AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

The City Council, with certain statutory exceptions, can only take action upon properly posted and listed agenda items. Any writings or documents given to a majority of the City Council regarding any matter on this agenda that the City received after issuing the agenda packet are available for public inspection in the City Clerk’s office during normal business hours. Such Documents may also be posted on the City’s website at www.elsegundo.org and additional copies will be available at the City Council meeting.

Unless otherwise noted in the Agenda, the Public can only comment on City-related business that is within the jurisdiction of the City Council and/or items listed on the Agenda during the Public Communications portions of the Meeting. Additionally, the Public can comment on any Public Hearing item on the Agenda during the Public Hearing portion of such item. The time limit for comments is five (5) minutes per person.

Before speaking to the City Council, please come to the podium and state: Your name and residence and the organization you represent, if desired. Please respect the time limits.

Members of the Public may place items on the Agenda by submitting a Written Request to the City Clerk or City Manager’s Office at least six days prior to the City Council Meeting (by 2:00 p.m. the prior Tuesday). The request must include a brief general description of the business to be transacted or discussed at the meeting. Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the City Clerk two (2) working days prior to the meeting and they do not exceed five (5) minutes in length.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk, 524-2305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, NOVEMBER 4, 2014 – 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): -1- 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): -1- matter.

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

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

PUBLIC EMPLOYEMENT (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

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, NOVEMBER 4, 2014 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Brendon Cash, Pastor, Oceanside Christian Fellowship

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Jacobson
PRESENTATIONS

a) Proclamation – November 17, 2014 – December 18, 2014 as the Spark of Love Toy Drive.

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)
1. Consideration and possible action to open a public hearing and receive public testimony concerning adopting a resolution amending the Zone A preferential parking area and include the permit fee in accordance with the El Segundo Municipal Code ("ESMC"). Zone A will be amended to include the west curb line of Washington Street (from Maple Avenue to Walnut Avenue), both curb lines of Walnut Avenue (from Washington Street to Center Street), both curb lines of Sycamore Avenue between Washington Street and California Street (excluding the south curb line directly adjacent to the public park), and both curb lines of California Street between Acacia Avenue and Maple Avenue (Excluding the east curb line directly adjacent to the public park).

(Fiscal Impact: $2,000.00)

Recommendation – 1) Open the Public Hearing; 2) Take Public Testimony; 3) Adopt a resolution amending Resolution No. 4876 to expand the Zone A preferential parking area and include the permit fee; 4) Alternatively, discuss and take other possible action related to this item.

C. UNFINISHED BUSINESS

2. Discussion and possible action regarding the distribution of the Request for Proposals for a Financial Analysis and Comparison of The Lakes at El Segundo Golf Course and the TopGolf Development Proposal. (Fiscal Impact: Not to exceed $10,000 from donated funds)

Recommendation – 1) Review the draft Request for Proposals document; 2) Provide direction to staff in regards to the distribution of the Request for Proposals; 3) Alternatively, discuss and take other possible action related to this item.

3. Consideration and possible action to 1) receive and file this report regarding the Capital Improvement Program (CIP) goals and objectives for FY 2014/15 and summary of resources needs to accomplish those goals and objectives and 2) consider whether to allocate additional staffing resources in Public Works to accelerate the proposed schedule for CIP and improve plan check services. (Fiscal Impact: Undetermined)

Recommendation – 1) Receive and file this report regarding the Capital Improvement Program Goals and Objectives for FY 2014/15 and the resources needed to accomplish those goals and objectives; 2) Consider whether to allocate additional staffing resources in Public Works to accelerate the proposed schedule for CIP and improve plan check services; 3) Alternatively, discuss and take other possible action related to this item.
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.

4. Warrant Numbers 3003069 through 3003292 on Register No. 2 in the total amount of $826,888.71 and Wire Transfers from 10/05/2014 through 10/19/2014 in the total amount of $3,417,015.94.

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.

5. Special City Council Meeting Minutes of October 20, 2014 and Regular City Council Meeting Minutes of October 21, 2014.

Recommendation – Approval.

6. Consideration and possible action regarding a request for a new Alcoholic Beverage Control (ABC) License to allow the on-site sale and consumption of beer, wine and distilled spirits (Type 47 State of California Alcoholic Beverage Control License) at a hotel bar (Aloft Hotel) at a location currently addressed as 525 North Sepulveda Boulevard. Applicant: Rubicon B Hacienda LLC.

(Fiscal Impact: N/A)

Recommendation – 1) Receive and file this report without objecting to the issuance of an alcohol license for on-site sale of beer, wine and distilled spirits for on-site consumption at a new Aloft Hotel located at a site currently addressed as 525 North Sepulveda Boulevard (proposed address 475 North Sepulveda Boulevard); 2) Alternatively, discuss and take other possible action related to this item.
7. Consideration and possible action to: 1) adopt a resolution of intention to vacate an existing public street easement at 815 and 821 Hornet Way; and 2) adopt a resolution to affirm the adoption of Ordinance No. 237 regarding vacation of a 90-foot wide public street easement and a 60-foot wide public street easement at 815, 821 and 827 Hornet Way. Applicant: Northrop Grumman c/o DCA Engineering
(Fiscal Impact: None)
Recommendation – 1) Discussion; 2) Adopt the proposed Resolution of Intention to Vacate an existing 150-foot wide public street easement at 815 and 821 Hornet Way; 3) Adopt the proposed Resolution to Affirm the Adoption of Ordinance No. 237 Regarding Vacation of a 90-foot wide street easement and a 60-foot wide public street easement at 815, 821 and 827 Hornet Way; 4) Alternatively, discuss and take other possible action related to this item.

8. Consideration and possible action to receive and file this report regarding the emergency repair to remove debris in the attic space of City Hall 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: $82,354.00)
Recommendation – 1) Receive and file this report regarding the emergency repair to remove debris in the attic space of City Hall 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.

9. Consideration and possible action to receive and file this report regarding cleaning and repairing drywall and carpet as well as restoring furniture in the north portion of City Hall 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: $37,000.00)
Recommendation – 1) Receive and file this report regarding cleaning and repairing drywall and carpet as well as restoring furniture in the north portion of City Hall 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.

F. NEW BUSINESS
10. Discussion and possible action regarding the request from Space-X to reserve areas of Recreation Park for the purposes of a special event, including barbequing for a period of up to 24 hours, and in violation of the El Segundo Municipal Code pertaining Title 10, Chapter 1 for Park Rules and Regulations ("ESMC § 10-1-4).  
(Fiscal Impact: None)  
Recommendation – 1) Approve or deny the request; 2) Alternatively, discuss and take other possible action related to this item.

11. Consideration and possible action regarding 1) Introduction of an Ordinance; 2) Adoption of a Resolution of Intention to approve an Amendment to the Contract between the Board of Administration of the California Public Employees’ Retirement System (CalPERS) and the El Segundo City Council to cease contributions under Government Code Section 20516(a) (3% Employee Cost Sharing of Additional Benefits) applicable to El Segundo Firefighters’ Association members per 2011-14 MOU agreement and 3) Approval for Staff to administer the required Employee Election.  
(Fiscal Impact: $174,338 for Fiscal Year 2014/15)  
Recommendation – 1) Introduce and waive the First Reading of the Ordinance; 2) Adopt the Resolution of Intention; 3) Approve Staff to administer the Employee Election; 4) 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 –

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: 10.29.14

TIME: 2:15 pm

NAME: [Signature]

10
Proclamation

City of El Segundo, California

WHEREAS, In an effort to provide for children who otherwise might not experience the joy of the holiday season, the City of El Segundo Fire Department along with other Southland fire agencies, has participated in the Spark of Love program for the past twenty two years and has been a collection site for toys and food items donated during the holidays; and

WHEREAS, The ever upward spiraling cost of living burdens disadvantaged and displaced families who may not be able to give gifts during the holiday season without help from the Spark of Love program; and

WHEREAS, The true holiday spirit is reflected in unselfish giving and our thoughts and hearts go out to those less fortunate than ourselves; and

WHEREAS, In the past, with the help of civic-minded citizens who live and work in our community, hundreds of toys plus food items have been collected and distributed to children and families in El Segundo and other South Bay cities.

NOW, THEREFORE, the Mayor and Members of the City Council of the City of El Segundo, California, do hereby proclaim November 17, 2014 through December 18, 2014 as the Spark of Love TOY DRIVE

The community is encouraged to support this holiday program by contributing toys and non-perishable foods to the El Segundo Fire Department, Fire Station No. 1 at 314 Main Street, during the period of November 17 through December 18, 2014.

Mayor Suzanne Fuentes

Mayor Pro Tem Carl Jacobson
Council Member Dave Atkinson
Council Member Marie Fellhauer
Council Member Michael Dugan
AGENDA DESCRIPTION:

Consideration and possible action to open a public hearing and receive public testimony concerning adopting a resolution amending the Zone A preferential parking area and include the permit fee in accordance with the El Segundo Municipal Code ("ESMC"). Zone A will be amended to include the west curb line of Washington Street (from Maple Avenue to Walnut Avenue), both curb lines of Walnut Avenue (from Washington Street to Center Street), both curb lines of Sycamore Avenue between Washington Street and California Street (excluding the south curb line directly adjacent to the public park), and both curb lines of California Street between Acacia Avenue and Maple Avenue (excluding the east curb line directly adjacent to the public park). (Fiscal Impact: $2,000.00)

RECOMMENDED COUNCIL ACTION:

1. Open the public hearing;

2. Take public testimony;

3. Adopt a resolution amending Resolution No. 4876 to expand the Zone A preferential parking area and include the permit fee;

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

ATTACHED SUPPORTING DOCUMENTS:

1. Resolution amending Resolution No. 4876 to expand the Zone A preferential parking area and include the parking permit fee;

2. Map of proposed permit parking area.

FISCAL IMPACT: Potential Budget Adjustment Required

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<th>Amount Budgeted:</th>
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<td>Additional Appropriation:</td>
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ORIGINATED BY: Brian Evansi, Captain

REVIEWED BY: Mitch Tavera, Chief of Police

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

In the area of Washington Street and Walnut Avenue, residential parking areas have historically experienced traffic and parking impacts caused by employees of nearby commercial facilities. The City Council has addressed this issue in the past. In 1985, the Council commissioned a
Neighborhood Traffic Management Study that made many recommendations including restricted parking times and permit parking requirements. The study specifically identified certain streets including Acacia Avenue between Center Street and the easterly terminus; Washington Street between Walnut Avenue and Maple Avenue, Walnut Avenue between California Street and Washington Street, and California Street between Walnut Avenue and the alley north of Acacia Avenue. In the early 1990s, the demand for parking spaces decreased and the permit parking requirements were removed.

In 2012, following a survey by the El Segundo Police Special Operations Division, it was determined that a permit parking program was desired by the residents of the Washington Plaza Home Owners Association and the program was again necessary.

On February 19, 2013, the City Council adopted Resolution No. 4808 which amended Resolution No. 3333 and reinstated the parking permit program on the west curb line of Washington Street from Maple Avenue to Walnut Avenue; and the south curb line of Walnut Avenue adjacent the Washington Plaza Home Owners Association property.

Since reinstating the preferential parking program in 2013, additional complaints and petitions were filed with the City. As a result, the permit parking zone has twice been expanded, most recently on June 3, 2014, and currently includes the west curb line of Washington Street (from Maple Avenue to Walnut Avenue), both curb lines of Walnut Avenue (from Washington Street to California Street) and both curb lines of Sycamore Avenue between Washington Street and California Street (excluding the south curb line directly adjacent to the public park).

On June 30, 2014, the City received another petition and request to further expand the permit parking zone. All residents in the 800 blocks of California Street signed the petition (two signatures could not be verified).

In response to the petition and overwhelming request, the El Segundo Police Department conducted additional door-to-door parking surveys in the 1100, 1200, and 1300 blocks of Walnut Avenue. The result of the survey determined that 57.7% of those residents also requested permit parking for their streets. Further, the Police Department held a community meeting on September 23, 2014, in an effort to obtain additional information and feedback from the impacted residents.

Based on these efforts, the need to expand the permit program is once again recommended to include the 1100, 1200 and 1300 blocks of Walnut Ave, and California Street between Acacia Avenue and Maple Avenue (excluding the east curb line adjacent to the public park).

**RECOMMENDATION**

Based upon receipt of the petition, observations, surveys, and discussions with affected residents, it is recommended that the City Council adopt a resolution to again expand the Zone I preferential parking area and include the parking permit fee pursuant to the El Segundo Municipal Code. The parking permit for previous districts has been set at $0.00. However, because the permit parking has expanded and is anticipated to further expand, City Council may
wish to consider implementing a recovery fee as allowed under Municipal Code (ESMC) Section 8-5A-7, A.4. Alternatively, if the parking permit fee is set at $0.00, staff is requesting a budget adjustment of $2,000.00 to cover the annual cost of the placards for all homes in Permit Zone A, which will cover the cost of issuing permits to each qualifying residential address. Please note that there are approximately 125 homes in the permit zone and each home is entitled to obtain up to five permits (3 owner and 2 guest permits), although not every home requests its full allocation. The City pays approximately $4.00 per placard, which are customized to meet the parking restrictions of the permit zone.

If the City Council chooses to implement a recovery fee, Council may also wish to consider modifying Section 8-5E-11 of the Municipal Code to extend the parking permit validity duration from 1 year to 3 or 5 years.

The parking permit times for this expanded area will be the same as the existing preferential parking areas. The days and times will be Monday through Friday; 10:00am to 11:00am & 2:00pm to 3:00pm.

Upon approval and implementation of the expanded permit zone, the El Segundo Police Department will issue warning notices for a 1-month period prior to citing vehicles for violating the permit parking requirement.

Residents living in the affected preferential parking zone will receive a letter from the City outlining the implementation plan and instructions on how to obtain the parking permits. Residents must provide proof of residency through a utility bill and demonstrate the number of vehicles registered to the address via records from the Department of Motor Vehicles (DMV). Up to five (5) permits can be issued per household and each permit is valid for one (1) year.

Therefore, staff recommends that City Council:
1. Amend Zone A preferential parking area to include the expanded boundaries as defined above.
2. Adopt the attached resolution.
3. Approve a permit fee for issuing permits for Zone A, which may be either:
   a. $0.00, and approve an additional appropriation of $2,000.00 to the Engineering Division budget to cover the cost of the placards; or
   b. $4.00 for each permit issued to residents within Zone A.
RESOLUTION NO. ______

A RESOLUTION AMENDING RESOLUTION NO. 4876 REGARDING PREFERENTIAL PARKING AREAS WITHIN THE CITY WHERE PARKING PERMITS MAY BE USED IN ACCORDANCE WITH EL SEGUNDO MUNICIPAL CODE CHAPTER 8-5A.

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

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

A. This Resolution is adopted in accordance with El Segundo Municipal Code ("ESMC") Chapter 8-5A for the purpose of amending Resolution No. 4876, adopted June 3, 2014 which establishes certain "preferential parking" areas;

B. This Resolution reviewed by the City’s Planning and Building Safety Department for consistency with the circulation element of the General Plan and conformity with the El Segundo Municipal Code ("ESMC");

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

D. On November 4, 2014, the City Council held a public hearing to receive public testimony and other evidence regarding, in part, this Resolution including, without limitation, information provided to the Council by the Police Department; and

E. This Resolution, and its findings, are made based upon the evidence presented to the Council at its November 4, 2014, hearing.

SECTION 2: Findings. Pursuant to ESMC § 8-5A-4, the City Council makes the following findings:

A. Regular Interference. That nonresident vehicles substantially and regularly interfere with the use of the majority of parking spaces within Zone 1 (as defined below). This is primarily attributable to the use of parking spaces by employees of neighboring businesses;

B. Regular Intervals. Such interference occurs on a daily basis within Zone 1,
particularly during work days;

C. **Noise.** These nonresident vehicles significantly contribute to unreasonable noise; traffic hazards; and environmental pollution within Zone 1; and

D. **Shortage Of Parking Spaces.** Residents within Zone 1 are unable to reasonably and conveniently utilize parking spaces that are adjacent to their dwelling units.

**SECTION 3: Creation of Zone 1 Preferential Parking Area.** Pursuant to ESMC § 8-5A-3, the City Council amends the Zone 1 Preferential Parking Area which is graphically depicted in attached Exhibit "A," which is incorporated by reference, and described as follows:

"ZONE 1. No parking between the hours of 10:00 A.M. and 11:00 A.M. and between 2:00 P.M. and 3:00 P.M., Monday through Friday, except by permit on the west curb line of Washington Street (from Maple Avenue to Walnut Avenue), both curb lines of Walnut Avenue (from Washington Street to Center Street), both curb lines of Sycamore Avenue (from Washington Street to California Street; excluding the south curb line directly adjacent to the public park), and both curb lines of California Street (from Acacia Avenue to Maple Avenue; excluding the east curb line directly adjacent to the public park)."

**SECTION 4: Parking Restrictions.** Vehicles parking within Zone 1 must comply with ESMC Chapter 8-5A including, without limitation, ESMC § 8-5A-10. The Police Chief, or designee, is authorized to enforce this Resolution.

**SECTION 5: Permit Fees.** Pursuant to ESMC § 8-5A-7(A)(4), the City Council establishes a fee of $____ for obtaining a permit pursuant to this Resolution.

**SECTION 6: Environmental Assessment.** This Resolution is exempt from the requirements of the California Environmental Quality Act (Pub. Res. Code §§ 21000, et seq.; "CEQA") and CEQA Guidelines (Cal. Code Regs. Title 14, §§ 15000, et seq.) in accordance with CEQA Guidelines § 15305 (Class 5 – Minor Alterations in Land Use Limitations). The project involves a negligible expansion of use; there is only a minor change in the operation of an existing use. The project would not result in significant effects related to traffic, noise, air quality, or water quality and it can be adequately served by all required utilities and public services.

**SECTION 7: Notification.** The Public Works Director, or designee, is authorized to erect such street signs as are needed to properly notify the general public of the restrictions on parking in the preferential parking zone created through this Resolution.

**SECTION 8: Supersession.** Supersession of previous preferential parking zones does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and
imposition of penalties for any violation occurring before this Resolution’s effective date. Any such superseded part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

SECTION 9: Effective Date of this Resolution. This Resolution will become effective immediately upon adoption and will remain in effect unless repealed or superseded.

PASSED AND ADOPTED this ____ day of _________, 2014.

______________________________________________
Suzanne Fuentes, Mayor

ATTEST:

______________________________________________
Tracy Sherrill Weaver,
City Clerk

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

By: __________________________________________
    Karl Berger,
    Assistant City Attorney
PROPOSED EXPANSION
PERMIT PARKING AREAS
SEPTEMBER 2014

Proposed Area

Permit Parking Area
EL SEGUNDO CITY COUNCIL
AGENDA ITEM STATEMENT

MEETING DATE: November 4, 2014
AGENDA HEADING: Unfinished Business

AGENDA DESCRIPTION:
Discussion and possible action regarding the distribution of the Request for Proposals for a Financial Analysis and Comparison of The Lakes at El Segundo Golf Course and the TopGolf Development Proposal. (Fiscal Impact: Not to exceed $10,000 from donated funds)

RECOMMENDED COUNCIL ACTION:
(1) Review the draft Request for Proposals document;
(2) Provide direction to staff in regards to the distribution of the Request for Proposals; and,
(3) Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
(1) Draft Request for Proposals - Financial Analysis and Comparison of The Lakes at El Segundo Golf Course and the TopGolf Development Proposal

FISCAL IMPACT: Not to exceed $10,000 from donated funds

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ORIGINATED BY: Meredith Petit, Director of Recreation and Parks
REVIEWS BY: Meredith Petit, Director of Recreation and Parks
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND & DISCUSSION:

On August 19, 2014, the City Council held a discussion regarding the proposed Due Diligence and Ground Lease Agreement between ES CenterCal LLC and the City of El Segundo for the purposes of developing a TopGolf Facility at The Lakes at El Segundo Driving Range. The primary discussion was focused on the financial analysis of the current operations at The Lakes and whether the TopGolf Development Proposal would be financially beneficial for the City.

Staff prepared and presented various analyses to City Council and due to differences in opinion of what assumptions to use for the analysis, the City Council directed staff to seek proposals from outside entities to prepare an objective financial analysis for the purposes of better understanding the TopGolf Development Proposal. The analysis would compare the current and future operations of The Lakes, including modifications resulting from the TopGolf proposal, to the revenues anticipated from TopGolf from the ground lease and resulting tax generation. It would also identify potential burdens and risks that may arise from the proposal.

City staff prepared the draft Request for Proposals (RFP), entitled Financial Analysis and Comparison of The Lakes at El Segundo Golf Course and the TopGolf Development Proposal. The scope of work for the financial analysis includes a number of tasks including:

- A five-year financial analysis of The Lakes apportioned by program areas (i.e. Golf Course, Driving Range, Lessons, Pro Shop, and Restaurant, etc.);
- Analysis of the current infrastructure of The Lakes and cost estimates to improve and maintain the facilities for the next 25 years;
- Identification of “what could be” alternatives for the future operations of The Lakes for the purposes of improving its financial performance;
- Real estate appraisal of the various parcels at The Lakes and comparison to market value of similar commercial real estate;
- Evaluation of the TopGolf proposal in terms of financial benefits and risks, short- and long-term capital investments, and impact to the City during construction period and non-operation; and finally,
- Comparison of the current and future operations at The Lakes to the TopGolf proposal.

