appoint two City Council members to serve on a design committee, which is expected to meet up to five (5) times between April and June. The Mayor recommends appointing Mayor Pro Tem Carl Jacobson and Councilmember Dave Atkinson to serve on the committee given their expressed interest and past, active involvement in meetings regarding Richmond Street improvements. This committee will be instrumental in crafting the final design that will presented to City Council for consideration and

become the basis for developing construction documents for the Richmond St. Rehabilitation project.



**EL SEGUNDO CITY COUNCIL  
AGENDA ITEM STATEMENT**

**MEETING DATE:** February 17, 2015  
**AGENDA HEADING:** Mayor Suzanne Fuentes

---

**AGENDA DESCRIPTION:**

Consideration and possible action to adopt a resolution in support of the Los Angeles Air Force Base and the Space and Missile Systems Center continuing its mission and operation in the City of El Segundo. (Fiscal Impact: None)

**RECOMMENDED COUNCIL ACTION:**



1. Approve the attached resolution;
2. Alternatively, discuss and take other action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

Draft resolution  
Letter of support

**FISCAL IMPACT: \$**

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

**PREPARED BY:** Mishia Jennings, Executive Assistant   
**REVIEWED BY:** Suzanne Fuentes, Mayor  
**APPROVED BY:** Greg Carpenter, City Manager 

---

**BACKGROUND & DISCUSSION:**

On February 2, 2015, City of Los Angeles Mayor Eric Garcetti hosted a meeting of Los Angeles County mayors where Mayor Suzanne Fuentes gave a presentation about Los Angeles Air Force Base's (LAAFB) history, national defense importance and economic significance to Los Angeles County.

Los Angeles Supervisor Don Knabe attended the meeting and emphasized immediate efforts to retain LAAFB, home of the Space and Missile Systems Center (SMC), are necessary because the Federal Government could act quickly without following the usual Base Realignment and Closure (BRAC) process. Supervisor Knabe spoke about a Resolution he intended to present at the February 3 Board of Supervisors meeting regarding retention of LAAFB, home SMC, in the City of El Segundo. The Resolution was passed unanimously.

After Mayor Fuentes's presentation, Mayor Garcetti spoke in support of LAAFB and SMC. Mayor Garcetti and Mayor Fuentes distributed a letter (attached) endorsing LAAFB and SMC retention to the mayors in attendance and requested their signatures of support. It was understood the mayors were signing in their individual capacity because no City Council had yet had the opportunity to consider the matter.

## **RESOLUTION NO. \_\_**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, SUPPORTING THE LOS ANGELES AIR FORCE BASE AND THE SPACE AND MISSILE SYSTEMS CENTER.**

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

The Los Angeles Air Force Base (LAAFB) and the Space and Missile Systems Center (SMC) are critical assets to the aerospace industry and the nation's ability to design the military technology necessary to adequately provide for our national defense. The biggest asset to our country's safety, possessed by the LAAFB and SMC, is its unmatched skilled workforce based in Los Angeles. This brain trust, consisting of 5,879 directly employed military, civilian, and contractor workers and 11,776 indirectly employed, has made its home in Los Angeles and would be unlikely to migrate anywhere else if either the LAAFB or SMC moved some of its operations. This localized, highly skilled workforce is essential to the success of the LAAFB and the SMC, and has time and again proven itself crucial to the defense of the United States of America.

The SMC has provided the nation with highly sophisticated intelligence gathering infrastructure that has significantly contributed to the U.S. military's advancement in missions such as Operation Desert Storm and Operation Iraqi Freedom where SMC is noted as having added "unimaginable speed and precision to American military operations" through the use of space-based surveillance, communications, navigation and meteorology.

As national defense continues to rely more on intelligence gathering, the role SMC has played in developing, acquiring, fielding and sustaining our military space systems cannot be overstated. SMC has proven to be a critical infrastructure asset to our national defense both in the past as well as for the foreseeable future.

LAAFB's and SMC's location also bolsters its strategic importance to our national defense due to the following factors:

- Los Angeles County remains the top location for aerospace and defense in the nation—home to major prime contractor operations, such as Northrop Grumman, Lockheed Martin, Boeing, Raytheon, and Honeywell, as well as Aerospace Corporation which is physically connected to LAAFB and home to more small and mid-sized companies in the aerospace and defense supply chain than anywhere else in the nation.
- Los Angeles County also graduates more engineers than any other region and has developed sophisticated programs at community colleges and universities to meet the needs of the aerospace and defense industry well into the future.
- The proximity to a significantly large aerospace and defense ecosystem of companies coupled with an unmatched skilled workforce available only in L.A. provide the LAAFB with unparalleled built-in benefits to advance its mission.

Los Angeles provides vital talent and connections to the largest aerospace manufacturing base in the country to the LAAFB and SMC, which can be found nowhere else. Similarly, the Los

Angeles Air Force base is a Los Angeles icon, keeping our region connected to the armed forces and the women and men who keep our country safe.

History has shown us that we must be forever vigilant so that this incredible asset to our national security and regional economy is not threatened by closure or relocation.