The City Council also indicated their desire that the Request for Proposals be fully vetted through the Golf Course Sub-Committee, which includes Council Members Atkinson and Dugan. The Golf Course Sub-Committee held a Special Meeting on Wednesday, October 15th, and the majority felt obligated to provide feedback and express their concerns to the City Council. The sub-committee is concerned that:
- The solicitation of proposals for a financial analysis is not in the best interest of the City as such analysis was already prepared by City staff;
- The cost of the financial analysis would far exceed the $10,000 pledge from a local business, and if so, doesn’t believe it is worthwhile to spend additional resources (funding and staff time) into the project;
- Results from a financial analysis will likely not provide information that would change their perspective on making a final decision regarding the existing TopGolf proposal;
- That the decision at hand should not be solely placed on finances;
- The process in which the TopGolf proposal was introduced was flawed without competitive bidding; and,
- The sub-committee was not properly involved in the initial stages of determining the future of the facility, as indicated as one of the primary functions of the sub-committee according to the Golf Course Manual.

Ultimately, the sub-committee voted 4-1 to indicate to the City Council that they realize it is the decision of the City Council to proceed with the RFP, and as such, is agreeable to the language as written in the draft, so long as their concerns have been presented.

At this time, staff is prepared to distribute the RFP to solicit proposals from qualified agencies. The estimated timeframe to receive proposals after distribution is about 3 weeks. Once proposals are received staff will convene a Selection Committee comprised of City Manager Greg Carpenter, Recreation and Parks Director Meredith Petit, and Council Members Atkinson and Dugan to review and evaluate the proposals. It is understood that the authorized budget for the project is set at $10,000. Should the selected proposal be quoted at a higher price, the Selection Committee will return to the City Council for further direction and funding request; however, if the selected proposal meets the authorized budget, staff will proceed with the project as directed.
REQUEST FOR PROPOSAL (RFP)
CITY OF EL SEGUNDO
Financial Analysis and Comparison of The Lakes at El Segundo Golf Course
and the TopGolf Development Proposal
RFP NO. 14-XX

Dear Sir/Madam:

The City of El Segundo invites qualified consultants to provide a detailed response to this request for proposals that may lead to a preliminary identification and selection process for contracted financial analysis services for the City of El Segundo.

An original and 5 copies of the proposal are due to the City Clerk’s Office on:

Tuesday, Date To Be Determined, 2014, by 5 p.m.

City of El Segundo
ATTN: City Clerk’s Office
350 Main Street
El Segundo, CA 90245
1. BACKGROUND INFORMATION

The Lakes at El Segundo ("The Lakes") is a 25-acre parcel located on Sepulveda Blvd. just south of El Segundo Blvd. and across from the Chevron refinery. Chevron grant deeded The Lakes to the City of El Segundo as a public recreation facility. The grant deed includes a restrictive land use covenant that states the parcel can be used as a public golf course or other public outdoor recreational use.

The Lakes currently operates as a 9-hole executive golf course that is owned by, and operated under the oversight of the City of El Segundo. The facility also includes a 58-station driving range, restaurant, and pro shop. The day-to-day management and operations of the facility is provided by Lane Donovan, a golf course management company, under contract with the City and under the general oversight of a Golf Course subcommittee comprised of community members, appointed and elected City officials, and staff of the Recreation and Parks Department.

The Lakes operates as an enterprise fund for the City with the intention to generate adequate revenues to cover operating and long-term expenses without assistance from the City’s General Fund. On average, The Lakes generates approximately $2 million in gross revenues (approximately $700k from the Driving Range alone) with net revenues reduced by operational expenses, administrative charges, and other City expenses required under enterprise funding accounting methods.

The City has been approached by ES CenterCal, LLC. (CenterCal), a local developer, that has proposed the creation of a TopGolf facility adjacent to the golf course in place of the existing driving range. CenterCal is proposing to invest over $20 million in a new facility, in concept similar to TopGolf’s Austin location, which CenterCal will initially lease to TopGolf. CenterCal has proposed a long-term lease to include an annual ground lease amount plus escalation over the remaining term. The details of the proposal are indicated in a Due Diligence and Ground Lease Agreement between the City of El Segundo and CenterCal.

Construction of the TopGolf facility would require zoning modification of The Lakes, reconfiguration of the golf course, the reconstruction of the Clubhouse, including the restaurant and pro shop, and an arrangement to share the existing parking lot. This proposal would result in certain new revenues to the City (primarily the ground lease and taxes) while the net revenue and expenses from the current driving range and lessons operations would be eliminated. Additionally, revenues and expenses associated with other program areas (i.e. restaurant and pro shop) will be impacted.

The City is interested in better understanding the potential benefits and risks of the proposed contract with CenterCal compared to the current and future operations of The Lakes facility, including the value of new capital infusion.
2. SCOPE OF SERVICE - OBJECTIVES

The City of El Segundo is seeking a qualified firm or firms to complete the objectives identified herein:

A. Working in conjunction with, and with data provided by the City of El Segundo and Lane Donovan, review the financial data for The Lakes and the City Golf Course Enterprise Fund over a five-year history, in summary and apportioned by Program (i.e. Golf Course, Driving Range, Restaurant, Pro Shop, Lessons, etc.), and prepare financial analyses of the following (but not limited to):
   1. Gross revenues generated by The Lakes Operations;
   2. Net revenues paid to the City by The Lakes;
   3. Net profit to the City after appropriate deductions for administrative expenses incurred by the City;
   4. The Lakes general and administrative charges as incurred at the golf course operations level;
   5. City enterprise fund charges;
   6. Net profit/loss trends
   7. Cash flow trends
   8. Net position trends

B. Analyze the current condition of The Lakes infrastructure and provide cost estimates for current and future capital expenditures to maintain the facilities for the next 25 years.

C. Identify feasible “what could be” enhancements to the current operations that could improve the financial performance of The Lakes, including but not limited to long term “net” lease arrangements of the restaurant and pro shop.

D. Conduct a real estate appraisal using the net operating income approach and assign a market cap rate (within the market area as defined by the real estate appraiser) for The Lakes, for three valuations listed below:
   1. Full Valuation: The existing facility in its entirety (to include all General and Administrative expenses associated with the required governmental fund accounting principles);
   2. Excluding the Driving Range and Lessons: Isolate the golf course program with pro shop and restaurant from the entire valuation.
   3. Driving Range and Lessons: Isolate the driving range and lessons programs from the entire valuation and determine its value.

E. Evaluate the proposed agreement with Centercal and determine the following, including any contingencies which may affect any payments thereof:
   1. Identify gross revenue and net revenue payable by Centercal to the City;
   2. Identify value of capital investments which Centercal is obligated to make;
   3. Identify all operating expenses the City is liable for;
4. Identify the capital maintenance expenses the City might incur;
5. Identify any risks that could affect the City’s decision to enter into the proposed agreement including the risk of bankruptcy, if any, of Centercal, TopGolf, and the guarantors;
6. Identify the fair market value of the property comprised of the current driving range and parking lot as identified in the proposal, with consideration for the “recreational use” deed restriction and while assuming the property is “fit for purpose” for TopGolf;
7. Determine the value of the short-term and long-term capital investments proposed by TopGolf for the overall facility (The Lakes and TopGolf properties);
8. Quantify the proposed revenues of the TopGolf operation to include: sales tax, utility user tax, business license tax, increased transient occupancy tax revenues, and any other indirect revenues resulting from the TopGolf construction and operation;
9. Estimate the additional net revenue that the City might receive from a profit participation covenant identical to that set forth in TopGolf’s agreement with the City of Woodale, Illinois, and disclose assumptions in sales revenues that might be generated by the proposed TopGolf facility at The Lakes location;
10. Quantify the long term impact of the loss to the City from the closure of The Lakes during the construction period, considering the agreed-upon cash payment from Centercal to the City as indicated in the agreement.

F. Compare the following:
   1. The Centercal/TopGolf Proposal to the current and future financial operations of The Lakes for the next 25 years, including capital improvements as identified in “Task B”; and
   2. The Centercal/TopGolf Proposal to what the future financial operations of The Lakes could be with the proposed enhancements from “Task C”
3. EVALUATION OF PROPOSALS

The City will first examine proposals to eliminate those that are deemed non-responsive to the stated requirements. The City Manager and his designated Selection Committee will then review each proposal based on:

- Understanding of the City’s goals of this project demonstrated by the proposed scope and approach to work
- Ability of consultant(s) to meet City’s schedule
- Experience and qualifications of key consulting staff in similar projects
- Demonstrated ability in preparing similar financial analyses within municipal agencies
- Quality and completeness of the proposal as submitted

The proposals, at a minimum, should include the following information:

1. Cover Page that includes the project title (“Financial Analysis and Comparison of The Lakes at El Segundo Golf Course and the TopGolf Development Proposal RFP NO. 14-XX”), primary contact name, mailing address, email address and phone number;

2. Statement that upon award of the project, the successful firm is agreeable to executing and/or providing the enclosed Professional Services Agreement and all conditions held therein. If any changes are proposed to the City’s general professional services agreement attached hereto, the proposal must include all changes that the firm proposes. As part of determining the qualification of the firm, the City shall consider proposed changes to the agreement.

3. Statement of understanding of the project, including explanations of relevant experience in financial analyses of municipal agencies including enterprise funds, evaluating aspects of real estate and development, and the ability to begin the project immediately upon execution of a Professional Services Agreement.

4. Consultant’s qualifications and experience within the last five (5) years as consultant for local municipal agencies of a similar nature and scope with names and current telephone numbers of references that can be contacted (up to 3).

5. Disclosure of any potential conflicts of interest with your firm and/or consultant team members, the City of El Segundo and the potential end users – ES CenterCal, LLC., TopGolf, and/or its subsidiaries.

6. Consultant’s staffing plan for all project components including name of project manager, key staff members, and sub-consultants to be retained by the consultant. Include contact information for all responsible staffing, a breakdown of time for relevant staff, resumes and references for the project team.
7. Scope of services to be provided with a breakdown of different tasks and a description of how the consultant will approach the project with specific milestones, deliverables and timeline.

8. Consultant’s estimated fee for the project, broken down separately for each of the tasks. The fee shall be based on consultant’s employee rate schedule with a not to exceed amount, including the estimated costs for mileage, reimbursable and reproduction costs, and employee rate schedule.

The Selection Committee will schedule interviews with the top rated firms, establish a ranking of the proposals, and make final recommendations for selection to the City Manager. The City Manager will make a recommendation to the City Council to enter into contract negotiations with the highest ranked firm. If a contract agreement cannot be reached, the City will terminate negotiations with the highest ranked firm and open negotiations with the next highest ranked firm until a contract agreement can be reached.
4. PROPOSAL SUBMITTAL

An original and five (5) copies of your proposal must be submitted by **Tuesday, Date To Be Determined, 2014, by 5:00 PM** to the attention of:

City of El Segundo  
ATTN: City Clerk’s Office  
350 Main Street  
El Segundo, CA  90245

Please mark the outside of the envelope:

“Response to RFP”  
Financial Analysis and Comparison of The Lakes at El Segundo Golf Course and the TopGolf Development Proposal  
RFP NO. 14-XX

If you need additional information regarding this RFP or the proposal process, please contact Recreation and Parks Director Meredith Petit at (310) 524-2880 or via email at mpetit@elsegundo.org.
AGENDA DESCRIPTION:

1. Consideration and possible action to 1) receive and file this report regarding the Capital Improvement Program (CIP) goals and objectives for FY 2014/15 and summary of resources needs to accomplish those goals and objectives and 2) consider whether to allocate additional staffing resources in Public Works to accelerate the proposed schedule for CIP and improve plan check services. (Fiscal Impact: Undetermined)

RECOMMENDED COUNCIL ACTION:

1. Receive and file this report regarding the Capital Improvement Program Goals and Objectives for FY 2014/15 and the resources needed to accomplish those goals and objectives.

2. Consider whether to allocate additional staffing resources in Public Works to accelerate the proposed schedule for CIP and improve plan check services.

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

ATTACHED SUPPORTING DOCUMENTS:

Summary Table of CIP Projects

FISCAL IMPACT: Undetermined

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

ORIGINATED BY: Stephanie Katsouleas, Public Works Director

REVIEWED BY: Stephanie Katsouleas, Public Works Director

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

CIP Program

Each year, the Engineering Division develops a list of Capital Improvement Projects (CIP) that it plans to initiate for the coming year. The list is presented to the Planning Commission for verification of conformance with the General Plan and is subsequently approved by City Council as part of budget adoption. This list typically includes annual projects such as slurry seal, curb and gutter repairs, and water and sewer main rehabilitation as well as projects from other city departments (typically funded through grants or enterprise accounts). In years past, Engineering utilized the Capital Improvement Program Advisory Committee (CIPAC) to help evaluate and competitively select projects for funding. However, for the last three years CIPAC has not met to review and rank projects because no general fund dollars have been allocated to the CIP for competitive project selection. Furthermore, because the Engineering Division experienced staff
reductions in 2010/11-2011-12, there were a backlog of projects that had been funded but not yet initiated. With the addition of a Water/Sewer Engineer, that backlog is reducing.

Moving forward, this year there were a total of 11 projects, totaling $5.525 million approved for funding. This list includes:

- Annual Projects: Water and sewer main replacement/rehab, slurry seal and sidewalk, curb and gutter
- Lifeguard Station force main installation
- Sewer lift station rehabilitation
- Fire Station #1 seismic retrofit and other facility upgrades
- Richmond Street rehabilitation
- Police Department upgrades
- Exterior painting of the Library

In addition to this list, previously approved projects slated for implementation, requested and/or already underway include:

- Permit Center remodel
- Water Plant carpet upgrades
- Restoration of potable water reservoirs
- Installation of Venturi meters at three locations in the city
- Pump Station 1 and 7 consolidation construction project
- Park Vista awning and deck repairs
- Playground equipment upgrades
- Rec/Park picnic grounds upgrades
- Storm water program, including compliance with the trash TMDL\(^1\) permit requirements and implementation of Enhanced Watershed Management Program (EWMP) projects (yet to be determined)
- Bikeways designs for four major streets
- Recalibration of the reducing station water meter electronics
- Phase III Energy Efficiency Grant project
- Pool sandblasting

City Council also approved funding for several other critical needs, which include:

- Finance software upgrades (Jan 2015 – Dec 2016)
- Seismic early warning system of Fire Station (Jan – Dec, 2015)
- Computer/fiber network upgrades (Jan – Sept, 2015)
- New city website (Jan – Dec, 2105)

In all, the Engineering has 39 capital projects/phases in the queue. They represent a combination of annual and one-time efforts. A summary of these projects is attached.

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\(^1\) TMDL is the “Total Maximum Daily Load” or threshold amount of a pollutant that can be discharged before being subject to discharge violations. Limits vary by pollutant and receiving water body.
Non-CIP Projects Administered by Public Works

In addition to the capital projects listed above, the Engineering Division also carries out a variety of non-capital related activities. For example, engineering staff support the Planning Division by providing plan check review for development projects as they relate to the public right-of-way and utilities, as well as to others directly applying for encroachment permits for right-of-way work (e.g., SCE, Gas Co, telecom, etc.). Staff engineers attend meetings as they relate to legal mandates, regional partnerships, grant workshops, etc. We oversee the development and/or drafting of speed surveys, sewer system management plans, water management plans, pavement management programs, etc. Staff provides bidding and construction support for emergency repairs needed at city facilities (e.g., pumps, motors, windows, equipment), and we develop packages and solicit bids for routine maintenance (HVAC, roofing, elevators, lift stations, etc.) and other services which fall under the umbrella of public works (custodial, on-call services, consultant support). Lastly, staff time is also devoted to administrative work, including drafting staff reports, executing miscellaneous contracts, processing invoices, interacting with consultants, answering emails and phone calls, etc. In all, the time allocation between CIP related and non-CIP-related tasks is approximately 60%/40%, respectively. It is worth noting that a senior level engineer or higher can typically oversee approximately 3-4 capital projects per year in addition to the other non-CIP duties of the division, depending on the size, complexity, duration and outreach required by each project.

Proposed Schedule and Associated Resources

The attached spreadsheet itemizes the CIP projects referenced above and includes the estimated duration and percentage of staff time needed for implementation. As the attachment shows, it will take just under three years to fully implement them with the current level of staff resources available. This timeline also assumes that there are no emergency or other high priority capital projects added to the list, but does account for annual recurring projects (e.g., annual slurry).

The timeline can be accelerated by the addition of additional resources, as proposed in the second attachment. Staff evaluated options such as consultant services and additional city personnel and determined (after discussions with Human Resources) that a hybrid approach presented the best approach to accelerate projects. The hybrid model includes utilizing consultant services to develop plans and specifications and adding two “at will” engineering positions. One engineer would be dedicated to non-enterprise CIP projects and one would be dedicated public right-of-way plan check responsibilities. Allocating a dedicated engineering position to plan check activities will serve two purposes; 1) it will free up additional time for our other engineers to focus specifically on capital projects and associated responsibilities, and 2) it will provide a higher level of customer service and response time than we can currently provide given the increasing number of development projects and encroachment permit issuance requests we receive. The allocation of a Public Works Plan Check Engineer will result in full support to the Permit Center vision established by City Council and further establish us as a business-friendly city in development and permit processing.

Therefore, staff recommends that City Council:

2. Receive and file this report regarding the projected and alternate timelines proposed for implementation of the Capital Improvement Program.
3. Consider whether to allocate additional staffing resources in Public Works to accelerate the proposed schedule for CIP and improve plan check services.
### Anticipated Timeline for CIP Implementation Utilizing Additional Resources

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<td>3. AMR meter roll out</td>
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<td>4. Venturi meter installation</td>
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<td>5. Portable reservoir repairs</td>
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<td>6. Reducing station electronics</td>
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<td>9. Lifeguard force main</td>
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<td>10. Lifeguard pump plans</td>
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<td>12. Sewer lift rehab (annual)</td>
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<td>13. Pump station 1 and 7 consolidation</td>
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<td>15. Trash TMDL</td>
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<td>18. Water plant carpet</td>
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<td>20. Police Facility upgrade plans</td>
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<td>22. FS 1 upgrades plans</td>
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<td>23. FS 1 upgrades - construction</td>
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<td>26. HR restoration</td>
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<td>27. Park Vista deck repairs</td>
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<td>28. Park Vista painting</td>
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<td>29. Library painting</td>
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<td>30. Seismic Early Warning System</td>
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<td>31. Computer Network Upgrades</td>
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| Streets | | | | | | | | | | |
| 32. CDBG ADA ramps | 30% | 5 | | | | | | | |
| 33. Annual curb and gutter | 40% | 7 | | | | | | | |
| 34. Annual slurry | 80% | 4 | | | | | | | |
| 35. Richmond Street Plans | 10% | 8 | | | | | | | |
| 36. Richmond Street Construction | 80% | 5 | | | | | | | |

| Parks/Facilities | | | | | | | | | | |
| 37. Rec Park Fire pit | 15% | 4 | | | | | | | |
| 38. Playground equipment | 20% | 5 | | | | | | | |
| 39. Pool Sandblasting | 5% | 3 | | | | | | | |

| Resources Needed (3+ People) | | | | | | | | | | |
|-----------------------------|--------------------------|---------------|------------|------------|------------|------------|------------|------------|------------|
| Annual/Recurring Project    | 2 People                 | 3+ people     | 3+ people | 3+ people | 3+ people | 3+ people | 3+ people | 3+ people | 3+ people |

Legend:
- Annual/Recurring Project
- Consultant Support
# Anticipated Timeline for CIP Implementation Utilizing Existing Resources

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**Legend:**
- Annual/Recurring Project
- Consultant Support
### CITY OF EL SEGUNDO
WARRANTS TOTALS BY FUND

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<td>ASSOCIATED RECREATION ACTIVITIES FUND</td>
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<td><strong>$ 826,888.71</strong></td>
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**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
- **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**

**CITY MANAGER**

**DATE:** 10/27/14

**NOTE:**

**VOID CHECKS DUE TO ALIGNMENT:**

**NULL/NA**

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

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

**NOTES:**

**SIGNED**

[Signature]

**DATE:** 10-27-14
CITY OF EL SEGUNDO
PAYMENTS BY WIRE TRANSFER
10/05/14 THROUGH 10/19/14

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DATE OF RATIFICATION: 10/20/14
TOTAL PAYMENTS BY WIRE: 3,417,015.94

Certified as to the accuracy of the wire transfers by:

Deputy City Treasurer II
Date 10/20/14

Director of Finance
Date 10/27/14

City Manager
Date 10/27/14

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
SPECIAL MEETING OF THE EL SEGUNDO CITY COUNCIL  
WEDNESDAY, OCTOBER 20, 2014, 7:00 P.M.

CALL TO ORDER – Mayor Fuentes at 7:00 PM

ROLL CALL

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

PUBLIC COMMUNICATIONS - (Related to City Business Only - 5 minute limit per person, 30 minute limit total). Individuals who have received value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves before addressing the City Council. Failure to do so is a misdemeanor and punishable by a fine of $250.