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

SECTION 1:

- A. The City of El Segundo City Council is in full support of the motion made by Supervisor Don Knabe on February 3, 2015. Where a letter signed by the five current Los Angeles Board of Supervisors was sent to Secretary Chuck Hagel and Secretary of the Air Force Deborah Lee James expressing their firm support for the Los Angeles Air Force Base and stating that any relocation attempt of the Space and Missile Systems Center would be detrimental to national defense and the mission of the Los Angeles Air Force Base.
- B. El Segundo City Council is in full support of the Mayors' of Los Angeles County letter sent to Secretary Chuck Hagel and Secretary of the Air Force Deborah Lee James expressing their firm support for the Los Angeles Air Force base and stating that any relocation attempt of the Space and Missile Systems Center would be detrimental to national defense and the mission of the Los Angeles Air Force Base.
- C. For our residents and the community at large who are professionally connected to the aerospace community centered by the Los Angeles Air Force Base and Space and Missile Systems Center, the El Segundo City Council strongly supports retaining the facility in El Segundo, California.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Suzanne Fuentes, Mayor

ATTEST:

\_\_\_\_\_  
Tracy Weaver, City Clerk

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

By: \_\_\_\_\_  
Mark D. Hensley, City Attorney

February 2, 2015

Secretary of Defense Chuck Hagel  
1400 Defense Pentagon  
Washington, DC 20301-1400

Secretary of the Air Force Deborah Lee James  
1690 Air Force Pentagon  
Washington, DC 20330-1670

Dear Secretary Hagel and Secretary James,

As city leaders within Los Angeles County, we write to express our strong support for the Los Angeles Air Force Base and the critical role it plays in our nation's defense.

Los Angeles County has a rich history in aerospace, missile, and defense technology and development. Los Angeles remains the top location for aerospace and defense in the nation because of its expansive supplier base of firms, skilled talent, and unmatched export capacity. Los Angeles' national designation as an advanced aerospace manufacturing community, one of only twelve manufacturing communities selected nationwide, is testament to its strength within this industry as is its recent selection to host the Department of Commerce's first annual National Aerospace Foreign Direct Investment Expo.

The Los Angeles Air Force Base (LAAFB) and the Space and Missile Systems Center (SMC) are critical assets to the aerospace industry and the nation's ability to design the military technology necessary to adequately provide for our national defense. The biggest asset to our country's safety, possessed by the LAAFB and SMC, is its unmatched skilled workforce based in Los Angeles. This brain trust, consisting of 5,879 directly employed military, civilian, and contractor workers and 11,776 indirectly employed, has made its home in Los Angeles and would be unlikely to migrate anywhere else if either the LAAFB or SMC moved some of its operations. This localized, highly skilled workforce is essential to the success of the LAAFB and the SMC, and has time and again proven itself crucial to the defense of the United States of America.

SMC provides the nation with highly sophisticated intelligence gathering infrastructure that has significantly contributed to the U.S. military's advancement in missions such as Operation Desert Storm and Operation Iraqi Freedom where SMC was noted as having added "unimaginable speed and precision to American military operations" through the use of space-based surveillance, communications, navigation and meteorology.

As national defense continues to rely more on intelligence gathering, the role SMC has played in developing, acquiring, fielding and sustaining our military space systems cannot be overstated. SMC has proven to be a critical infrastructure asset to our national defense both in the past as well as for the foreseeable future.

LAAFB's and SMC's location also bolsters its strategic importance to our national defense due to the following factors:


- Los Angeles County remains the top location for aerospace and defense in the nation—home to major prime contractor operations, such as Northrop Grumman, Lockheed Martin, Boeing, Raytheon, and Honeywell, as well as Aerospace Corporation which is physically connected to LAAFB and home to more small and mid-sized companies in the aerospace and defense supply chain than anywhere else in the nation.
- Los Angeles County graduates more engineers than any other region and has developed sophisticated programs at community colleges and universities to meet the needs of the aerospace and defense industry well into the future.
- Proximity to a significantly large aerospace and defense ecosystem of companies coupled with an unmatched skilled workforce available only in Los Angeles provides LAAFB with unparalleled built-in benefits to advance our nation's defense mission.

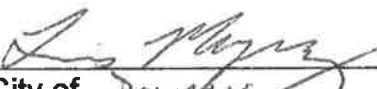
Los Angeles provides LAAFB and SMC vital talent and connections to the country's largest aerospace manufacturing base. Similarly, the Los Angeles Air Force Base is a Los Angeles icon, keeping our region connected to the armed forces and the women and men who keep our country safe. Neither SMC nor Los Angeles would be as strong without the other.

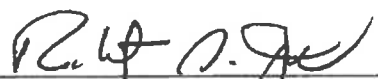
We, the mayors of the cities in Los Angeles County, support the Los Angeles Air Force Base and the Space and Missile Systems Center, and firmly believe any relocation attempt of the SMC would be detrimental to national defense and the mission of the Los Angeles Air Force Base.


Sincerely,


  
City of LOS ANGELES


  
City of El Segundo

  
City of Downey

  
City of South Pasadena

  
City of TEMPLE CITY

  
City of San Marino

  
City of S. El Monte

  
City of Artesia

Henry Sanchez J  
City of LOMITA

Ellen Perkins  
City of Potosi Verde Estates

Joe Alfaro  
City of Potosi Verde Estates

Joe Alfaro  
City of Torrance

Joe Alfaro  
City of Monterey Park

Joseph M. Ryan  
City of Claremont

Jose Carlos Caran  
City of Duarte

Edoardo R  
City of MAYWOOD

Sam Spivey  
City of INDUSTRY

R. M.  
City of Montebello

Paul  
City of Glendale

Joe Alfaro  
City of South Gate

Donald McLean  
City of Vernon

Diana J. May  
City of Paramount

Joe Alfaro  
City of Downey

Jim Dear  
City of CARSON

Jim Dear  
City of Lynwood

Peter C. Tucker  
City of Hermosa Beach

City of

City of

City of

City of