SPECIAL ORDER OF BUSINESS:

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

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 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; Employees Association; Executive Management (unrepresented employees); Management/Confidential (unrepresented employees)

   Agency Designated Representative: City Manager and Steve Flarsky

ADJOURNMENT at 8:05 PM

Tracy Weaver, City Clerk
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, OCTOBER 21, 2014 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 5:00 PM

ROLL CALL

Mayor Fuentes - Present
Mayor Pro Tem Jacobson - Present
Council Member Atkinson - Present
Council Member Felihauer - Present
Council Member Dugan - Present

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

Mayor 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): -1- 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

Adjourned at 6:55 PM
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, OCTOBER 21, 2014 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 7:01 PM

INVOCATION – David Clark, Hilltop Community Church of Christ

PLEDGE OF ALLEGIANCE – Council Member Fellhauer

PRESENTATIONS

a. Proclamation read by Council Member Fellhauer and presented to Lina McDermott, Youth Manager at Tree Musketeers, proclaiming October 25, 2014 as Make a Difference Day.

b. Presentation by Carrie Rodriguez and Barbara Voss of LAEDC who presented a scroll and plaque to the City Council in honor of the City of El Segundo for being named a finalist for the Most Business Friendly City award.

ROLL CALL

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

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

Mauro Prina, Representative from Spacex, Mr. Prina stated that Spacex would like to host a BBQ at the Recreation Park which would require an overnight cooking session. This will require an extended use of the park. Mr. Prina would like this item to be brought back to a future meeting for discussion.

Dr. Antonio Mendez, resident, commented on the Volunteer Event and the need for new volunteers.

CITY COUNCIL COMMENTS – (Related to Public Communications)
Council answered Public Communication questions.

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 Dugan to read all ordinances and resolutions on the agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

C. UNFINISHED BUSINESS

1. Consideration and possible action to 1) receive and file this presentation regarding design alternatives for the extension of Park Place between Nash St. and Sepulveda Blvd. and 2) authorize the City Manager to apply for $6 million in Call for Project construction grant funding from the Metropolitan Transportation Authority (Metro).
   (Fiscal Impact: Potential receipt of grant funding)
   Recommendation – 1) Receive and file this presentation regarding design alternatives for the extension of Park Place between Nash St. and Sepulveda Blvd; 2) Authorize the City Manager to apply for $6 million in Call for Projects construction grant funding from Metro; 3) Alternatively, discuss and take other possible action related to this item.

Stephanie Katsouleas, Public Works Director, introduced the item.

William Nasciemento, from NCM Engineering Inc., gave a presentation.

Council Discussion and questions.

Allan McKenzie, President, with Rosecrans Sepulveda Partners and Mar Ventures, Inc. spoke as well.

MOTION by Mayor Pro Tem Jacobson, SECONDED by Council Member Fellhauer to receive and file the presentation regarding design alternatives for the extension of Park Place between Nash St. and Sepulveda Blvd. and authorize the City Manager to apply for $6 million in Call for Project construction grant funding from the Metropolitan Transportation Authority (Metro). MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.

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.

2. Approve Warrant Numbers 3002887 through 3003068 on Register No. 1 in the total amount of $725,512.29 and Wire Transfers from 09-29-2014 through 10-05-2014 in the total amount of $687,498.34. 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. Waive second reading and adopt Ordinance No. 1497 for Environmental Assessment No. EA-1066 and Zone Text Amendment No. 14-02.
   (Fiscal Impact: None)

5. Waive second reading and adopt Ordinance No. 1496 for Environmental Assessment No. EA-1076 and Zone Text Amendment No. 14-03.
   (Fiscal Impact: None)

6. Authorize the City Manager to execute a 3-year License Agreement No. 4698 in a form approved by the City Attorney with The El Segundo Nursery School Group to operate a non-profit pre-school at the Clubhouse Building.
   (Fiscal Impact: Reservation revenues of $750 in Fiscal Year 2014/15, $1,500 in Fiscal Year 2015/16, and $3,000 in Fiscal Year 2016/17)

7. Award a 5-year contract to West Coast Arborists, Inc. and authorize the City Manager to execute Maintenance Agreement No. 4699 to West Coast Arborists, Inc., in a form approved by the City Attorney.
   (Fiscal Impact: $110,000.00 – Included in Adopted Budget)

8. Receive and file this report regarding the emergency repair to remove debris in the attic space of City Hall 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: $82,354.00)

9. Receive and file this report regarding cleaning and repairing drywall and carpet as well as restoring furniture in the north portion of City Hall 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: $37,000.00)
10. Authorize the City Manager to execute Professional Services Agreement No. 4700, in a form as approved by the City Attorney, to Environmental Engineering & Contracting, Inc. to develop and operate an Industrial User Wastewater Pretreatment program and a Fats, Oil and Grease (FOG) Control program. (Fiscal Impact: $90,950.00)

11. Award standard Public Works Contract No. 4701 for $15,968.00, in a form approved by the City Attorney, to C.C. Layne & Sons, Inc. for the Water Plant Carpet Removal and Replacement Project, award Professional Services Agreement No. 4702 for $7,150.00, in a form approved by the City Attorney, to Gale/Jordan Associates for asbestos abatement monitoring services and authorize $2,395.00 for construction related contingencies. Project No. PW 13-21. (Fiscal Impact: $23,118.00)

12. Reject the bid from Patriot Contracting & Engineering as non-responsive, waive minor irregularities in the bid from Spec Construction Co., Inc., and award Contract No. 4703 to Spec Construction Co., Inc. for project RSI 14-16 (Group 60 of the City’s Residential Sound Insulation Program) and authorize the City Manager to execute a contract in a form approved by the City Attorney. (Fiscal Impact: $800,663.00)

13. Reject the bid from Patriot Contracting & Engineering as non-responsive, waive minor irregularities in the bid from Spec Construction Co., Inc., and award Contract No. 4704 to Spec Construction Co., Inc. for project RSI 14-18 (Group 61 of the City’s Residential Sound Insulation Program) and authorize the City Manager to execute a contract in a form approved by the City Attorney. (Fiscal Impact: $823,860.00)

14. Reject all bids, authorize City staff to advertise a new Notice Inviting Sealed Bids for the project Project No. RSI 14-19 (Group 62 of the City’s Residential Sound Insulation Program). (Fiscal Impact: None at this time)

15. Authorize the City Clerk to file the City Manager’s, or designee’s, Notice of Completion in the County Recorder’s Office and authorize the City Manager, or designee, to close out Project No. RSI 14-01 (the City’s Residential Sound Insulation Program’s Group 51). (Fiscal Impact: $1,195,071.91)

MOTION by Council Member Atkinson, SECONDED by Council Member Fellhauer to approve Consent Agenda items 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, and 15. Item #E15, the Fiscal Impact was amended to $1,193,591.91 by City Manager, Greg Carpenter. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.
F. NEW BUSINESS

G. REPORTS – CITY MANAGER - None

H. REPORTS – CITY ATTORNEY - None

I. REPORTS – CITY CLERK – None

J. REPORTS – CITY TREASURER - None

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fellhauer – Commented on her item (Council Benefits) from the October 7, 2014 meeting, commented on Proposition 47 and asked Chief Tavera to the podium to comment on the Proposition from a Police Department’s point of view. Council Member Fellhauer mentioned the Independent Cities Association will host Dr. Bill Watkins of ESHS School Board to speak concerning SCROC at their next meeting.

Council Member Atkinson – None

Council Member Dugan – None

Mayor Pro Tem Jacobson – None

Mayor Fuentes – Attended the Grand Opening of Trelleborg Sealing Solutions, attended the SCROC Board Meeting and mentioned the Council will be attending an event tomorrow night (October 22, 2014) to represent El Segundo to the South Bay Brokers Association.

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MEMORIALS – None
ADJOURNMENT at 8:04 PM

Tracy Weaver, City Clerk
AGENDA DESCRIPTION:
Consideration and possible action regarding a request for a new Alcoholic Beverage Control (ABC) License to allow the on-site sale and consumption of beer, wine and distilled spirits (Type 47 State of California Alcoholic Beverage Control License) at a hotel bar (Aloft Hotel) at a location currently addressed as 525 North Sepulveda Boulevard. Applicant: Rubicon B Hacienda LLC (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:
1. Receive and file this report without objecting to the issuance of an alcohol license for on-site sale of beer, wine and distilled spirits for on-site consumption at a new Aloft Hotel located at a site currently addressed as 525 North Sepulveda Boulevard (proposed address 475 North Sepulveda Boulevard); and/or
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Crime and Arrest Statistics by Reporting Districts (RD)
2. Police Reporting Districts Map
3. Planning Commission Staff Report, dated October 9, 2014
4. Planning Commission Resolution No. 2760 South Hotel (Aloft)

FISCAL IMPACT: None

\[
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\text{Amount Budgeted:} & \text{N/A} \\
\text{Additional Appropriation:} & \text{N/A} \\
\text{Account Number(s):} & \text{N/A}
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ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Sam Lee, Planning and Building Safety Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

I. Background

In 1995, the City Council directed staff to bring all future ABC licenses to it for review. For alcohol sales at retail establishments, California regulations require a 30-day review and comment period after notifying local police and planning departments. The grounds of a protest, if any, should relate to public health, safety or welfare concerns. Based upon previous Council direction, staff is providing background information regarding this application.
II. Analysis

According to the most recent Crime and Arrest statistics report prepared by the Police Department, the proposed restaurant is located in Reporting District (RD) 210. Based on the January – June 2014 reported data prepared by the Police Department, the district had a total of 12 Part I crimes (criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson) and four felony and misdemeanor arrests. The RD is considered a high crime area. However the Police Department and the Planning and Building Safety Department do not object to ABC issuing a Type 47 alcohol license for the new Aloft Hotel.

The Hacienda Hotel has operated under Conditional Use Permit No. CUP 87-01 approved by the City on August 13, 1987. The Hacienda Hotel currently is operating with a Type 47 California Department of Alcoholic Beverage Control (ABC) license. On October 9, 2014, the owner of the Hacienda Hotel, Rubicon B Hacienda, LLC, received Planning Commission approval for the following:

- **Environmental Assessment No. EA-1061** - Divide the Hacienda Hotel into two separate hotels (Aloft Hotel and Fairfield Inn and Suites). Interior and exterior renovations to the two new hotels. A 6,640 square-foot addition to the Aloft Hotel.

- **Subdivision No. SUB 14-05** – Combine the existing 12 lots underlying the Hacienda Hotel site into two parcels, one parcel for the Fairfield Inn and Suites (north hotel) and one parcel for the Aloft Hotel (south hotel).

- **Conditional Use Permit No. CUP 14-01** – Amend the Conditional Use Permit No. CUP 87-01 to apply only to the Fairfield Inn and Suites site. Modify the conditions of the CUP to match the operating conditions at the Fairfield Inn and Suites site. These modifications include adding conditions of approval regarding alcohol to the CUP. The adopted conditions are attached in Planning Commission Resolution No. 2759. CUP 87-01 and other previous approvals of the Hacienda Hotel site did not have City conditions specific to alcohol operation at the site.

- **Conditional Use Permit No. CUP 14-02** – Allow the sale of alcohol at a bar located in the new lobby addition of the Aloft Hotel. Allow alcohol service in common areas and a limited number of hotel rooms identified on the project plans. Conditions regarding alcohol service hours, appropriate alcohol service in outdoor areas, and other operating requirements related to alcohol are included in the Conditions of Approval adopted in Planning Commission Resolution No. 2760.

- **Miscellaneous Nos. MISC 14-02, 14-03 and 14-06** – An off-site parking covenant for 23 spaces for the Aloft Hotel (Misc. No. 14-02). An off-site parking covenant for 213 spaces for the Fairfield Inn and Suites (Misc. No. 14-06). A lot tie covenant to combine
the three parcels underlying the parking lot site into one property for off-street parking purposes (Misc No. 14-03).

Alcohol service at the Fairfield Inn and Suites will continue to operate under the existing Type 47 ABC license that permits alcohol service at the Hacienda Hotel. Planning Commission Resolution No. 2759 imposed conditions regarding alcohol service on the site. Previously the site was operating under a valid Type 47 license, but the Conditional Use Permit for the site had no conditions specific to alcohol.

A CUP is required to operate the alcohol service within the new Aloft Hotel. A 25-foot long bar is proposed to be located on the back wall of the new Aloft Hotel lobby addition. This bar is located across from the proposed self-service food area. Alcohol service for the Aloft Hotel will originate out of this bar. Alcohol service is intended for guests of the hotel and their visitors as well as for patrons of any functions held at the hotel. The alcohol service area is located in both interior and exterior spaces and totals 10,695 square-feet. The entire pool deck area and adjacent ground level patio is included as well as three guestrooms located directly adjacent to the pool. The two meeting room/flex spaces adjacent to the ground floor patio are included in the proposed alcohol service area as are two meeting rooms on the second floor of the Aloft Hotel. The lobby and seating areas (2,435 square feet) located in the new lobby addition, which is at the same grade as the hotel’s surface parking but is considered the third floor, is also proposed as alcohol service areas.

The applicant will apply to the California Department of Alcoholic Beverage Control (ABC) for a Type 47 license. This license type authorizes the sale of beer, wine and distilled spirits for consumption on the premises. There is no room service, in-room mini-bar service or off-site sales proposed. Entertainment and/or dancing may occur from time to time in conjunction with special events at the Aloft Hotel; the Aloft Hotel bar will not operate as a nightclub. The proposed hours of operation for alcohol service are 6 a.m. to 2 a.m. The Police Department was consulted and no concerns were identified regarding the proposed hours of operation and the scope of alcohol service proposed by the applicant.

The applicant will be required to obtain the new Type 47 ABC license from the State of California for the Aloft Hotel. The ABC has its own licensing approval process, distinct and separate from the City’s CUP process. In order for an ABC license to be approved, the ABC runs a complete background check on all alcohol license applicants, and conducts site inspections, and considers findings, before issuing any type of alcohol license.

III. Conclusion

Planning staff recommends that the Council Receive and File this report without objecting to a new Type 47 ABC license for the sale of beer, wine and distilled spirits at a new hotel bar for on-site consumption for the new Aloft Hotel located at a site currently addressed as 525 North Sepulveda Boulevard, or alternatively discuss and take another action related to this item.
### EL SEGUNDO POLICE DEPARTMENT

**REPORTED PERIOD: JANUARY – JUNE, 2014**

**PART I CRIMES AND ARRESTS BY REPORTING DISTRICT (RD)**

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<th>REPORTING DISTRICT</th>
<th>PART I CRIMES</th>
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**Number of Reporting Districts = 53**  
**Average # of Part I Crimes per Reporting District = 5**  
**Average # of Felony/Misdemeanor Part I Crime Arrests per Reporting District = 1**  
**Average # of Crimes and Arrests per Reporting District = 6**  
(Results from 01/01/2014 through 06/30/2014)

**High Crime Area per B&P Code Section 23958.4 = >20%**

8/28/2014
CITY OF EL SEGUNDO

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: October 9, 2014
SUBJECT: Environmental Assessment No. EA-1061; Conditional Use Permit No. CUP 14-01; Conditional Use Permit No. CUP 14-02; Subdivision No. SUB 14-05; and Miscellaneous Permit Nos. MISC 14-02, 14-03 and 14-06.

REPRESENTATIVE: John Bowman

APPLICANT AND PROPERTY OWNER: Rubicon B Hacienda, LLC

REQUEST: Modifications to an existing 619-room hotel facility, including the following: 1) split the Hacienda Hotel into two hotels, a 350-room north hotel and a 246-room south hotel; 2) modify the Conditional Use Permit (CUP) for the existing hotel to be applicable to the north hotel site only (CUP 14-01); 3) obtain a new CUP to operate a bar serving alcohol in the proposed south hotel (CUP 14-02); 4) a tentative map to reconfigure the existing 12 lot project site into two parcels, one for each hotel site; and 5) off-site parking covenants to permit 23 off-site parking spaces for the south hotel and 213 off-site parking spaces for the north hotel in a surface parking lot located north of Mariposa Avenue.

PROPERTY INVOLVED: 525 North Sepulveda Boulevard (APNs 4139-025-073, -074, -075, -076, -081, -91 and 4139-024-013, -014, and -015)
I. **Introduction**

On August 28, 2013, Rubicon B Hacienda, LLC (Applicant) purchased the Hacienda Hotel. The Applicant is proposing extensive interior and exterior renovations to the building and grounds of the existing hotel facility and to split the existing facility into two hotels. A south hotel site is proposed to be operated as a Starwood Aloft Hotel, and a north hotel site is proposed to be operated as a Marriott Fairfield Inn and Suites. The existing hotel site is located within the General Commercial (C-3) Zoning District and the existing hotel surface parking lot is located north of the existing hotel across Mariposa Avenue in the Parking (P) Zoning District. The south hotel (Aloft) is proposed to be addressed 475 North Sepulveda Boulevard and the north hotel (Fairfield Inn and Suites) is proposed to maintain the existing hotel address of 525 North Sepulveda Boulevard.

The existing Hacienda Hotel operates under entitlements originally granted in 1957. Various amendments to the Hacienda Hotel entitlements were granted since the original approval. Conditional Use Permit CUP 87-01 (Planning Commission Resolution No. 2185), approved in 1987, currently regulates the hotel site. The Applicant is proposing to amend CUP 87-01 so that it only applies to the north hotel site (Fairfield Inn and Suites). The existing hotel is currently zoned General Commercial (C-3). This zoning designation allows for hotels as a permitted use. The applicant is proposing to operate the south hotel site (Aloft) as a new hotel on a parcel with a C-3 zoning designation. Therefore, a Conditional Use Permit is not required for the proposed new south hotel facility. The applicant is applying for a new conditional use permit to allow alcohol service at the proposed bar in the south hotel.

The buildings of the existing Hacienda Hotel are currently located on 12 legal lots. To comply with current regulations of the California Building Code, the Subdivision Map Act, and the ESMC requires a tentative map that will create two separate lots to allow distinct north and south hotel sites. The applicant submitted a two parcel tentative map to combine the existing 12 lots into a new parcel for the south hotel and a new parcel for the north hotel.

The existing hotel operates a surface parking facility north of Mariposa Avenue. City and property record searches have not identified documents formalizing the use of the off-site parking location. The Applicant is requesting approval of off-site parking covenants to allow for 23 parking spaces for the south hotel and 213 parking spaces for the north hotel to be located in the existing off-site surface lot.
Project Description

The Project is comprised of the following:

1) **Environmental Assessment No. EA-1061** - Interior and exterior renovations to an existing hotel and division of the hotel into two separate hotels (south hotel site and north hotel site). A 6,640 square-foot addition to the south hotel site.

2) **Conditional Use Permit No. CUP 14-01** – Amend the existing hotel conditional use permit (CUP 87-01) to apply only to the proposed North Hotel site. Modify the conditions of this CUP to match the proposed operating conditions at the north hotel site. These modifications include adjusting the number of required parking spaces for the north hotel to match the number of required spaces identified on the proposed plans (250 parking spaces).

3) **Conditional Use Permit No. CUP 14-02** – Allow the sale of alcohol at a bar located in the new lobby addition of the proposed south hotel. Allow alcohol service in common areas and a limited number of hotel rooms identified on the proposed project plans.

4) **Subdivision No. SUB 14-05** – Combine the existing 12 lots underlying the hotel site into two parcels, one parcel for the north hotel and one parcel for the south hotel.

5) **Miscellaneous Nos. MISC 14-02, 14-03 and 14-06** – An off-site parking covenant for 23 spaces for the south hotel (Misc. No. 14-02). An off-site parking covenant for 213 spaces for the north hotel (Misc. No. 14-06). A lot tie covenant to combine the three parcels underlying the parking lot site into one property for off-street parking purposes (Misc No. 14-03).

The five applications require review and approval by the Planning Commission.

II. **Recommendation**

Staff recommends that the Planning Commission consider the facts in this report and public testimony, conduct a public hearing, and adopt Resolution Nos. 2759 (north hotel) and 2760 (south hotel), approving the Project, with conditions.
III. Background

Site Description

The project site is located on the west side of North Sepulveda Boulevard. The existing Hacienda Hotel is located between Mariposa Avenue to the north and Holly Avenue to the south. The existing surface parking lot for the hotel is an irregular shaped parcel with frontages on Mariposa Avenue to the south, Palm Avenue to the north and Sepulveda Boulevard to the east. The existing hotel site is approximately 4.6 acres in size and consists of 12 legal lots. The existing parking site is approximately 2.2 acres in size and consists of 3 parcels. The existing hotel facility is comprised of a 5-story hotel building, two 9-story hotel buildings, and a two-story conference center and restaurant. The existing hotel contains 619 hotel rooms.

Precise Plan No. 1, which established development rights for the subject site, was adopted on January 9, 1957. Subsequently, on December 4, 1957, a conditional use permit (Planning Commission Resolution No. 340) allowing use of the site as a hotel was approved. Construction was completed on the original hotel at the site, the Thunderbird Hotel, by 1961. The Planning Commission took various actions during the late 1950s and 1960s amending Precise Plan No. 1. These actions permitted the construction of additional buildings on the site, expanding the size of the hotel, and also established the hotel's parking requirements and rights. By 1968, the hotel was referred to as the Hacienda Hotel in Planning Commission resolutions and City correspondence.
On August 13, 1987 the Planning Commission approved Conditional Use Permit No. 87-01 (PC Resolution No. 2185) allowing renovation and upgrades to the existing hotel. The improvements included a 60-foot tall sign, a porte cochere and exterior site improvements. Conditional Use Permit No. 87-01, as well as Precise Plan No. 1, as amended, establish the currently applicable conditions of approval for the hotel site.

Surrounding Land Uses

The project site is located on the west side of Sepulveda Boulevard (State Highway 1). Sepulveda Boulevard is a major transportation and commercial corridor characterized by a mix of high-rise office and low-rise retail in the vicinity of the project site. Multi-tenant retail centers, with a mix of food, banking and small retail establishments are located to the east and south of the project site. A gas station and stand-alone fast-food restaurant are located north of the hotel site, adjacent to the hotel’s off-site surface parking lot. A multi-family residential neighborhood is located directly west of the hotel, with a mix of two- and three-story apartments and condominiums directly adjacent to the hotel. Surrounding land uses are as described in the following table:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Uses</th>
<th>Zone</th>
<th>Location Photo</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Existing hotel off-site surface parking lot.</td>
<td>Parking (P)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gas station.</td>
<td>General Commercial (C-3)</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>Multi-tenant retail, including restaurants, retail and banking.</td>
<td>General Commercial (C-3)</td>
<td></td>
</tr>
<tr>
<td>---------------</td>
<td>---------------------------------------------------------------</td>
<td>--------------------------</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>Multi-tenant retail, including restaurants, grocery store and banking.</td>
<td>General Commercial (C-3)</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>2- and 3-story multi-family residential. Apartment and condominium buildings</td>
<td>Multi-Family Residential (R-3)</td>
<td></td>
</tr>
</tbody>
</table>

*Table 1 – Surrounding Uses*

IV. Analysis

Hotel Renovations

The applicant is proposing to physically and operationally separate the existing Hacienda Hotel into two distinct hotels. The south hotel (Aloft) will contain 246 rooms and the north hotel (Fairfield Inn and Suites) will contain 350 rooms. The applicant will demolish and remove the existing covered pedestrian bridge that connects the south hotel building with main building on the north hotel site. Extensive interior and exterior modifications to the hotel sites will update and improve the interior and exteriors both sites. Specific changes to each site include the following:

**South Hotel – Aloft**

- Renovation of the exterior of the building. The proposed updated metal surfaces of the building are proposed as a mix of light and dark grey colors. Brown colored Trespa phenolic (laminated resin) panels will be applied to portions of the existing building. New low-e tinted windows will be installed. (See Sheet A9.00 for rendering)
- A new 2-story 6,640 square foot, two-story addition including: a new lobby containing the front desk, bar, lounge area and self-
serve food area. The new lobby is at grade with the surface parking area (3rd level of the existing building); two meeting/multipurpose "flex" spaces on the ground floor (1st floor of existing building) next to the pool adjacent outdoor patio; and an exercise room on the ground floor. (See Sheets A2.01 and A2.03 for addition floor plans). The addition's exterior will be clad in brown Trespa panels.

- A new porte cochere is proposed. The underside of the canopy is a brand specific multi-colored treatment. (See Image 2 below).

![Image 2 - Aloft Canopy](image)

- The interior space of the existing hotel building will be remodeled. The remodel will result in a reduction of the number of rooms in the south hotel from 263 to 246.
- Modified vehicle access to the site is proposed. (See South Site Plan, Sheet A00.52). Currently the Hacienda Hotel controls ingress and egress at the south hotel site so that access occurs off of Indiana Street. The applicant is proposing an existing unused driveway to the south hotel parking lot on Sepulveda Boulevard be used as a one-way primary entrance to the site. Attachment F is a traffic engineering study that concludes that one-way access from this existing Sepulveda Boulevard driveway is preferable over two-way operation of this driveway as one way operation will avoid turn movement conflicts between vehicles entering and exiting. The study also identifies that adequate vehicle queuing area is proposed for the new south hotel entry and porte cochere area. According to the study vehicles will not back-up onto Sepulveda Boulevard during normal hotel operating conditions, including during typical events at the hotel. Staff is recommending a condition of approval that requires a review of operation of the Sepulveda Boulevard entrance 6 months after the hotel opens. If deficiencies are identified, the Director and/or Police Chief may impose additional requirements on operation of this entrance.
- Aloft brand specific yellow and blue accent lighting is proposed. The lighting consists of linear outdoor lighting fixtures that will be placed on the façade in various lengths (See Image 3 below). Staff is recommending a condition of approval that would allow the Director to modify the future operation of the accent lighting if the lighting is found to adversely affect adjacent residential properties.

![Image 3 – Accent lighting example, Aloft Hotel Millbrae SFO.](image)

- New granite pavers will be installed in modified hardscape areas. New drought tolerant landscaping, consistent with the City's water conservation in landscaping ordinance, will be planted along the Sepulveda Boulevard facing façade of the building and surrounding the renovated interior courtyard (See planting plans sheets L3.11 and L3.12).

- Modification to portions of the existing parking area is proposed. 18 new parking spaces are identified on the site plan near the proposed porte cochere. These new parking spaces result from site re-grading and re-stripping.

**North Hotel – Fairfield Inn and Suites**

- Renovation of the exterior of the building. The proposed updates are a mix of light to dark grey metal and brown colored Trespa phenolic (laminated resin) panels. New low-e tinted windows will be installed. (See Sheets A00.01A and B for renderings)

- A new porte cochere (See Sheet A9.05) is proposed to be located between the hotel building and the ‘food and beverage building’. This porte cochere will identify the remodeled entryway into the hotel. The new porte cochere will also extend the available queuing space at the north hotel site from 130 feet to 180 feet. (See Sheet A00.52).

- The interior of the existing hotel buildings on the north hotel site will be remodeled. The number of rooms at the north hotel site will be reduced from 356 rooms to 350 rooms. 2000 square-feet of existing
public space in the ‘food and beverage building’ will be converted to storage use.

- Improvements on the property include installation of a new pool in the existing courtyard area located in the center of the main building on north hotel site and new landscaping along the Sepulveda Boulevard façade of the north hotel site and in the courtyard areas of the site (See Sheets L3.11 and L3.12).

CUP Amendment – Fairfield Inn and Suites (CUP No. 14-01)

The existing Hacienda Hotel, which covers both the proposed north and south hotel sites, is operated pursuant to a conditional use permit (CUP No. 87-01). Amendment to this existing CUP is necessary for this project. Modifications are necessary in order to achieve the following:

- The CUP must be modified to be applicable to only the proposed north hotel site. The south hotel is considered a new hotel, which does not require a CUP under existing C-3 zoning. It is necessary to maintain the CUP for the north hotel site to maintain existing legal non-conforming physical and operational conditions area addressed by the existing CUP.
- Approve the interior and exterior renovations to the hotel. This includes exterior changes to the building, changes to the number of rooms, changes to the ‘food and beverage building’, and changes to landscaping and courtyard.
- Clarify and document the existing operational conditions of the restaurant/entertainment and conference center (food and beverage building). The existing type 47 ABC license allows for alcohol service in the Hacienda Hotel from 6 a.m. to 2 a.m. The applicant’s request is for hours of operation in the north hotel that match the existing ABC license. In practice, the Hacienda Hotel is currently serving alcohol from 11 a.m. to 1 a.m.
- Modify the parking requirements of the conditional use permit to only apply to the north hotel site.

The proposed modified CUP conditions of approval are included in Draft Resolution No. 2759.

CUP for Alcohol Service in South Hotel – Aloft (CUP No. 14-02)

Hotels are a permitted use in the C-3 Zone. The south hotel is considered a new hotel therefore a CUP not required for operation. A CUP is necessary to operate the alcohol service within the new hotel. An approximately 25-foot long bar is proposed to be located on the back wall of the new lobby addition (Sheet A2.03). This bar is located across from the proposed self-service food area. Alcohol service for the entire south
hotel will originate out of this bar. Alcohol service is intended for guests of the hotel and their visitors as well as for patrons of any functions located at the hotel.

Sheet A00.04 identifies the proposed alcohol service area. The proposed alcohol service area is located in both interior and exterior spaces and totals 10,695 square-feet. The entire pool deck area and adjacent ground level patio is included as well as three guestrooms located directly adjacent to the pool. The two meeting room/flex spaces adjacent to the ground floor patio are included in the proposed alcohol service area as are two meeting rooms on the second floor of the south hotel. The lobby and seating areas (2,435 s.f.) located in the new lobby addition, which is at the grade of the hotel’s surface parking but is considered the third floor, is also proposed as alcohol service areas.

The applicant will apply to the California Department of Alcoholic Beverage Control (ABC) for a Type 47 license. This license type authorizes the sale of beer, wine and distilled spirits for consumption on the premises. There is no room service, in-room mini-bar service or off-site sales proposed. Entertainment and/or dancing may occur from time to time in conjunction with special events at the south hotel; however, the south hotel bar will not operate as a nightclub. The proposed hours of operation for alcohol service are 6 a.m. to 2 a.m. The police department was consulted and no concerns were identified regarding the proposed hours of operation and the scope of alcohol service proposed by the applicant.

The proposed CUP conditions of approval for alcohol service in the south hotel are included in draft Resolution No. 2760.

Subdivision (SUB No. 14-05)

The existing Hacienda Hotel is located on a site comprised of 12 legal lots. No lot tie covenants were identified in review of the ALTA survey (see project plans) or title report. Current regulations prohibited new construction across lot lines. Therefore the applicant has submitted Tentative Map No. 73163 to combine the twelve lots into two separate sites, Lot 1 (currently Lots 382, 383, 384, 431, 432 and 433) for the North Hotel site and Lot 2 (currently Lots 385, 386, 387, 428, 429, and 430) for the south hotel site.

The proposed subdivision conditions of approval are included in draft Resolution No. 2760.

Off-Site Parking Covenants and Surface Parking Lot Ties
The Hacienda Hotel, and previously the Thunderbird Hotel, has long operated an off-site surface parking lot north of Mariposa Avenue. This off-site surface parking lot has been considered required hotel parking in numerous approvals (including CUP 87-01) and building permits issued by the City. The current circulation and 234 parking space configuration of the off-site lot was last approved by the City in Building Permit No. 1029-00, dated August 16, 2000. Current City off-street parking requirements (ESMC Chapter 15-15) require City approval of off-site parking and off-site parking covenants must be recorded against affected properties.

Pursuant to ESMC §15-15-3(H) the applicant is requesting off-site parking covenants for more than 20 spaces each for both the north and south hotel. Off-site parking covenants in excess of 20 spaces are subject to Planning Commission review and conditions. The approval of these off-site parking requests will bring the current parking arrangement of the hotel into compliance with current City regulations for off-site parking. Two hundred and thirteen (213) off-site parking spaces are requested for the north hotel site (MISC No. 14-06) and 23 off-site parking spaces are requested for the south hotel site (MISC No. 14-02). The total off-site parking requested totals 236 parking spaces. The addition of two spaces over the existing configuration will be achieved by restriping to add two additional ESMC compliant spaces in the southwest corner of the parking lot (See Sheet A00.52).

Findings for the off-site parking covenants can be met as identified in attached Resolution Nos. 2759 (north hotel) and 2760 (south hotel). The conditions of approval require the applicant to complete lot tie covenants (MISC No. 14-03) of the three parcels (Parcels 4, 6 and 7 of the title report) underlying the surface parking lot. These lot ties will result in the surface parking site being considered one property to facilitate the off-street parking use.

General Plan Consistency

The proposed project would be consistent with the General Plan Goals, Policies and Objectives as generally set forth in the two attached draft Resolutions.

Zoning Consistency

The following chart is a comparison of the north hotel and south hotel sites against the development standards for the General Commercial (C-3) Zone. Since the hotel is existing building and contains an existing approved use some of the standards for both sites are considered legal non-conforming.
<table>
<thead>
<tr>
<th>REQUIREMENTS</th>
<th>C-3 ZONE STANDARDS</th>
<th>PROPOSED PROJECT STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Uses</td>
<td>Hotels and Motels. ESMC §15-5C-2 Any use customary to a permitted use. ESMC §15-5C-3</td>
<td>South Hotel – Hotel permitted, accessory uses permitted (outdoor spaces, surface parking, flex/meeting spaces, food service). CUP for alcohol service. Complies.</td>
</tr>
<tr>
<td></td>
<td>CUP for on-site sale and consumption of alcohol at bars ESMC §15-5C-5</td>
<td>North Hotel – CUP and Precise Plan granted for facility pre-date current zoning. Complies.</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
<td>10,000 square-foot minimum. ESMC § 15-5C-7(B)</td>
<td>Lot 1 (North Hotel) – 145,733 s.f. (gross), 97,904 s.f. (net) Lot 2 (South Hotel) – 151,821 s.f. (gross), 99,494 s.f. (net) Complies.</td>
</tr>
<tr>
<td>Height</td>
<td>West of Sepulveda Boulevard: 40 feet maximum adjacent to residential ESMC § 15-6C-7(C)</td>
<td>South Hotel – existing building 96'-8&quot;, legal non-conforming, new addition 24'-8&quot;, complies.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>North Hotel – max height of existing buildings is 84'-2&quot;, legal non-conforming.</td>
</tr>
<tr>
<td>Front Setback</td>
<td>25-foot front yard setback required. ESMC § 15-5C-7(D)(1)</td>
<td>South Hotel – 270 feet, complies.</td>
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<td>North Hotel – 6 feet – legal non-conforming, complies.</td>
</tr>
<tr>
<td>Side Setbacks</td>
<td>East side setback (Sepulveda) – 25 feet required</td>
<td>South Hotel (Sepulveda) – existing building is 2'-8&quot;. Legal non-conforming, complies. 25 feet for new addition, complies.</td>
</tr>
<tr>
<td></td>
<td>West side setback (Indiana) – 25 feet required</td>
<td>North Hotel (Sepulveda) – 12'-6&quot;. Legal non-conforming, complies.</td>
</tr>
<tr>
<td></td>
<td>ESMC § 15-5C-7(D)(2)</td>
<td>South Hotel (Indiana) – Existing building is 0'-5&quot;. Legal non-conforming, complies. 93'-10&quot; to new addition, complies.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>North Hotel (Indiana) – 0'-7&quot;, legal non-conforming, complies.</td>
</tr>
<tr>
<td>Requirement</td>
<td>Details</td>
<td>Compliance</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>15-feet required. ESMC § 15-5C-7(D)(3)</td>
<td>South Hotel – 18’10”. Complies. North Hotel – 0’-0” Legal non-conforming. Complies.</td>
</tr>
<tr>
<td>Minimum Lot Frontage</td>
<td>100-foot requirement. ESMC § 15-5C-7(E)</td>
<td>South Hotel – 209 feet. Complies. North Hotel – 208.5 feet Complies.</td>
</tr>
<tr>
<td>Floor Area Ratio</td>
<td>1.0 maximum FAR ESMC § 15-5C-7(F)</td>
<td>South Hotel – 0.99. Complies. North Hotel – 1.94. Legal non-conforming. Complies.</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Purpose of the landscape section is to ensure adequate landscape areas in vehicular use areas, setbacks, building perimeter and property perimeter are provided for all new development. ESMC § 15-5C-8 and §15-2-14</td>
<td>Existing legal non-conforming parking lots landscaped areas exist at both north and south hotel sites. Newly installed building perimeter landscaping is proposed around the two hotels. Complies.</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>Hotels: 1 space for each of the first 100 rooms, ½ space for each of the next 100 rooms. ½ space for each room above 200 rooms. ESMC §§ 15-5C-9 and 15-15-6(A)</td>
<td>South Hotel. 246 rooms. 198 spaces required. 175 spaces provided on-site. 23 spaces provided off-site. Complies. North Hotel 350 rooms. 250 spaces required. 37 spaces provided on-site. 213 spaces provided off-site. Complies.</td>
</tr>
<tr>
<td>Signs</td>
<td>Compliance with §15-5C-10 and Title 15, Chapter 18 is required.</td>
<td>New signs will be submitted by separate permit. Master sign programs will be required for each hotel.</td>
</tr>
<tr>
<td>Loading Spaces</td>
<td>South Hotel is 98,741 net s.f. in size. 2 small truck loading spaces required.</td>
<td>South Hotel – Legal non-conforming service drive for loading is located north of tower. A small truck loading space will be striped at this location. Legal non-conforming, complies.</td>
</tr>
<tr>
<td></td>
<td>North Hotel is 153, 421 net s.f. in size. 1 large truck and 2 small truck loading spaces required. ESMC § 15-15-6</td>
<td>Existing on-street Sepulveda loading area approved under CUP 87-01. Existing legal non-conforming loading will remain in addition to new striping for an additional on-site small truck loading area. Legal non-conforming, complies.</td>
</tr>
</tbody>
</table>
V. Inter-Departmental Comments

The project applications and plans were circulated to the Recreation and Parks Department, Police Department, Fire Department, Public Works Department and Building Division for review on April 21, 2014 and July 17, 2014. The Police Department recommended that landscaping, security cameras and building security features be subject to review and approval by the Police Department during building plan check and inspection. The Fire Department recommended that the applicant be required to submit a Fire/Life Safety Plan, include fire safety features, and have a central fire control station in each building. The Building Safety Division recommended conditions that the project comply with current Building Code and Green Building Code standards. The Public Works Department recommended the applicant be required to provide utility plans, upgrade safety and ADA features in the public right-of-way, and meet specified City standards when connecting with City-owned utilities. Public Works also identified that Caltrans should be contacted regarding the proposed operation of the Sepulveda Boulevard driveway. Planning Staff met with Caltrans Staff on July 28, 2014 and Caltrans Staff did not have concerns with the proposed one-way operation of the Sepulveda Boulevard entrance to the south hotel site.

Conditions of approval incorporating the comments from the various City Departments are incorporated in attached draft Resolutions No. 2759 and 2760.

VI. Environmental Review

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations §15301(a) as the project consists of interior and exterior alterations to an existing facility; §15301(b) as the project consists of rehabilitation of an existing deteriorated hotel; and §15301(e) as the project includes an addition less than 10,000 s.f. in an urban area where all public services and facilities are available to allow for maximum development permissible in the General Plan. The project is also categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations §15315 as the project includes a minor commercial land division that will result in the creation of 4 or fewer parcels.

VII. Required Findings

The required findings are set forth in attached Resolutions Nos. 2759 and 2760. The required findings can be met as follows:
• ESMC §15-23-3 requires three findings be made before the Planning Commission can modify the existing Conditional Use Permit to be applicable to the north hotel location. These findings can be made as set forth in attached draft Resolution No. 2759.

• ESMC §15-23-3 requires eight findings be made before the Planning Commission can grant approval of a Conditional Use Permit for a bar serving alcohol at the south hotel location. These findings can be made as set forth in attached draft Resolution No. 2760.

• ESMC §14-1-6 lists seven findings that the Planning Commission must make to deny of a subdivision. These findings cannot be made as set forth in attached draft Resolution No. 2760. Consequently, the Planning Commission must approve proposed tentative map 73163.

• ESMC §15-15-3(H) requires four findings be made before the Planning Commission may grant approval for off-site parking locations. These findings can be made as set forth in attached draft Resolutions Nos. 2759 and 2760.

VIII. Conclusion

It is recommended that the Planning Commission consider the facts in this report, conduct a public hearing, consider the public testimony, and then adopt Resolutions Nos. 2759 and 2760.

IX. Exhibits

A. Draft Planning Commission Resolution No. 2759 and attachments including conditions of approval for the north hotel.
B. Draft Planning Commission Resolution No. 2760 and attachments including conditions of approval for the south hotel and subdivision.
C. Project Plans for the North Hotel, including site plans, elevations and renderings.
D. Project Plans for the South Hotel, including site plans, elevations and renderings.
E. Tentative Map No. 73163.
Prepared by: Masa Alkire, AICP, Principal Planner

Kimberly Christensen, AICP, Planning Manager
Planning and Building Safety Department

Sam Lee, Director
Planning and Building Safety Department
RESOLUTION NO. 2760

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO OPERATE A BAR IN A 246-ROOM HOTEL AT THE SOUTH HOTEL SITE; A TWO-PARCEL TENTATIVE MAP (RECONFIGURING TWELVE EXISTING PARCELS INTO TWO) TO ALLOW DIVISION OF AN EXISTING HOTEL SITE INTO TWO SEPARATE HOTELS (NORTH HOTEL SITE AND SOUTH HOTEL SITE); AND AN OFF-SITE PARKING COVENANT FOR 23 PARKING SPACES FOR THE SOUTH HOTEL SITE CURRENTLY ADDRESSED AT 525 NORTH SEPULVEDA BOULEVARD (APNs 4139-025-073, -074, -075, -076, -081, -91 and 4139-024-013, -014, and -015).

(PROJECT NO. EA-1061; CONDITIONAL USE PERMIT CUP NO. 14-02; SUBDIVISION SUB NO. 14-05; AND MISC NOS. 14-02 and MISC 14-03).

(SOUTH HOTEL)

The Planning Commission of the City of El Segundo does resolve as follows:

SECTION 1: The Commission finds and declares that:

A. On April 10, 2014, Rubicon B Hacienda, LLC filed an application to modify the existing 619-room Hacienda Hotel located at currently addressed 525 North Sepulveda Boulevard (the "Project Site"). The Project proposes to:

1. Create two hotel sites, a 350-room north hotel site (the "North Hotel") and a 246-room south hotel site (the "South Hotel");

2. Secure a new conditional use permit (CUP No. 14-02) to allow operation of a bar serving alcohol in the South Hotel;

3. Obtain a tentative map to reconfigure the existing 12 lot single project site into two separate parcels for the North Hotel and South Hotel;

4. Provide an off-site parking covenant to permit 23 off-site parking spaces for the South Hotel in a surface parking lot located north of Mariposa Avenue; and

5. Seek approval for lot-tie covenants to hold the existing three parcels underlying the existing off-site parking lot as one property for parking purposes.

B. The Project is collectively identified as Environmental Assessment No. EA-1061, Conditional Use Permit No. 14-02, Subdivision No. SUB 14-05 and Miscellaneous Permits Nos. 14-02 and 14-03. The Project site consists of the existing 6.83-acre Hacienda Hotel site and existing 2.14 acre off-site surface parking location north of the hotel site.
C. The Project was 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");

D. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the "CEQA Guidelines"), and the City's Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);

E. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before this Commission for October 9, 2014;

F. On October 9, 2014, the Commission held a public hearing to receive public testimony and other evidence regarding the application including, without limitation, information provided by Rubicon B Hacienda, LLC and its representatives;

G. The Commission considered the information provided by City staff, public testimony, and the representatives for the applicant; and

H. This Resolution, and its findings are made based upon the entire administrative record including, without limitation, testimony and evidence presented to the Commission at its October 9, 2014 public hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Factual Findings and Conclusions. The Planning Commission finds that the following facts exist:

A. The Project Site is improved with an existing hotel located in the General Commercial (C-3) Zone and an off-site parking location located in the Parking (P) Zone.

B. The Project Site consists of 12 legal lots subdivided in 1912. The total area of the 12 lots is 297,554 gross square feet. The hotel site is located on the west side of North Sepulveda Boulevard and includes the entire block between East Mariposa Avenue to the north and East Holly Avenue to the south. The subject off-site parking lot consists of three parcels and totals 93,196 square-feet in area. The off-site surface parking lot is located on the east side of North Sepulveda Boulevard in the block between East Mariposa Avenue to the south and East Palm Avenue to the north.

C. The Project Site is currently developed with one five-story hotel building, two nine-story hotel buildings, and a two-story conference center and restaurant
The Project Site currently includes 619-hotel rooms. The existing off-street parking area is fully developed with a surface parking lot containing 234 parking stalls and three driveway access points.

D. The Project includes a request for a tentative map to combine the 12 legal lots of record into two lots (TM No. 73163). Parcel 1 of TM No. 73163 combines six existing lots into a 145,733 gross square-foot (97,904 net square-foot) site. Parcel 1 is the North Hotel site. Parcel 2 combines six existing lots into a 151,821 gross square-foot (99,494 net square-foot) site. Parcel 2 is the South Hotel site.

E. The Project includes interior and exterior modifications for the South Hotel. The interior space of the South Hotel will be remodeled and the number of hotel rooms will be reduced from 263 to 246. Modified access to the South Hotel site will occur with vehicles entering the site from an existing unused driveway on Sepulveda Boulevard. Exterior building surfaces and windows will be modified and new brand specific accent lighting added to the South Hotel building. A new 2-story 6,640 square-foot addition containing the new front desk, lounge, self-serve food area, bar, multipurpose rooms and exercise room will be added to the South Hotel building. New landscaping will be installed in the street facing setback and pool patio area of the South Hotel.

F. The Project includes a request for a new bar with alcohol service in the South Hotel. The applicant intends on selling a full-line of alcoholic beverages for consumption in the following locations in the South Hotel: bar and lounge area of the new south hotel lobby; outdoor patio and pool deck area; three pool adjacent hotel suites; ground-floor multipurpose rooms and two meeting rooms on the second floor. The applicant is requesting to be allowed sales between the hours of 6 a.m. and 2 a.m daily. The applicant will apply to the California Department of Alcoholic Beverage Control for a Type 47 license (on-site beer, wine and distilled spirits).

G. The Project includes a request for off-site parking for the South Hotel. The request is 23 parking spaces in the existing off-site hotel parking lot be allocated to the South Hotel through an off-site parking covenant. The South Hotel site plan identifies 175 on-site parking spaces in addition to the 23 requested off-site parking spaces. The total parking provided for the South Hotel is 198 spaces.

H. The Project includes a request to tie the three existing parcels underlying the Hacienda Hotel's existing off-site surface parking area so it is considered one parcel for parking purposes. This off-site parking area is 2.14 acres in size and contains 234 parking spaces. The project proposes to increase the number of parking spaces at in the parking lot to 236 parking spaces.

SECTION 3: Environmental Assessment. Because of the findings set forth in Section 2, the Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations §15301(a) as the project
consists of interior and exterior alterations to an existing facility; §15301(b) as the project consists of rehabilitation of an existing hotel; and §15301(e) as the project includes an addition less than 10,000 square-feet in an urban area where all public services and facilities are available to allow for maximum development permissible in the General Plan. The project is also categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations §15315 as the project includes a minor commercial land division that will result in the creation of 4 or fewer parcels.

SECTION 4: General Plan Findings. The Project conforms to the General Plan as follows:

A. Implementation of the Project will meet relevant goals and policies of the Land Use Element. Implementation of the Project will help achieve Land Use Element Goal LU4, which is the “provision of a stable tax base for El Segundo through the development of commercial uses.” If approved, the development will result in the renovation and updating of an existing aging hotel. The resulting two renovated hotel facilities will improve the quality of hotels at the location, which could result in increased tax revenues resulting from higher room occupancy and rates.

B. Implementation of the Project will help achieve Land Use Element Policy LU4-1.2, which states “all commercial facilities shall be built and maintained in accordance with Health and Safety Code requirements and shall meet seismic safety regulations and environmental regulations.” Any changes to the exterior and interior of the existing building and the new addition to the north hotel requires compliance with Health and Safety Code requirements, seismic safety regulations and environmental regulations. Compliance with current regulations will upgrade building and site performance over current conditions, as the site was originally developed many years before the current regulations were adopted.

C. Implementation of the Project will help achieve Land Use Element Policy LU4-1.4, which states “development meeting seismic safety standards and regulations, as well as comply with all noise, air quality, water, and environmental regulations.” Any changes to the exterior and interior of the existing building and the new addition to the South Hotel requires compliance with current building code and environmental regulations. Compliance with current regulations will upgrade building and site performance over current conditions, as the site was originally developed many years before the current regulations were adopted.

D. The General Plan contains relevant Goals, Objectives, and Policies in the Economic Development Element. The goal of Economic Development Element Policy ED 1-2.2 is to “maintain and promote land uses that improve the City’s tax base, balancing economic development and quality of life goals.” The existing aging hotel facility is in need of renovation. Rehabilitated and improved hotel facilities will result in a site that improves the City’s tax base because the two hotels will be a more attractive destination to visitors,
which should improve occupancy and room rates. The project will contribute to the City’s quality of life as it will improve the appearance of existing hotel buildings located on Sepulveda Boulevard, the City’s major commercial corridor.

E. Implementation of the Project will meet relevant goals and policies of the Circulation Element. The Project is consistent with Circulation Element Policy C2-2.2 to “encourage new development to provide facilities for bicyclists to park and store their bicycles and provide shower and clothes changing facilities at or close to the bicyclist’s work destination.” The Project must include new bicycle parking at the South Hotel in a well lit location.

F. The Project is consistent with Circulation Element Objective C3-2 to “ensure the consideration of the impacts of land use decisions on the City’s parking situation.” The project will provide code compliant parking for the hotel facilities through a combination of on-site parking at the hotel location and off-site parking at the existing hotel surface parking lot north of Mariposa Avenue. The Project will formalize the provision of parking at the surface parking lot north of Mariposa with an off-site parking covenant. The Project includes lot ties for the three parcels underlying the surface parking lot and this will clarify the boundaries of the area covered by the off-site parking covenant.

G. Implementation of the Project will meet relevant goals and policies of the Circulation Element. The Project is consistent with Air Quality Element Goal AQ10 regarding the “reduction in particulate emissions from paved and unpaved roads, parking lots, and road and building construction.” Construction conditions intended to reduce particulate emissions are included in the conditions of approval. The project is required to comply during all phases of construction with South Coast Air Quality Management District (SCAQMD) rules and regulations to minimize fugitive dust and other emissions resulting from the construction process.

H. Implementation of the Project will meet relevant goals and policies of the Noise Element. The Project is consistent with Noise Element Policy N1-2.1 to “require all new projects to meet the City’s Noise Ordinance Standards as a condition of building permit approval”. Conditions of approval specific to construction noise and noise associated with the operation of areas serving alcohol outdoors are included in this Resolution.

I. The Project is consistent with Noise Element Objective N1-2 “to ensure that City residents are not exposed to stationary noise levels in excess of El Segundo Noise Ordinance standards.” The Project will be required as a condition of approval to observe the City’s limits on construction hours and construction noise. A condition of approval requiring the posting of a contact for noise complaints at the site is included.

J. Implementation of the Project will meet relevant goals and policies of the Public Safety Element. The Project is consistent with Public Safety Element
Objective PS1-1 to “reduce exposure to potentially hazardous geological conditions through land use planning and project review” and Program PS2-1.1A “to enforce the [California] Building Code.” The Building and Safety Division will ensure compliance with current building code requirements and adequate geotechnical investigation before a building permit is issued.

K. The Project is consistent with Public Safety Element Policy PS6-1.1 to “review projects and development proposals, and upgrade fire prevention standards and mitigation measures in areas of high urban fire hazard.” The Fire Department has preliminarily reviewed the Project and will ensure compliance with this policy before a building permit is issued.

SECTION 5: Subdivision. The Planning Commission cannot make any of the findings for denial set forth in ESMC § 14-1-6 for the following reasons:

A. The proposed tentative map is consistent with the General Plan as required in Government Code § 65451. As set forth in Section 4 of this Resolution, this project meets the goals and objectives of the General Plan. Tentative Map (TM) No.73163 proposes two new lots. The proposed lots meet the minimum lot sizes and minimum lot frontage requirements of the General Commercial (C-3) Zone and General Plan Designation.

B. The design of the proposed subdivision is consistent with the General Plan. As set forth in Section 4, this project meets the goals and objectives of the General Plan.

C. The Project Site is physically suitable for the proposed type of development in that the site has been used for a hotel for over 50 years and will continue to be used for hotel uses after the subdivision is completed. The proposed lots meet the minimum size and lot frontage requirements to allow the combination of the existing 12 parcels. The current General Commercial (C-3) zoning designation allows for the continued hotel use.

D. The Project Site is physically suitable for the proposed density of development. The Project involves a reconfiguration of 12 parcels that are currently developed with a hotel. The twelve legal lots are not tied together. The existing hotel crosses numerous property lines and the development on the 12-lot hotel site does not currently conform to current C-3 Zone development standards. The two lot subdivision will result in two hotel sites that will be in greater compliance with C-3 Zone development standards than the current 12-lot project site condition. The north hotel site, where no additional construction is proposed, will have a legal non-conforming FAR of 1.94. The new South Hotel site, where a new addition is proposed, will have an FAR of 0.99 including the proposed addition. The South Hotel site will not exceed the C-3 Zone FAR maximum of 1.0. After the two-lot subdivision, buildings will no longer cross property lines, however some non-conforming setbacks for the existing buildings will not be eliminated by the two-lot subdivision. Each new lot will meet or exceed the minimum lot size and lot
frontage requirements.

E. The design of the Project is unlikely to cause substantial damage or substantially and avoidably injure fish or wildlife or their habitat. The Project Site is currently developed with a hotel and associated surface parking. There are limited amounts of vegetation bordering the existing buildings and surface parking areas. There are no fish or wildlife habitats on the site that could be damaged by the proposed subdivision.

F. The Project Site will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. The Project is not anticipated to conflict with any known easements located at, or near the property. Various roadway and utility easements have been identified on the subject property. However, the Project will not conflict with the continued use of these easement areas by easement holders.

SECTION 6: Conditional Use Permit Findings. Pursuant to ESMC § 15-23-6, the Planning Commission finds as follows:

A. The Project Site meets the objectives of ESMC Title 15 and the purposes of the zone in which the site is located. The General Commercial (C-3) Zone allows for hotel as a permitted use. A bar serving alcohol is a typical accessory use in a hotel and is allowed in the C-3 Zone pursuant to a conditional use permit. The 25-foot long bar proposed for the lobby area of the South Hotel is a typical amenity for the class of hotel proposed for the location. The proposed alcohol service area of the lobby lounge, conference and multi-purpose rooms, pool deck and patio areas and three guest rooms is appropriate for a hotel use. Therefore the proposed location meets the objectives of Title 15 and the General Commercial (C-3) Zone.

B. The Project will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. The alcohol serving bar use was reviewed by the City's Police and Fire Departments. Both Departments recommended conditions of approval incorporated into this Resolution. The bar must be operated in a manner consistent with the conditions of approval as well as with ESMC noise and nuisance standards. The existing Hacienda Hotel is currently able to serve alcohol in outdoor areas located around the south tower. The alcohol service proposed for the new South Hotel will be similar to existing operating conditions. Compliance with project conditions of approval, ABC requirements and ESMC noise and nuisance requirements will result in a conditional use not detrimental to public health, safety and welfare.

C. The proposed conditional use will comply with each of the applicable provisions of ESMC Chapter 15-23. The proposed bar serving alcohol in the South Hotel is compatible with the hotel use at the site. The existing hotel has been in operation over 50 years and has had alcohol service over this time. The proposed South Hotel indoor bar/lounge areas as well as alcohol service
in conference room and flex spaces will be screened from and have no visual or noise impacts on other uses, including residential uses, in the general vicinity. Outdoor alcohol service around the pool deck and patio are screened from nearby residential and commercial neighbors by on-site structures and walls. Any noise generated in the outdoor alcohol service areas are subject to ESMC Chapter 7-2 “Noise and Vibration” requirements. Failure to comply with ESMC noise requirements could result in the Director imposing additional restrictions on outdoor alcohol service, such as limitations on hours of outdoor alcohol service and where outdoors alcohol may be served. Continued non-compliance with ESMC noise and nuisance requirements could result in revocation of the conditional use. Impacts such as smoke, dust, or fumes are not anticipated to be associated with the requested conditional use. Furthermore the proposed use will generate traffic generally consistent with the existing operation of the site, as the site currently is a hotel and if the project is approved it will remain a hotel facility of the same general size and operational characteristics.

D. The Project must comply with State of California Department of Alcohol Beverage Control licensing requirements; the Project is conditioned to require the applicant to obtain a Type 47 ABC license before operating alcohol service at the hotel. If the applicant fails to obtain an ABC license, alcohol service will not be allowed at the South Hotel.

E. The Project is compatible with the particular use of the site and with other existing and potential uses in the general area. The long established hotel use at the site is compatible with alcohol service. The hotel with alcohol service has been operating at the site for over 50 years and a hotel is a compatible use for a major commercial thoroughfare. The intensity of hotel operations resulting from creation of the South Hotel, and in particular alcohol service at the hotel, is not anticipated to be very different from current Hacienda Hotel operations at the site. Indoor alcohol service will have no impact or adjacent residential properties. Outdoor alcohol service will be screened from adjacent residential properties.

F. The Project is consistent and compatible with the purpose of the C-3 Zone in that this zone allows for a range of commercial uses such as office, hotels, restaurants, retail, and on-site and off-site alcohol sales. A bar serving alcohol is consistent with the purpose of this commercial zone and is compatible with other existing hotel, retail and restaurant uses in the area, some of which also sell alcohol.

G. The Project will not be operated or maintained in a way detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. As discussed in Finding No. 6.B above, the Project was reviewed by the City’s Police and Fire Departments, the Project was conditioned to avoid impacts and the Project is required to meet ESMC and Building Code requirements regarding noise and safety.
H. Potential impacts that could be generated by the Project, such as noise, smoke, dust, fumes, vibration, odors, traffic and hazards were identified and mitigated. As discussed in Finding No. 6.C. above, the indoor alcohol service areas will be screened and not have impacts on adjacent neighbors. The outdoor alcohol service areas are also screened from adjacent neighbors by structures and walls and are required to meet ESMC noise requirements.

SECTION 7: Off-Site Parking Approval Findings. After considering the factual findings of this Resolution, the Commission finds as follows:

A. The Project is in close proximity of the off-site parking facilities. The off-site surface parking lot is within reasonable walking distance of the South Hotel site. The south end of the surface parking lot is within 700 feet from the proposed new South Hotel lobby entrance. Vehicle access to the off-site parking from the South Hotel site can occur by travelling northbound on either Illinois Street or Indiana Street.

B. The Project has good pedestrian access to the off-site parking facilities. Pedestrians can easily access the off-site parking from the South Hotel on the Illinois Street or Sepulveda Boulevard sidewalk. The intersection of Sepulveda Boulevard and Mariposa Avenue has a controlled crosswalk and the off-site parking area is located less than 100 feet from the north end of this crosswalk. The parking lot can be accessed from both Mariposa Avenue and Sepulveda Boulevard.

C. There is no need for transportation to and from this off-site parking facility because of the close proximity of the parking lot to the hotel.

D. Hotel parking is an appropriate use type for off-site parking. Hotel parking is typically low turnover with guests leaving cars parked overnight and leaving the site for extended periods with infrequent travel to and from the site.

SECTION 8: Approvals. Subject to the Conditions set forth in attached Exhibit “A,” which is incorporated by reference, the Planning Commission approves Environmental Assessment No. EA-1061, CUP No. 14-02, Subdivision No. SUB 14-05, Off-Site Parking Covenant No. MISC. 14-02 and Lot Tie Covenant No. MISC. 14-03.

SECTION 9: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 10: Limitations. The Planning Commission’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission’s
lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 11: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 12: This Resolution will remain effective unless superseded by a subsequent resolution.

SECTION 13: The Commission Secretary is directed to mail a copy of this Resolution to Rubicon B Hacienda, LLC and to any other person requesting a copy.

SECTION 14: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 15: Except as provided in Section 14, this Resolution is the Commission’s final decision and will become effective immediately upon adoption.
PASSED, APPROVED AND ADOPTED this 9th day of October 2014.

David Wagner, Chair  
City of El Segundo Planning Commission

ATTEST:

______________________________
Sam Lee, Secretary

Wagner  
Baldino  
Newman  
Nicol  
Nisley

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

By:  
______________________________
Karl H. Berger, Assistant City Attorney
PLANNING COMMISSION RESOLUTION NO. 2760

Exhibit A

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Rubicon B Hacienda, LLC agrees to comply with the following provisions as conditions for the City of El Segundo’s approval of Environmental Assessment No. EA-1061, Subdivision No. SUB 14-05, CUP No. 14-02, Off-Site Parking Covenant No. MISC. 14-02 and Lot Tie Covenant No. MISC. 14-06 ("Project Conditions"): 

Planning Division Conditions

1. Before building permits are issued, the applicant must submit plans that demonstrate substantial compliance with the plans and conditions of approval on file with the Planning and Building Safety Department. Any subsequent modification to the project as approved, including the site plan and landscaping, must be referred to the Director of Planning and Building Safety to determine whether the Planning Commission should review the proposed modification.

2. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.

3. Before the City issues a building permit, the applicant must submit final landscaping and irrigation plans to the Planning and Building Safety Department and the Parks and Recreation Department for review and approval to demonstrate compliance with the City’s Water Conservation regulations and Guidelines for Water Conservation in Landscaping (ESMC §§10-2-1, et seq.). The plant materials used in landscaping must be compatible with the El Segundo climate pursuant to Sunset Western Garden Book’s Zone 24 published by Sunset Books, Inc., Revised and Updated 2001 edition, which is available for review at the Planning and Building Safety Department. Additionally, the landscaping and irrigation must be completely installed before the City issues a final Certificate of Occupancy. Additionally, the final landscaping and irrigation plans must comply with the following:

   a. Efficient irrigation systems must be installed which minimize runoff and evaporation and maximize the water which will reach plant roots (e.g., drip irrigation, automatic sprinklers equipped with moisture sensors).

   b. Automatic sprinkler systems must be set to irrigate landscaping during early morning hours or during the evening to reduce water losses from evaporation. Sprinklers must also be reset to water

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less often in cooler months and during the rainfall season so that water is not wasted by excessive landscaping irrigation.

4. The landscaping and irrigation must be completely installed before the City issues certificates of occupancy.

5. The applicant must prepare a draft lot-tie covenant and agreement to hold the off-site parking location as one parcel. The off-site parking location includes Parcels 4 (APN 4139-024-015), 6 (APN 4139-024-014) and 7 (APN 4139-024-013). The document must be reviewed and approved as to form by the Planning and Building Safety Director and City Attorney before recordation. The applicant must pay for all fees incurred by the City as a result of the City Attorney’s review of these documents before the City issues a certificate of occupancy for the South Hotel site. Proof of recordation of these documents is required to be submitted to the City before the issuance of a certificate of occupancy for the South Hotel site. The applicant must pay for all costs associated with such review including, without limitation, attorney’s fees incurred by the City Attorney.

6. Before the City issues Certificate of Occupancy, the applicant must submit an off-site parking covenant for 23 spaces to be available at the off-site parking location for use by hotel guests and staff of the South Hotel site. Addresses for the South Hotel site and the off-street parking location must be assigned by the City and used to identify the parcels involved in the off-street parking covenant. These documents must be reviewed and approved as to form by the Director of Planning and Building Safety and City Attorney before recordation. The applicant must pay for all fees incurred by the City as a result of the City Attorney’s review of the off-site parking covenants before the City issues a Certificate of Occupancy. Proof of recordation of these documents is required to be submitted to the City before a Certificate of Occupancy is issued.

7. At the expense of the applicant, the City will monitor parking lot operation for six months after the opening of the South Hotel. Two one-hour in-person monitoring periods will occur during the six month period. One one-hour observation will occur during a scheduled event at the hotel and the other one-hour observation during the PM peak hour (between 4pm and 6pm). If deficiencies are identified, the Director of Planning and Building Safety and/or the Police Chief may impose additional operational requirements at the Sepulveda Boulevard entrance.

8. Before the City issues a building permit, the applicant must submit plans to the Director of Planning and Building Safety, or designee, for review and approval to demonstrate compliance with the City’s Off-Street Parking Requirements (ESMC §15-15). This includes compliance with applicable bicycle parking requirements.

9. The Director of Planning and Building Safety, or designee, can impose additional restrictions regarding the South Hotel building façade accent lighting if this lighting is found to have adverse impacts on adjacent residential neighbors. Additional restrictions may include, but are not limited to, time restrictions on when the lighting can be turned on and/or a reduction in the intensity of the lighting.
10. The applicant must obtain and maintain all licenses required by the Alcohol Beverage Control Act (Business & Professions Code §§ 23300, et seq.). The applicant must obtain and maintain a Type 47 license.

11. Hours of operations for alcohol service at the South Hotel is limited to the hours between 6 a.m. and 2 a.m. daily.

12. Locations where alcohol service is permitted outdoors, identified on the submitted South Hotel project plans, must comply with ESMC §§ 7-2-1, et seq. regulating noise and vibration.

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

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

15. The Director of Planning and Building Safety, or designee, and the Police Chief, or designee, must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may cause to schedule a hearing before the Planning Commission regarding the status of the conditional use permit regulating alcohol service pursuant to ESMC §15-23-12 and the conditions contained herein.

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

17. The applicant must post a sign in a clear and conspicuous location listing a phone number at which a responsible party may be contacted during all open hours of the establishment to address any concerns of the community regarding noise at the South Hotel. Said contact's name and phone number must also be available through hotel staff at all times.

18. The applicant must, at all times, display a Designated Driver sign of at least ten inches by ten inches (10" X 10") at the bar at eye level. The sign must be worded in a way that reminds patrons who are consuming alcohol to designate a non-drinking driver.

19. There cannot be exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages which are clearly visible to the exterior also violate this condition.

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

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

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

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

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

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

22. If complaints are received regarding excessive noise, lighting, building access, or other disturbances associated with alcohol service at the South Hotel, the Director of Planning and Building Safety, or Police Chief, may take action to review the Conditional Use Permit, including without limitation, adding conditions or revoking the permit pursuant to ESMC Title 7 (Nuisances and Offenses) and ESMC §15-23-12.

23. The tentative map will expire pursuant to ESMC § 14-1-12.

24. The Conditional Use Permit for the proposed hotel bar will expire twenty four (24) months after its approval if the use has not commenced; or if improvements are required, but construction has not commenced under a valid building permit as specified in ESMC § 15-23-11.

Building Safety Division Conditions

25. The project must comply with the 2013 California Building Code, as adopted by the ESMC, and 2013 California Green Building Standards Code, as adopted by the ESMC.

26. The South Hotel must provide short term bicycle parking at a rate of 5% of the added vehicle parking spaces. The location and capacity of the bicycle parking area is to comply with section 5.106.4 of the 2013 California Green Building Standards Code, as adopted by the ESMC. The south property will also have to provide 1 designated parking space for fuel-efficient and carpool/van pool vehicles as per section
5.106.5.2 of the 2013 California Green Building Standards Code, as adopted by the ESMC.

27. The project is required to comply with storm water requirements per NPDES Permit No. CAS0040001 Order Number R4-2012-0175.

28. Before building permits are issued, the applicant must submit a geo-technical report for the building addition and stormwater requirements for review and approval by the Planning and Building Safety Director, or designee.

Public Works Department Conditions

29. The Final Map must be recorded and filed with both the City Engineer of the City of El Segundo and the Los Angeles County Recorder’s Office.

30. A utility plan must be provided to the Planning and Building Safety Director, or designee, that shows all existing and proposed utility lines (sewer, water, storm drain, gas, electrical, cable, communications, etc.) and their sizes, including easement boundaries, around the project site.

31. The applicant must provide a water service connection and water meter for each parcel.

32. Any existing water meters, potable water service connections, fire backflow devices and potable water backflow devices must be upgraded to current City standards. These devices must be placed or relocated onto private property.

33. If any existing water equipment inside a vault in the public right-of-way is to be removed/relocated to private property, then the contractor must remove the existing vault, relocate or abandon and cap existing lines, then backfill and construct sidewalk to grade per City Standards.

34. Before the City issues a building permit, the location and sizes of all proposed water meters must be approved by the Public Works Director, or designee.

35. The applicant must submit plans for water system upgrades to the Public Works Director, or designee, for review and approval, including traffic control plans for work in the public right-of-way.

36. Any unused water or sanitary sewer laterals must be abandoned and properly capped at the City main. The applicant must obtain all necessary permits including, without limitation, a City encroachment permit and an encroachment permit from the California Department of Transportation (Caltrans) if work occurs on Sepulveda Boulevard. In addition, the applicant must obtain the Public Works Director’s, or designee’s, approval for all traffic control plans and shoring plans.

37. The applicant must upgrade the existing curb ramp located at the northwest corner of Holly Avenue and Sepulveda Boulevard to current standards. The developer is to
provide a 4-foot wide sidewalk behind the curb ramps and 2-foot wide gutter and slot paving.

38. The applicant must construct a new curb ramp at the north-east corner of Holly Ave. and Indiana St. per current standards. The developer is to provide 4-foot sidewalk behind the curb ramps and 2-foot wide gutter and slot paving.

39. If the location of existing public notice, warning or information signs, as defined by ESMC §15-18-10 conflict with required curb ramp location, the applicant must move the sign to a location determined acceptable by the Public Works Director, or designee.

40. PG-64-10 tack coat and hot mix asphalt must be used for all slot paving required next to new concrete installations. Slot paving must be 3 feet wide and 1 foot deep, consisting of 6 inches of asphalt over 6 inches of base.

41. The applicant must provide a minimum of a 4-foot wide sidewalk clearance along Holly Ave. adjacent to the property. This minimum 4-foot wide clear path of travel must be maintained around existing obstructions such as sign poles and utilities. Required easements for public right-of-way use must be provided by the applicant.

42. The project must comply with ESMC Chapter 5-4 regarding MS4 permit requirements.

43. Any and all damaged or off-grade curb, sidewalk and pavement must be removed and replaced as required by the Public Works Director, or designee.

44. All record drawings (As-built drawings) and supporting documentation must be filed with the Director of Public Works, or designee, before the City conducts final inspection.

45. Property owners within 500 feet of the project site must be notified by mail of construction activity at least two weeks before construction begins. The notifications must be approved by the Director of Public Works, or designee before the notice is mailed.

Police Department Conditions

46. Street addressing must be a minimum of 6 inches tall, visible from the street or driving surface, of contrasting color to the background and directly illuminated during hours of darkness.

47. New outdoor bicycle racks must be located in busy, well-lit locations. The location is subject to review and approval by the Police Chief, or designee.

48. A safe for use by the hotel operator must be installed in a secured location and shall be anchored. The location and anchoring is subject to review and approval by the Police Chief, or designee.
49. A sign that identifies the location is private property and that no trespassing is allowed must be installed at the entrance of the pool.

50. Street addressing, entry doors, walkways, open parking lots, driveways, the porte cochere, exterior bicycle racks, and trash dumpsters must be illuminated with a minimum 1 foot-candle of light on ground surfaces during hours of darkness. Aisles, passageways, and recesses related to and within all sides of the complex must be illuminated with a maintained minimum of 0.25 foot-candles of light during hours of darkness. Stairways must be illuminated at all times with a minimum maintained two foot-candles of light on all landings and stair treads. A photometric study and a site plan, identifying all identified items of this condition, must be submitted for building plan check review. This plan check may be submitted independently from the building plan check submittal for the South Hotel renovation and addition.

51. All new doors, door viewers, door vision panels and hardware in the hotel are subject to review and approval by the Police Chief, or designee.

52. A minimum security camera plan must be prepared for the building. The number of cameras and the locations of cameras are subject to Police Chief, or designee, review and approval. Monitoring and recording equipment must be stored in a secured area.

53. Cameras recording driveways and driving surfaces must monitor and record vehicle occupants and vehicle license plate number as they enter/exit.

54. Any security cameras must meet the City’s minimum camera specifications and requirements, as determined by the Police Chief, or designee.

55. The location and number of exterior mounted ladders are subject to Police Chief, or designee, review and approval.

56. Landscape planting locations near exterior lighting sources are subject to Police Chief, or designee, review and approval.

Fire Department Conditions

57. The applicant must comply with the applicable requirements of the 2013 California Building and Fire Codes and the 2012 International Fire Code as adopted by the ESMC.

58. The applicant must submit, separately from plan review, a Fire/Life Safety Plan identifying fire safety precautions during demolition and construction, emergency site access during construction, permanent fire department access, fire hydrant locations and any existing or proposed fire sprinkler systems and fire alarm system. The Plan must be approved by the Fire Chief, or designee, before the City issues building permits.
59. The applicant must provide the following conditions for the any fire features:
   a. A barrier must be provided around the fire feature to prevent accidental access into the fire feature.
   b. The distance between the fire feature and combustible material and furnishings must meet the fire feature’s listing and manufacturer’s requirements.
   c. If the fire feature’s protective barrier exceeds ambient temperatures, all exit paths and occupant seating must be a minimum 36 inches from the fire feature.

60. The applicant must provide a central control station for Fire Department operations in the South Hotel. The rooms must comply with California Fire Code 915.4, as adopted by the ESMC.

61. To eliminate duplicate street addresses for emergency response, each hotel parcel (Lot 1 and Lot 2) must be identified as a separate street address on the tentative map and all other applicable documents.

Construction Conditions

62. Before any construction occurs, the perimeter of the project area must be fenced with a minimum 6-foot high fence. The fence must be covered with a material approved by the Director of Planning and Building Safety, or designee, to prevent dust from leaving the site.

63. All haul trucks hauling soil, sand, and other loose materials must either be covered or maintain two feet of freeboard.

64. Construction vehicles cannot use any route except the City’s designated Truck Routes.

65. During construction and operations, all waste must be disposed of in accordance with all applicable laws and regulations. Toxic wastes must be discarded at a licensed, regulated disposal site by a licensed waste hauler.

66. All leaks, drips and spills occurring during construction must be cleaned up promptly and in compliance with all applicable laws and regulations to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

67. If materials spills occur, they must be cleaned up in a way that will not affect the storm drain system.

68. The Project must comply with ESMC Chapters 5-4 and 5-7, which establish storm water and urban pollution controls.

69. Inspections of the Project site before and after storm events must be conducted to determine whether Best Management Practices have been implemented to reduce pollutant loadings.
70. The storm drain system must be properly maintained and protected at all times during construction.

71. The applicant must provide a telephone number for persons to call to submit complaints associated with the construction noise. The number must be posted on the Project site and must be easily viewed from adjacent public areas.

72. As stated in ESMC Chapter 7-2, construction related noise is restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday, and prohibited at anytime on Sunday or a Federal holiday.

Service Fees

73. Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time fire services mitigation fee in accordance with Resolution No 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

74. Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time police services mitigation fee in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

75. Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time park services mitigation fee in accordance with Resolution No. 4687. The fee amount must be based upon the adopted fee at the time the building permit is issued.

76. Before building permits are issued, the applicant must pay the required sewer connection fees (as specified in ESMC Title 12-3).

77. Pursuant to ESMC §§ 15-27A-1, et seq., and before the City issues a certificate of occupancy, the applicant must pay a one time traffic mitigation fee in accordance with Resolution No. 4443.

78. Before building permits are issued, the applicant must pay the required School Fees.

Miscellaneous Conditions

79. Rubicon B Hacienda, LLC agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney’s fees), injuries, or liability, arising from the City’s approval of Environmental Assessment No. EA-1061, Conditional Use Permit No. CUP 14-02, Subdivision No. SUB 14-05, Off-Site Parking Covenant No. MISC. 14-02 and Lot Tie Covenant No. MISC. 14-03. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. EA-1061, Subdivision No. SUB
14-05, Off-Site Parking Covenant No. MISC. 14-02 and Lot Tie Covenant No. MISC. 14-03, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.

By signing this document, Marc Gordon, Managing Member, Rubicon B Hacienda, LLC, certifies that he has read, understood, and agree to the Project Conditions listed in this document.

Marc Gordon, Managing Member
Rubicon B Hacienda, LLC
AGENDA DESCRIPTION:

Consideration and possible action to: 1) adopt a resolution of intention to vacate an existing public street easement at 815 and 821 Hornet Way; and 2) adopt a resolution to affirm the adoption of Ordinance No. 237 regarding vacation of a 90-foot wide public street easement and a 60-foot wide public street easement at 815, 821 and 827 Hornet Way. Applicant: Northrop Grumman c/o DCA Engineering (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Discussion;
2. Adopt the proposed Resolution of Intention to Vacate an existing 150-foot wide public street easement at 815 and 821 Hornet Way;
3. Adopt the proposed Resolution to Affirm the Adoption of Ordinance No. 237 Regarding Vacation of a 90-foot wide street easement and a 60-foot wide public street easement at 815, 821 and 827 Hornet Way; and/or
4. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. DCA Street Dedication and Street Easement Exhibit Map
2. Resolution of Intention to Vacate a 150-foot wide City Public Street Easement with Attachments (Easement Map Exhibit and Legal Description)
3. Resolution affirming Ordinance No. 237 Regarding Vacation of 90-foot wide and 60-foot wide public street easements with attachments (Easement Map Exhibit and Legal Description)
5. Excerpts of DCA Street Dedication and Street Vacation Report

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, Planning and Building Safety Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
I. Background

DCA Civil Engineering Group ("DCA"), was hired on behalf of Northrop Grumman Systems Corporation ("Northrop"), to complete a civil engineering technical review of Northrop's 82-acre property and to prepare a report summarizing Northrop's ownership including street dedication and street vacation information. Northrop has requested several items of the City. This item is to address two of those requests. Northrop is asking the City to consider 1) vacating a 150-foot wide east-west public street easement through Northrop's Campus by Council action; and 2) affirming Ordinance No. 237 adopted by the City Council in 1940 that vacated a 90-foot wide and a 60-foot wide portion of two public street easements, so that the ordinance can be recorded in order to clear up title to Northrop's property.

II. Analysis

Public Street Vacation No.1:

A 150-foot wide portion of a 1940 City of El Segundo public street easement crosses through the Northrop Campus in an east-west direction between Hornet Way and Douglas Street affecting property addressed as 815 and 821 Hornet Way. The original easement, dated December 11, 1940, provides that if the easement area is not used for public street purposes, the easement reverts back to the property owner. This area has never been improved, maintained or used as a public street by the City. For decades, this area has always been improved with buildings and structures, as well as paved parking areas and vehicular and pedestrian circulation corridors, all of which has always been actively used in Northrop's Campus operations, including up to the present day. DCA believes that the easement in favor of the City is no longer in effect, however, Northrop is requesting that the City formally vacate the easement area to create a public record and to clarify the boundaries of the Northrop-owned property. DCA has prepared a legal description and Exhibit Map for this area that are attached to the proposed resolution.

An easement vacation is governed by section 8300 of the Streets and Highways code. The procedure is as follows:

- The City Council starts the process by adopting a Resolution of Intention to schedule a public hearing.
- Two newspaper publications are then required along with posting of the proposed vacation.
- Utility companies are notified of their opportunity to retain an easement.
- The hearing is conducted at least 15 days after the Resolution of Intention is adopted.
- At the hearing, the City Council considers the Resolution approving the vacation, with appropriate easement reservations and/or conditions applied, as applicable.

DCA has contacted all utility companies and public agencies to determine if utility company or public agency-owned public service infrastructure is located within the subject easement areas to ensure that any existing public utility infrastructure located within the subject easement areas are protected with an existing utility easement or require an easement if one does not already exist. DCA determined after its inquiry and responses from various utility companies and public agencies that there would be no affect on existing utility infrastructure and that no new utility
easements are needed.

The action proposed in this report will result in a hearing at the December 2, 2014 City Council meeting. At that time, City Council will have the option to approve or deny the proposed vacation. The Planning Commission will consider General Plan consistency of the proposed easement vacation at their November 13, 2014 meeting.

Public Street Vacation No.2:

The City Council adopted Ordinance No. 237 in 1940 (see Attachment No. 4). This Ordinance vacated the 90-foot wide and 60-foot wide portions of two City public street easements (dating from 1939 and 1934, respectively) that transect the Northrop Campus in an east-west direction affecting property at 815, 821 and 827 Hornet Way. DCA concluded after extensive research that while the Ordinance was enacted by its adoption in 1940, it has never been recorded. City staff recommends that the Council adopt the attached Resolution Affirming Ordinance No. 237 (Attachment No. 4) because of the age of the Ordinance to ensure that the County Clerk will accept the Ordinance for recordation. Staff has confirmed the accuracy of the legal descriptions and Exhibit Maps for the attached documents proposed for Council’s consideration.

III. Conclusion

Planning staff recommends that the Council: 1) adopt the proposed resolution of intention to vacate an existing 150-foot wide public street easement at 815 and 821 Hornet Way; and 2) adopt the proposed resolution to affirming the adoption of Ordinance No. 237 regarding vacation of a 90-foot wide public street easement and a 60-foot wide public street easement at 815, 821 and 827 Hornet Way.
RESOLUTION NO. ___

A RESOLUTION DECLARING THE CITY COUNCIL’S INTENT TO VACATE A PUBLIC STREET EASEMENT AT 815 AND 821 HORNET WAY WITHIN THE CITY OF EL SEGUNDO.

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

SECTION 1: The City Council finds and declares that on December 2, 2014, or as soon thereafter as is practicable, it intends to hold a public hearing to consider abandoning a public street easement as set forth in attached Exhibit “A,” which is attached and incorporated by reference, pursuant to Streets and Highways Code §§ 8300, et seq.

SECTION 2: A public hearing is scheduled for December 2, 2014, at 7:00 p.m. in the City Council Chambers located at 350 Main Street, El Segundo, CA 90245. The City Council directs the City Manager, or designee, to provide notice as required by Streets and Highways Code §§ 8322 and 8323.

SECTION 3: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

SECTION 4: The City Clerk will certify to the passage and adoption of this Resolution; will enter the same in the book of original Resolutions of said City; and will make a minute of the passage and adoption thereof in the record of proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.
PASSED AND ADOPTED this ____ day of __________, 2014.

________________________
Suzanne Fuentes, Mayor

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

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. _____ was duly introduced by said City Council at a regular meeting held on the ____ day of ___________ 2014, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the____ day of __________ 2014, and the same was so passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

________________________________________
Tracy Weaver, City Clerk

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

By:

________________________________________
Karl H. Berger, Assistant City Attorney
EXHIBIT A

LEGAL DESCRIPTION TO ACCOMPANY PARTIAL STREET VACATION OF "DEED OF EASEMENT" RECORDED IN BOOK 18080, PAGES 278 TO 280, INCLUSIVE, O.R.

THAT PORTION OF THAT CERTAIN LAND IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, LYING WITHIN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 14 WEST, SBB&M, AS SAID SECTION IS SHOWN ON MAP RECORDED IN BOOK 70, PAGE 97, MISCELLANEOUS RECORDS OF SAID COUNTY, GRANTED TO THE CITY OF EL SEGUNDO FOR "PUBLIC STREET AND HIGHWAY PURPOSES" DESCRIBED IN THE "DEED OF EASEMENT" RECORDED IN BOOK 18080, PAGES 278 TO 280 INCLUSIVE, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID PORTION OF SAID CERTAIN LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID CERTAIN LAND, LYING 60.00 FEET WESTERLY OF THE MOST SOUTHEASTERLY CORNER OF SAID CERTAIN LAND; THENCE, WESTERLY ALONG SAID SOUTHERLY LINE, 1075.60 FEET TO A POINT LYING 150.00 FEET EASTERLY FROM THE MOST SOUTHWESTERLY CORNER OF SAID CERTAIN LAND; THENCE NORTHERLY, PARALLEL WITH THE WEST LINE OF SAID CERTAIN LAND 150.00 FEET, TO A LINE PARALLEL WITH AND DISTANT 150.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM SAID SOUTHERLY LINE; THENCE EASTERLY, ALONG LAST SAID PARALLEL LINE, 1075.60 FEET, TO A LINE PARALLEL WITH AND DISTANT WESTERLY 60.00 FEET, MEASURED AT RIGHT ANGLES, FROM THE EASTERLY LINE OF SAID CERTAIN LAND; THENCE SOUTHERLY, ALONG LAST SAID PARALLEL LINE, 150.00 FEET TO THE POINT OF BEGINNING.

AS SHOWN ON "EXHIBIT B" ATTACHED HERETO AND MADE A PART HEREOF.

LAND AREA = ±161,340 S.F., 3.70 ACRES

PREPARED UNDER MY DIRECT SUPERVISION

[Signature]

CHRISTOPHER W. VASSALLO
P.L.S. 8418

DATE
6/12/14

PROFESSIONAL LAND SURVEYOR
STATE OF CALIFORNIA
P.L.S. 8418
EXPIRATION 12-31-2014
RESOLUTION NO. ___

A RESOLUTION OF THE CITY COUNCIL AFFIRMING THE ADOPTION OF ORDINANCE NO. 237 WHICH VACATED A 90-FOOT WIDE PUBLIC STREET EASEMENT AND A 60-FOOT WIDE PUBLIC STREET EASEMENT AT 815, 821, AND 827 HORNET WAY AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NEEDED TO EFFECTUATE ORDINANCE NO. 237.

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

SECTION 1: The City Council finds and declares that:

A. Northrup Grumman Systems Corporation ("Northrup Grumman") is the owner of certain property in the City of El Segundo addressed today as 815, 821 and 827 Hornet Way ("Northrup Grumman Property");

B. On October 24, 1940, the City Council adopted Ordinance No. 237 vacating a 90-foot wide public street easement and a 60-foot wide public street easement (dated 1939 and 1934, respectively) that transect the Northrop Grumman Property in an east-west direction;

C. Ordinance No. 237 was never recorded and Northrup Grumman desires the title to the property reflect the vacation of the two easements in 1940; however, because the ordinance was adopted over 70 years ago, Northrup Grumman has requested the City Council affirm its adoption of Ordinance No. 237; and

D. The City Council desires to affirm the adoption of Ordinance No. 237 in order to assure its implementation and effectiveness at the earliest possible date.

SECTION 2: Approval. The City Council affirms the adoption of Ordinance No. 237, attached as Exhibit "A." The intent of this Resolution is that Ordinance No. 237 be fully effective as of the date of this resolution. The City Council also authorizes the City Manager, or designee, to execute all documents needed to effectuate Ordinance No. 237.

SECTION 3: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.
PASSED, APPROVED AND ADOPTED this _____ day of _________,
2014.

__________________________________________
Suzanne Fuentes, Mayor

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

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. _____ was duly introduced by said City Council at a regular meeting held on the ____ day of ____________ 2014, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the____ day of __________ 2014, and the same was so passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

__________________________________________
Tracy Weaver, City Clerk

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

By:

__________________________________________
Karl H. Berger, Assistant City Attorney
ORDINANCE NO. 237

AN ORDINANCE OF THE CITY OF EL SEGUNDO,
CALIFORNIA, DECLARING VACANT FOR PUBLIC
STREET PURPOSES A CERTAIN PORTION OF
DOUGLAS AVENUE WITHIN THE SAID CITY, AS
CONTEMPLATED BY RESOLUTION OF INTENTION
NO. 509.

WHEREAS, the City Council of the City of El
Segundo, California, on the 31st day of August, 1940, at
a regular meeting of the said Council held on said date,
duly passed and adopted a resolution, being Resolution of
Intention No. 509, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF EL SEGUNDO, CALIFORNIA, DECLARING
THE INTENTION OF SAID COUNCIL TO CLOSE UP,
VACATE AND ABANDON FOR PUBLIC STREET PUR-
POSES, THAT CERTAIN PUBLIC STREET WITHIN
SAID CITY, KNOWN AS DOUGLAS AVENUE."

AND, WHEREAS, the Street Superintendent of the
City of El Segundo, California, after the passage and
adoption of said resolution, caused to be conspicuously
posted along the line of the portion of that certain public
street so to be vacated, within the said City, as herein-
after described, and along the lines of all of the public
streets, ways, roads and drives, and portions of public
streets, ways, roads and drives within the assessment
district described in said Resolution of Intention No. 509,
and at not more than three hundred (300) feet in distance
apart, upon said streets, ways, roads and drives, and not
less than three (3) in all, on any such street, way, road
or drive, notices of the passage of said resolution, said
notices being named "Notice of Public Works", in letters
not less than one (1) inch in length, and stating the fact
of the passage of said resolution, its date and briefly the

1-
work or improvement proposed, being that of vacating all that certain portion of that certain public street named, designated and known as Douglas Avenue, within the said City of El Segundo, California, as hereinafter described, which said notices referred to said resolution of intention for further particulars;

AND, WHEREAS, said Street Superintendent also caused a notice similar to that hereinbefore referred to to be published by four (4) successive insertions in the El Segundo Herald, a weekly newspaper, printed, published and circulated within said City of El Segundo, being the newspaper designated by the said City Council for the purpose of said publication; and more than ten (10) days after the expiration of the time of publication of said notice having elapsed, and no objections to said improvement having been delivered to the City Clerk of said City, or otherwise made, and the said Council having acquired jurisdiction to order the vacating of said portion of said street, as hereinafter described;

NOW, THEREFORE, the City Council of the City of El Segundo, California, does ordain as follows:

SECTION 1. That all of that certain portion of that certain public street named, designated and known as "Douglas Avenue" within the said City of El Segundo, California, described as follows, to-wit:

That portion of Douglas Avenue, 150 feet wide, in the Northeast quarter of Section 7, Township 3 South, Range 14 West, S. E. M., in the Rancho Sausal Redondo, in the City of El Segundo, County of Los Angeles, State of California, as said Section is shown on map recorded in Book 70, Page 97 of Miscellaneous Records in the office of the County Recorder of said County, described as follows:

Beginning at the Southeast corner of land described in deed recorded in Book 9716, Page 375, Official Records of said County, being in a line parallel with the East line of said Section and distant Westerly 189.60 feet measured at right angles therefrom and distant along said parallel
line Southerly 922.99 feet from the North line of said Section; thence Southerly parallel with the East line of said Section, 150 feet to the South line of said Douglas Avenue; thence Westerly along said South line 1075.60 feet to the Southerly prolongation of the East line of Northrop Street, as established 150 feet wide; thence Northerly along the prolongation of said East line, 150 feet to the South line of land described in deed recorded in Book 16739, Page 182 of said Official Records; thence Easterly along said South line to and along the South line of land described in said deed recorded in Book 9718, Page 375, Official Records, 1075.60 feet to the point of beginning,

be, and the same is hereby closed up, vacated and abandoned for public street purposes.

That the purpose of these proceedings and of this ordinance is to vacate and abandon for public street purposes, all of said hereinabove described portion of said public street.

SECTION 2. That the public work herein provided for is the closing up of all of that certain portion of said public street, described in Section 1 hereof, and it appearing to the City Council of the said City of El Segundo that there are no costs, damages or expenses occasioned by or arising out of said work, and that no assessment is necessary to pay the costs, damages or expenses of said work, now, therefore, said Council does hereby further ordain and determine that no commissioners shall be appointed to assess benefits and damages.

SECTION 3. That this ordinance shall take effect and be in full force and virtue thirty days from and after the final passage and adoption thereof.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published once in the El Segundo Herald, a weekly newspaper of general circulation printed, published and circulated within the said City of El Segundo and which is hereby
designated for that purpose.

Passed, approved and adopted this 24th day of
________________, A. D., 1940.

[Signature]
Mayor of the City of El Segundo,
California.

ATTEST:
[Signature]
City Clerk

(SEAL)

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

I, VICTOR D. McCARTHY, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of the said City is five; that the foregoing ordinance, being Ordinance No. 237, was duly passed and adopted by the City Council, approved and signed by the Mayor of said City and attested by the City Clerk of said City, all at an adjourned meeting of the said Council held on the 24th day of October, 1940, and that the same was so passed and adopted by the following vote:

AYES: Councilmen ___________ ___________ ___________ ___________ ___________ _

______________ ________________ ________________ ________________ ________________;

NOES: Councilmen ___________ None

ABSENT: Councilmen ___________ ___________ Gerow

[Signature]
City Clerk of the City of El Segundo,
California.

(SEAL)
CLERK'S CERTIFICATE

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF EL SEGUNDO

I, Victor D. McCarthy, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of the said City is five; that the foregoing ordinance, being Ordinance No. __237__, is a full, true and correct original of Ordinance No. __237__ of the said City of El Segundo, California, entitled:

"AN ORDINANCE OF THE CITY OF EL SEGUNDO, CALIFORNIA, DECLARING VACANT FOR PUBLIC STREET PURPOSES A CERTAIN PORTION OF DOUGLAS AVENUE WITHIN THE SAID CITY, AS CONTEMPLATED BY RESOLUTION OF INTENTIO NO. 509.".

which was duly passed and adopted by the said City Council, approved and signed by the Mayor of said City, and attested by the City Clerk of said City, all at a regular meeting of the said Council held on the ___24th___ day of October, 1940, and that the same was so passed and adopted by the following vote:

AYES: Councilmen Hesser, Love, Salby and Mayor Binder

NOES: Councilmen None

ABSENT: Councilmen Gerow

I do hereby further certify that pursuant to the provisions of Section 978 of Act 5233 of the General Laws of the State of California (Deering 1923 Edition) as amended to date, that the foregoing Ordinance No. __237__ was duly and regularly published according to law and the order of the City Council of said City in the El Segundo Herald, a weekly newspaper of general circulation printed, published and circulated within the said City, and that the same was so published therein on the following date, to-wit: October 24th, 1940.

WITNESS my hand and the seal of said City this ___25th___ day of October, A.D., 1940.

[Signature]

City Clerk of the City
El Segundo, California.

(SEAL)
Affidavit of Publication

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES,
CITY OF EL SEGUNDO,

Frank L. Snow, being first duly sworn, deposes and says: That he is, and at all of the times hereinafter mentioned was, a citizen of the United States of America, over the age of eighteen years, and a resident of the County of Los Angeles, State of California; that he was, at and during all of the time of the publication of the instrument hereunto attached the Editor

and publisher of EL SEGUNDO HERALD, a newspaper of general circulation, printed, published and circulated WEEKLY in the City of El Segundo, in said County and State; that said newspaper had been so printed, published and circulated at regular intervals of one week for more than one year immediately preceding the publication of the instrument hereunto annexed; that said newspaper is, and was, at all of the times herein mentioned, a newspaper of general circulation within the meaning of Section 4460 of the Political Code of the State of California; that as provided by said section, said newspaper is published for the dissemination of local or telegraphic news and intelligence of a general character, having a bona fide subscription list of paying subscribers; that said newspaper is not and was not at any of the times herein referred to, devoted to the interests, or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or for any member of such classes, professions, trades, callings, races or denominations, and that said newspaper is not devoted to or published for, nor was it at any of the times herein mentioned devoted to or published for the purpose, whether avowed or otherwise, of entertaining or instructing such classes, professions, trades, callings, races or denominations, or any of such classes, professions, trades callings, races or denominations.

That the notice, order, ordinance, resolution or instrument hereunto attached on page __/1 numbered hereof in all respects, including subject matter, and size and arrangement of type, is a full, true, and correct copy of the said notice, order, ordinance, resolution or instrument, in words and figures exactly as published; that the same was set and printed in type not smaller than nonpareil and that the body of the same was preceded with words printed in black-face type not smaller than nonpareil, describing and expressing in general terms the purpose and character of the notice, order, ordinance, resolution, or instrument intended to be published, as will appear from an inspection of the said annexed instrument; that the Ordinance No. 251 of which the annexed is a printed copy as hereinabove stated, was published and printed in said newspaper at least three times, by __________ publication _______ on the __________ day of ___ ____, A. D. 1940, __________ _________

Thursday, October 24, 1940

______________________________
Frank L. Snow

Subscribed and sworn to me this __________ day of ___ ____, A. D. 1940.

______________________________
Victor D. McCarthy

City Clerk of the City of El Segundo, County of Los Angeles, State of California.

By ____________________________
Deputy City Clerk of Said City.
4 March 2014

Monica Harley
Manager, Sector Real Estate
One Space Park Drive, M/S: S/K02610
Redondo Beach, California 90278

Re: Northrop Grumman Systems Corporation Owned Land, City of El Segundo

Dear Monica,

DCA Civil Engineering Group ("DCA") has completed its Civil Engineering Technical Advisory Review of the Northrop Grumman Systems Corporation ("NGSC") owned 82 acre parcel of land located in the City of El Segundo ("CityES"). The NGSC ownership boundary is shown on Exhibit Map in TAB 1 in DCA’s attached “Street Dedication and Vacation Report”.

DCA has discovered historical errors in the chain of Title affecting a 100 foot wide portion of Douglas Street. For reasons explained below, the public street easement over this portion of Douglas Street expired in 2009. DCA has also discovered certain easements affecting the remaining NGSC property that DCA believes have expired or have been vacated but never properly recorded. DCA recommends that NGSC clear up Title to its property and request corrections to the public street dedication.

Below is DCA’s analysis and recommendation. A detailed explanation is provided in DCA’s attached “Street Dedication and Vacation Report” along with pertinent maps and documents.

**Douglas Street Dedication:**

A 100-foot wide strip of land, located within the NGSC owned site, has been used and improved for many years (and continuing today) as the public street known as "Douglas Street". The original public street easement over this area was granted by the United States Government to the CityES in 1959 and expired in 2009. The United States Air Force granted a new public street easement to the CityES over
this same area in 2009. However, this 100-foot wide strip of land had previously been conveyed by the Unites States Government to a private party (Rockwell International) in 1974. In effect, the 2009 USAF easement grant attempted to convey an easement over property it no longer owned.

**DCA Recommendation:**

In order to restore that portion of Douglas Street back to public street right-of-way, DCA recommends that NGSC have prepared the appropriate documents and exhibits for highway dedication and requests the City for acceptance of the Offer of Dedication by Resolution. The location of this area and DCA’s proposed dedication document, with legal description and Exhibit Map, are located in TAB 6 in DCA’s attached “Street Dedication and Vacation Report”.

**Public Street Vacation No.1:**

A 150 foot wide portion of a 1940 CES public street easement crosses through the NGSC Campus in an east-west direction. The terms of the original easement, dated December 11, 1940, provides that if the easement area is not used for public street purposes, the easement reverts back to the property owner. This area has never been improved, maintained or used as a public street. Instead, for decades, this area has always been improved with buildings and structures, as well as paved parking areas and vehicular and pedestrian circulation corridors, all of which has always been actively used in NGSC Campus operations, including up to the present day. For those reasons DCA believes the aforementioned CES easement is no longer in effect.

**DCA Recommendation:**

In order to create a public record and clarify the boundaries of the NGSC owned property, DCA recommends that NGSC requests the City to formally vacate the area in question by Resolution. DCA’s proposed legal description and Exhibit Map for this area are in DCA’s attached “Street Dedication and Vacation Report”.

**Public Street Vacation No.2:**

In 1940, via CES Ordinance No. 237, the City vacated the 90 foot wide and 60 foot wide portions of two CES public street easements (dating from 1939 and 1934, respectively) through the NGSC Campus in a east-west direction. DCA believes that while the Ordinance was enacted, it has never been recorded.
**DCA Recommendation:**

In order to create a public record of this prior CES approved Vacation, DCA recommends that NGSC requests the City to record the aforementioned Ordinance. A copy of CES Ordinance No. 237 is in the attached Report.

Please call or email if there are any questions or if additional information is needed.

Very Truly Yours,

[Signature]

DCA CIVIL ENGINEERING GROUP
Karl M. Riemer
kriemer@dcacivileng.com

Attachment:  DCA’s "Street Dedication and Vacation Report"
Street Dedication and Street Vacation Report
Civil Engineering Technical Advisory Review

Regarding Northrop Grumman Systems Corporation
El Segundo Campus

Prepared for:
Northrop Grumman Systems Corporation
Space Park Drive, M/S: S/K02610
Redondo Beach, CA 90278

Prepared by:
DCA Civil Engineering Group
17625 Crenshaw Blvd., Ste 300
Torrance, CA 90504
Tel. 310-327-0018
Fax. 310-327-0175

March 4, 2014
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1 PURPOSE

At the request of Northrop Grumman Systems Corporation ("NCSC"), DCA Civil Engineering conducted an investigation regarding City of EL Segundo ("City") public street easements located within NCGS's approximate 82 acre El Segundo property ownership, as shown on DCA's Exhibit Map in TAB 1 herein. This report summarizes the results of DCA's investigation into this matter, as well as DCA's recommendations to clarify Title issues resulting therefrom.

2 FINDINGS AND RECOMMENDATIONS

A) EXPIRED DOUGLAS PUBLIC STREET EASEMENT

A portion of a 100 foot wide strip of land improved and used for many years (and continuing today) as "Douglas Street" is located within the NGSC ownership. This area is shown as Item F on DCA's attached Exhibit Map in TAB 1.

However, the City public street easement over this area expired in 2009 per the deed that created the easement. That deed was recorded April 20, 1959 as Instrument No. 3186, Book D438, Page 867, Official Records of Los Angeles County a copy of which is in TAB 3 (see area highlighted in this document for the expiration clause).

Background: The Douglas Street easement not only expired in 2009 over the aforementioned portion of the NGSC owned property, but also over property owned by the U.S.A. (Los Angeles Air Force Base) abutting and located south of the NGC property. Accordingly, in a deed recorded on April 28, 2009 as Instrument No. 20090619863, Official Records (copy attached in TAB 4), the U.S.A. renewed the expired City Douglas Street public street easement by granting same to the City for a period of 25 years.

However, the legal description for the public street easement in the U.S.A. grant included not only that portion located on the U.S.A. owned property but also, inadvertently, that portion located on the NGSC owned property. To better under this, the ownership history of the portion of the 2009 U.S.A. Douglas Street dedication grant that is located on NGSC property ("PIQ") is relevant, and is as follows:

Via deed, Instrument No. 308, recorded March 21, 1974, Official Records of Los Angeles County (copy in TAB 10), the U.S.A. granted the PIQ to Rockwell International Corporation.

Via deed, Instrument No. 78-1414356, Official Records of Los Angeles County (copy in TAB 11), Rockwell International Corporation granted the PIQ to Northrop Corporation along with the remainder of the current NGCS 82 acre ownership. This is the current vesting deed for that ownership.

Obviously, the U.S.A. could not grant an easement over property (the PIQ) in 2009 that it had previously deeded to Rockwell International Corporation in 1974 (and afterwards, in 1978, Rockwell deeded that property to Northrop).
DCA RECOMMENDATION

Request that the City accept a Public Street Easement from NGSC over the expired portion of "Douglas Street" described above. DCA's proposed legal description and exhibit map for this easement, along with the City "Irrevocable Offer to Dedicate" form, is in TAB 2.

B) PREVIOUS CITY VACATED PUBLIC STREET EASEMENTS

There are portions of two City public street easements that cross over the NGSC ownership in an east-west direction as follows:

A 90-foot wide public street easement recorded July 10, 1939 in Book 16756, Page 115, Official Records of Los Angeles County (copy in TAB 7). The portion of this easement that crosses over the NGSC ownership is depicted as the cross-hatched portion of Item A on DCA's Exhibit Map in TAB 1.

An abutting 60-foot wide public street easement recorded in 1934 in Book 12672 Page 114, Official Records of Los Angeles County (copy in TAB 8). The portion of this easement that crosses over the NGSC ownership is depicted as the cross-hatched portion of Item B on DCA's Exhibit Map in TAB 1.

On October 24, 1940, via City Ordinance No. 237 (copy in TAB 9), the City vacated the aforementioned cross-hatched portions of these two public street easements. However, per First American Title Company, this Ordinance was never recorded and recommends that such recording be done in order to create a public record of the Vacation.

DCA RECOMMENDATION

Request that the City record the aforementioned City Ordinance.

C) CITY PUBLIC STREET EASEMENT THAT DCA BELIEVES HAS TERMINATED

A City public street easement, created by deed recorded January 7, 1941 in Book 18080 Page 278, Official Records of Los Angeles County (copy in TAB 5) is depicted as Item C on DCA's Exhibit Map in TAB 1. A 150-foot wide portion of this easement crosses over the NGSC ownership in a east-west direction and is depicted as the cross-hatched portion of Item C on DCA's Exhibit Map.

This cross-hatched area has never been improved, maintained or used as a public street. Instead, for decades, this area has always been improved with buildings and structures, as well as paved parking areas and vehicular and pedestrian circulation corridors, all of which have always been actively used in NGSC Campus operations, including up to the present day.

This is relevant because the aforementioned 1941 deed (Book 18080 Page 278, O.R.) includes a clause that states that the public street easement grant is effective only "for so long as said easement shall be used as a public street or highway" (see highlighted portion of easement in TAB 5).
Because of the above, it is DCA's belief that the public street easement over the cross-hatched portion of Item C on DCA's Exhibit Map has terminated in accordance with the terms of the easement deed. The remainder of this easement (that part of Item C not cross-hatched on DCA's Exhibit Map) is improved as public streets (Douglas Street and Hornet Way) and therefore remains in place as a public street easement.

**DCA RECOMMENDATION**

As noted, it is DCA's opinion that the portion of the City easement described above has terminated automatically. However, in order to create a public record for same, DCA recommends that the City be requested to approve and record a Resolution vacating this area. DCA's proposed legal description and accompanying Exhibit Map for this vacation area is in TAB 6.

3 **AFFECT ON EXISTING PUBLIC UTILITY INFRASTRUCTURE**

In order to insure that any existing public utility infrastructure located within the cross-hatched areas of Items A, B and C on DCA's Exhibit Map in TAB 1 are protected with a utility easement, if not already existing, DCA contacted Utility Companies and Public Agencies to determine the following:

If Utility Company or Public Agency-owned public service infrastructure is located in said areas and,

If so, whether the Utility Company or Public Agency requires that NGSC grant an easement to said Company or Agency over the land where such infrastructure exists, if an easement does not already exist.

As noted below, the results of DCA's inquiries into this matter revealed that there would be no affect on existing utility infrastructure within any of the areas discussed in this report, and, that new utility easements are not needed.

DCA's contact with all Utility Companies and Public Agencies requesting this information was via Certified Return-Receipt Mail. Backup documentation regarding that noted below is found in the TAB referenced below for each item (i.e. copies of the Certified Return-Receipt Mail, Utility Company/Public Agency responses, existing easements, etc.):

A) Los Angeles County Department of Public Works (documentation in TAB 10):

Agency Response: No objection
See October 16, 2012 dated LACDPW letter in TAB 10

Agency Contact: Thu Truong
Right of Way, Engineering Section
Survey/Mapping & Property Management Division
L.A. County Department of Public Works
900 South Freemont Avenue
Alhambra, CA 91803
(626) 458-5100
B) Los Angeles County Sanitation District (documentation in TAB 13):

Agency Response (paraphrased): The Sanitation District owns and operates two sewers in the area. Both sewers cross through the project area. There are existing easements for these sewers:

10 foot wide sewer easement recorded 1940, Book 18028, Page 79, Official Records.


Agency Contact: Ronnie Burtner
L.A. County Sanitation District
Property Management Section
Facilities Planning Development
1955 Workman Mill Road
Whittier, CA 90601
(562) 908-4288 x 2766
rburtner@lacsdo.org

DCA Note: a copy of both above-referenced easement documents are in TAB 12 and are plotted on DCA's Exhibit Map in TAB 1 as follows:

Item G is the 10 foot wide sewer easement recorded 1940, Book 18028, Page 79 and is located within the cross hatched portion of ITEMS $A$ and $B$ on DCA's Exhibit Map.

Item H is the 10 foot wide sewer easement recorded 1948, Book 23561, Page 168 and is located within the cross hatched area of ITEM C on DCA's Exhibit Map.

The other easements noted in the Sanitation District email (Easements recorded in Book 15014, Page 128, Book 15633, Page 365 and Book 29470, Page 369, all Official Records) are not located within the NGC Campus.

C) Time Warner Cable (documentation in TAB 13):

Time Warner Response (paraphrased): There are existing Time Warner aerial and underground facilities within the project limits. Map showing location is provided.

See October 7, 2013 dated letter from Time Warner Cable in TAB 15.

Time Warner Contact: Cary Hanson
Time Warner Cable
Construction Manager – Zone 7
1529 Valley Drive
Hermosa Beach, CA 90254
DCA Note: The Time Warner map attached to the October 7, 2013 Time Warner letter in TAB 15 shows the "project" as including not only a part of the NGC Campus but also Douglas Street and Hornet Way. The Time Warner map shows the Time Warner facilities within this area by a blue line. However, that blue line is not located within the NGC Campus and therefore an easement is not required.

D) Southern California Edison (documentation in TAB 14)

SC Edison Response (paraphrased): There are facilities in the area but the structures are customer owned (DCA Note: NGC owned) and an easement is not needed.

See September 12, 2013 email from SC Edison in TAB 14.

SC Edison Contact: David Kanowsky
Southern California Edison
Service Planner
South Bay Local Planning
(310) 783-9338 Office
(310) 339-5520 Cell
david.kanowsky@sce.com

E) AT&T (documentation in TAB 15).

AT&T Response (paraphrased): Our records do not indicate any AT&T facilities that would be adversely affected by your proposed vacation.

See November 12, 2013 dated AT&T email in TAB 15.

AT&T Contact: Raymond Dove
AT&T
rd1918@att.com

F) Southern California Gas Company (documentation in TAB 16)

SC Gas Company Response (paraphrased): The only pipe in the area is a 1.25" high line coming off Hornet Way which probably services Building A. (DCA Note: "Building A" is located within the NGC Campus and used as part of NGC operations, thus an easement is not required).

See September 20, 2013 dated Southern California Gas Company email in TAB 16.

SC Gas Company Contact: Zakee Singleton
Pipeline Planning Assistant
So Cal Gas-Pacific Region
Compton Headquarters
701 N. Bullis Road
Compton, CA 90224
EL SEGUNDO CITY COUNCIL  
AGENDA STATEMENT  
MEETING DATE: November 4, 2014  
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:
Consideration and possible action to receive and file this report regarding the emergency repair to remove debris in the attic space of City Hall 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: $82,354.00)

RECOMMENDED COUNCIL ACTION:

(1) Receive and file this report regarding the emergency repair to remove debris in the attic space of City Hall 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: $82,354.00
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: Stephanie Katsouleas, Director of Public Works

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

On May 6, 2014 City Council approved a contract to complete the attic cleaning emergency repair with Empire Building. Contract and insurance documents were finalized on June 9th and they will work only on Friday through Sunday until the project is complete. Work began on July 18 and is complete. Two change orders have been processed. Punch list items are being addressed by the contractor.

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 clean the attic space in City Hall.
AGENDA DESCRIPTION:

Consideration and possible action to receive and file this report regarding cleaning and repairing drywall and carpet as well as restoring furniture in the north portion of City Hall 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: $37,000.00)

RECOMMENDED COUNCIL ACTION:

(1) Receive and file this report regarding cleaning and repairing drywall and carpet as well as restoring furniture in the north portion of City Hall 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; and/or.

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

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $37,000
Additional Appropriation: No.
Account Number(s): 405-400-0000-6215 (Facilities Maintenance Fund – Repair & Maintenance Acct.)

ORIGINATED BY: Stephanie Katsouleas, Director of Public Works

REVIEWED BY: Stephanie Katsouleas, Director of Public Works

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

On August 5, 2014 City Council approved an emergency contract with A & V Contractors, Inc. (A V) to clean and repair drywall and carpet as well as restore furniture in the north portion of City Hall (Human Resources, City Clerk’s office, server room). As you may recall, damage to these areas was due to an improperly sealed drain and corresponding rain event which occurred during the City Hall roofing project. A&V began work on October 8, 2014. Demolition is complete and construction is ongoing.

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 also recommends that City Council receive and file this report on the status of the emergency repair to clean and repair drywall and carpet and restore furniture in the north portion of City Hall.
AGENDA DESCRIPTION:
Discussion and possible action regarding the request from Space X to reserve areas of Recreation Park for the purposes of a special event, including barbequing for a period of up to 24 hours, and in violation of the El Segundo Municipal Code pertaining Title 10, Chapter 1 for Park Rules and Regulations (“ESMC § 10-1-4). (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
(1) Approve or deny the request; and,
(2) Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
(1) Photograph of similar barbeque apparatus

FISCAL IMPACT: None

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

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:
On September 16, 2014, a Special Event Permit Application was submitted by Mauro Prina, representing Space X, requesting usage of Recreation Park for an event to be held on either October 17th or 24th. The permit application requested a number of items that were in conflict with the ESMC § 10-1-4. Ultimately, the Director of Recreation and Parks denied the application on the grounds that the proposed event was (1) in violation of five park rules as indicated in the El Segundo Municipal Code; (2) time constraints between the application date and event date limited the ability to seek City Council approval; (3) possible safety and liability concerns; and (4) overall, would unreasonably interfere with the general public’s use of the park and park facilities.

Since the denial of the permit, the applicant has proposed a smaller-scale version of the event, including the elimination of alcohol service and amplified live music. The request remains for usage of the park overnight for the purposes of barbequing an entire cow using barbeque equipment built off-site and brought into the park. The requested date of the main event has been changed to Friday, November 21st. However, the barbeque requires 18-24 hours, which poses some concerns for the Recreation and Parks Department, including the violation of the ESMC § 10-1-4:

H. Park Rule Eight; Camping: No person within any public park shall camp or lodge therein, except by permission in writing from the City Council.

I. Park Rule Nine; Cooking: No person within any public park shall cook, prepare, serve or eat any lunch, barbecue or picnic except at the places provided therefor.
Q. Park Rule Seventeen; Hours Of Operation: No person shall remain, stay or loiter in any public park between the period commencing at ten o'clock (10:00) P.M. on any day and ending one hour before sunrise of the following day, except by special written permission of either the City Council or the Director of Recreation and Parks. (Ord. 766, 6-28-1971)

The proposed set-up is Thursday, November 20th from 9am-12pm, with cooking beginning at approximately noon on Thursday, through noon on Friday, November 21st. A party with 200-300 people will take place on Friday from 12:00-4:00pm. Due to the size of the cooking apparatus, the applicant would be required to obtain a permit for Open Burning from the El Segundo Fire Department as well as an inspection at the site before operations commence. The permit would cost the applicant $95 while the park reservation fees total $4,320.

Overall, and in addition to the violation of the El Segundo Municipal Code and Park Rules and Regulations, there are several unknown consequences of an event such as this, including concerns of pervasive smoke, public safety and health, odor, liability, security and unsupervised park activity, disturbance to park patrons and the surrounding residences, and the increased likelihood of similar requests in conflict with Park Rules and Regulations.
AGENDA DESCRIPTION:

Consideration and possible action regarding 1) Introduction of an Ordinance; 2) Adoption of a Resolution of Intention to approve an Amendment to the Contract between the Board of Administration of the California Public Employees’ Retirement System (CalPERS) and the El Segundo City Council to cease contributions under Government Code Section 20516(a) (3% Employee Cost Sharing of Additional Benefits) applicable to El Segundo Firefighters’ Association members per 2011-14 MOU agreement and 3) Approval for Staff to administer the required Employee Election (Fiscal Impact: $174,338 for Fiscal Year 2014/15).

RECOMMENDED COUNCIL ACTION:

1. Introduce and waive the First Reading of the Ordinance
2. Adopt the Resolution of Intention
3. Approve Staff to administer the Employee Election
4. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Ordinance
2. Resolution of Intention
3. CalPERS Exhibit – Amendment to Contract

FISCAL IMPACT:

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<th>Amount Budgeted:</th>
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<td>Additional Appropriation:</td>
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<td>Account Number(s):</td>
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ORIGINATED BY: Lisa Jenkins, Senior Human Resources Analyst
REVIEWED BY: Martha Dijkstra, Director of Human Resources
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

The City of El Segundo contracts with the California Public Employees Retirement System (CalPERS) in order to provide pension benefits to City employees. Agency benefits provided are based upon the City Council’s contract with the CalPERS Board of Administration and any contract changes must be supported by negotiated Memoranda of Understanding (MOU’s) with represented employees (or formal action by City Council for non-represented employees).

In 2011, the Memorandum of Understanding (MOU) between the City and the El Segundo Firefighters’ Association (FFA) included a provision for a 3% Employer Cost-Sharing arrangement under Government Code 20516(a). Per the MOU, this arrangement was negotiated through the term of the current contract only and therefore the payroll deduction for FFA members ceased on October 1, 2014. When the Contract Amendment was implemented, this Employer Cost-Sharing provision
under 20516(a) was required to apply to ALL local Fire Members, which included all FFA members, along with Fire Management (Battalion Chiefs and Fire Chief), the SPEA member covered under local fire benefits (Environmental Safety Manager). Since this contract amendment was implemented, the Public Employees’ Pension Reform Act (PEPRA) of 2013 was enacted, which allows for employer cost-sharing contract amendments to apply per employee group (e.g. FFA only), rather than to all members of the same Retirement class (e.g. Local Fire).

While initial discussions with CalPERS indicated permanent contact amendment changes could be delayed until the resolution of contract negotiations with the applicable bargaining unit(s), CalPERS has recently informed Staff that a formal contract amendment must be executed at the present time in order to legally cease the employer contribution for FFA employees. While this contractual agreement exists for FFA members to cease the cost sharing, this 3% cost-sharing provision will continue for the unrepresented Fire Employees (Battalion Chiefs and Fire Chief) and the Environmental Safety Manager.

**Timeline and Requirements under Government Code § 20471 and 20474**

Contract amendments complying with all applicable PERS laws and regulations can be made to modify benefits. Contract amendments must be negotiated with the applicable bargaining unit(s). This contract amendment process has various timeline and legal requirements, which include passage and adoption of an Ordinance authorizing the contract amendment, an approved Resolution of Intention specifying the proposed changes to the contract, an employee election to implement cessation of the cost-sharing provision, and certification of compliance with all applicable Government Code provisions.

Government Code § 20471 requires a twenty (20) day period between the adoption of the Resolution of Intention and the Second Reading and Adoption of the Ordinance.

Government Code § 20474 requires a secret ballot election by affected employees whenever the contract is amended to provide a benefit that changes the employees’ rate of contribution (in between the first and second reading of the Ordinance). Staff recommends that the Human Resources Department administer the employee election in conjunction with the City Clerk’s Office. Each employee eligible to participate in the election will be mailed an official ballot and a memorandum indicating that the election is required by CalPERS law and will have an opportunity to submit their secret ballot in a sealed envelope in person at the City Clerk’s Office, by US mail, or interoffice mail.

If the Resolution of Intention is approved at the Council Meeting of November 4th, and the employee election confirms terminating the Employer Cost Sharing provision, the Ordinance will be agendized for Final Reading and Adoption at the December 2, 2014 meeting.

It is recommended that the Council approve an urgency ordinance at the December 2nd meeting in order to allow the Ordinance and Contract Amendment to be expedited. If the urgency ordinance is passed and adopted on December 2nd, the Contract Amendment can take effect the beginning of the next payroll period, which is December 13, 2014.

**Disclosure of Benefit Change under Government Code 7507/Fiscal Impact**

Government Code §7507 requires that the future annual costs or any changes to benefits of a proposed contract be made public at least two weeks prior to the adoption of the final ordinance. While the City is not required to obtain an actuarial valuation for the current action, this proposed
benefit change is being made public by way of this staff report and the Resolution of Intention to be adopted.

It is estimated that the cost of removing the Cost-Sharing provision for the FFA is $174,338 in Fiscal Year 2014-15.
ORDINANCE NO. _____

AN URGENCY ORDINANCE ADOPTED IN ACCORDANCE WITH GOVERNMENT CODE § 36937(B) APPROVING AN AMENDMENT TO AN AGREEMENT WITH THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM.

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

SECTION 1: The City Council finds and determines it is in the public interest to adopt this ordinance on an urgency basis for the purpose of preserving the public welfare.

SECTION 2: The Amendment attached as Exhibit “A,” and incorporated by reference, is approved. The City Manager, or designee, is authorized to execute the Amendment and all ancillary documents required to implement the Amendment.

SECTION 3: If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 4: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 5: This Ordinance will become effective immediately upon adoption pursuant to Government Code § 36937(b) for the immediate preservation of the public peace, health, safety, and welfare. Accordingly, this Ordinance is adopted by a four-fifths vote.

PASSED AND ADOPTED this 2nd day of December, 2014.

Suzanne Fuentes, Mayor
RESOLUTION OF INTENTION

TO APPROVE AN AMENDMENT TO CONTRACT

BETWEEN THE

BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

AND THE

CITY COUNCIL
CITY OF EL SEGUNDO

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To end Section 20516 (3% Employees Sharing Cost of Additional Benefits) applicable to Section 21363.1 (3% @ 55 Full formula) for classic local fire members; and

To provide Section 20516 (Employees Sharing Additional Cost) of 3% for classic local fire members in the Supervisory and Professional Employees Association, and the Unrepresented Fire Management Group.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By: ______________________________
    Presiding Officer

Title: ______________________________

Date adopted and approved

(Amendment) CalPERS ID# 2657082556
CON-302 (Rev. 4/96)

A. Paragraphs 1 through 16 are hereby stricken from said contract as executed effective December 30, 2012, and hereby replaced by the following paragraphs numbered 1 through 16 inclusive:
1. All words and terms used herein which are defined in the Public Employees’ Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. “Normal retirement age” shall mean age 55 for local miscellaneous members entering membership in the miscellaneous classification on or prior to December 30, 2012, age 60 for local miscellaneous members entering membership for the first time in the miscellaneous classification after December 30, 2012, age 50 for local police members entering membership in the police classification on or prior to October 6, 2012, age 55 for local fire members and for those local police members entering membership for the first time in the police classification after October 6, 2012.

2. Public Agency shall participate in the Public Employees’ Retirement System from and after October 1, 1943 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees’ Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees’ Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees’ Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:

   (a) Public Agency’s election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency’s prior non-CalPERS retirement program.

   (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency’s election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees’ existing retirement benefits, provisions or formulas.

   (c) Public Agency’s agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees’ Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:

a. Local Fire Fighters (herein referred to as local safety members);

b. Local Police Officers (herein referred to as local safety members);

c. Employees other than local safety members (herein referred to as local miscellaneous members).

5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

**NO ADDITIONAL EXCLUSION**

6. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.

7. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member entering membership in the miscellaneous classification on or prior to December 30, 2012 shall be determined in accordance with Section 21354 of said Retirement Law subject to the reduction provided therein for service on and after July 1, 1956, the effective date of Social Security coverage, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).

8. The percentage of final compensation to be provided for each year of credited current service as a local miscellaneous member entering membership for the first time in the miscellaneous classification after December 30, 2012 shall be determined in accordance with Section 21353 of said Retirement Law subject to the reduction provided therein for Federal Social Security (2% at age 60 Modified).

9. The percentage of final compensation to be provided for each year of credited prior and current service as a local fire member shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).
10. The percentage of final compensation to be provided for each year of credited prior and current service as a local police member entering membership in the police classification on or prior to October 6, 2012 shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).

11. The percentage of final compensation to be provided for each year of credited current service as a local police member entering membership for the first time in the police classification after October 6, 2012 shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).

12. Public Agency elected and elects to be subject to the following optional provisions:

   a. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.

   b. Section 21571 (Basic Level of 1959 Survivor Benefits) for local miscellaneous members only.

   c. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.

   d. Section 21222.2 (One-Time 5% Increase - 1971). Legislation repealed said Section effective January 1, 1980.

   e. Section 21024 (Military Service Credit as Public Service).

   f. Section 20042 (One-Year Final Compensation).

   g. Section 21574 (Fourth Level of 1959 Survivor Benefits) for local safety members only.

   h. Section 21548 (Pre-Retirement Option 2W Death Benefit).

   i. Section 20903 (Two Years Additional Service Credit).

   j. Section 20516 (Employees Sharing Cost of Additional Benefits):

      Section 21353.1 (3% @ 55 Full and Modified formula) for local fire members from and after October 6, 2012 and until the effective date of this amendment to contract.
The employee cost sharing contributions are 3%. The maximum employee cost sharing contribution is the normal cost plus the increase in the accrued liability due to the benefit improvement amortized over 20 years. In no event shall the employee cost sharing contribution attributable to the unfunded liability remain in effect beyond May 19, 2021. Thereafter, in any given contribution year, the maximum employee cost sharing contribution cannot exceed 2.591% of payroll.

k. Section 20475 (Different Level of Benefits). Section 21363.1 (3% @ 55 Full formula) is applicable to local police members entering membership for the first time in the police classification after October 6, 2012.

Section 21353 (2% @ 60 Modified formula) is applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after December 30, 2012.

l. Section 20516 (Employees Sharing Cost of Additional Benefits):

From the effective date of this amendment to contract, 3% for classic local fire members in the Supervisory and Professional Employees Association, and the Unrepresented Fire Management Group.

13. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.

14. Public Agency shall also contribute to said Retirement System as follows:

a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local safety members.

b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
15. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

16. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of ____________, ____.  

BOARD OF ADMINISTRATION                                    CITY COUNCIL  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM                         CITY OF EL SEGUNDO  

BY ______________________________________________________  BY ______________________________________________________  
RENEE OSTRANDER, ACTING CHIEF                             PRESIDING OFFICER  
CUSTOMER ACCOUNT SERVICES DIVISION                        PUBLIC EMPLOYEES' RETIREMENT SYSTEM  

Witness Date  
Attest:  
Clerk