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, MAY 17, 2016 – 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)(1): -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): -1- 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
1. Employee Organizations: 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: 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, MAY 17, 2016 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Scott Lambert, Hilltop Church of Christ

PLEDGE OF ALLEGIANCE – Council Member Dugan
PRESENTATIONS

a) Proclamation – Saturday, May 21, 2016 is Super CPR Saturday.

b) Proclamation – Month of May 2016 is Older Americans Month and Lou Kutil is the 2016 El Segundo Older American of the Year.

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 action regarding a request to substitute a subcontractor for the Richmond Street Improvement Project contract.
   (Fiscal Impact: None; any costs to be paid by prime contractor)
   Recommendation – 1) Open the evidentiary hearing, receive evidence, close the hearing, consider the evidence presented during the hearing and decide whether the City should consent to the prime contractor’s request to substitute the electrical subcontractor on the Richmond Street Improvement Project; 2) Alternatively, consider appointing a hearing officer and delegating authority to the hearing officer to decide whether to grant a subcontractor substitution based upon the evidence presented during an evidentiary hearing held pursuant to Public Contract Code § 4107; 3) Alternatively, discuss and take other action related to this item.
C. UNFINISHED BUSINESS

2. Consideration and action to provide conceptual direction to ES CenterCal, LLC, for the design of the new Lakes at El Segundo Golf Course facility and to authorize the City Manager to negotiate a conditional lease agreement with West Basin Municipal Water District for the purposes of an alternative parking area for the TopGolf facility adjacent to The Lakes Golf Course. (Fiscal Impact: None)

Recommendation – 1) Provide conceptual direction to ES CenterCal, LLC, to proceed into the detailed design phase for The Lakes at El Segundo Golf Course improvements; 2) Direct the City Attorney to draft an amendment to Exhibit D of the Due Diligence and Lease Agreement between the City and CenterCal LLC accordingly; 3) Authorize the City Manager to negotiate a conditional lease agreement with West Basin Municipal Water District for additional parking area; 4) Alternatively, discuss and take other 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.

3. Warrant Numbers 3010941 through 3011168 on Register No. 15 in the total amount of $688,028.42 and Wire Transfers from 4/25/16 through 5/8/16 in the total amount of $869,779.65.

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.

4. Regular City Council Meeting Minutes of May 3, 2016, Special City Council Meeting Minutes of May 4, 2016 and Special City Council Meeting Minutes of May 9, 2016.

Recommendation – Approval.
5. Consideration and possible action to waive the bidding process per El Segundo Municipal Code §1-7-10 and authorize the City Manager to engage disaster preparedness consulting services with Emergency Management Consulting Solutions, Inc. (EMCS) for a sum not to exceed $75,000 annually.  
(Fiscal Impact: $75,000.00)
Recommendation – 1) Pursuant to El Segundo City Code §1-7-10, waive the formal bidding process and authorize the City Manager to engage a professional services agreement with Emergency Management Consulting Solutions, Inc.; 2) Alternatively, discuss and take other possible action related to this item.

6. Consideration and possible action to approve a contract amendment for J & L Building Maintenance for additional custodial services at Hilltop Park Pool.  
(Fiscal Impact: $22,049 over the five year term of the contract)
Recommendation – 1) Authorize the City Manager to execute a contract amendment, in a form approved by the City Attorney, with J & L Building Maintenance to increase the budget for Hilltop Park Pool custodial services from summer-only service rates to year round service rates; 2) Alternatively, discuss and take other action related to this item.

7. Consideration and possible action to enter into an agreement between the El Segundo Fire Department and the California Firefighter Joint Apprenticeship Committee (Cal-JAC).  
(Fiscal Impact: None)
Recommendation – 1) Authorize the Fire Chief and El Segundo Firefighters Association President to enter into an agreement with the California Firefighter Joint Apprenticeship Committee (Cal-JAC); 2) Alternatively, discuss and take other action related to this item.

8. Consideration and possible action regarding a request for a new on-site sale and consumption of alcohol (Type 47 ABC License) for a new restaurant (Saloon at El Segundo) under construction at a new commercial center (Elevon at El Segundo) located at 727 N. Douglas Street, EA No. 1134, CUP No. 15-07, AUP No. 06-10. Applicant: Petros Benekos.  
(Fiscal Impact: N/A)
Recommendation – 1) Receive and file this report without objecting to the issuance of an alcohol license for the on-site sale of beer, wine and distilled spirits for on-site consumption at a new restaurant at 727 N. Douglas; 2) Alternatively, discuss and take other action related to this item.
9. Consideration and possible action to adopt a Resolution approving Plans and Specifications for Police Department and Fire Department Roof Replacement Projects. Project No. PW 15-18.
(Fiscal Impact: $450,000.00)
Recommendation – 1) Adopt the attached Resolution approving Plans and Specification for the Police Department and Fire Department roof replacement projects; 2) Alternatively, discuss and take other action related to this item.

10. Consideration and possible action to adopt a Resolution approving Plans and Specifications for the Fire Station 1 Seismic Retrofit Project, Project No. PW 15-23A
(Fiscal Impact: $250,000.00)
Recommendation – 1) Adopt the attached Resolution approving Plans and Specifications for the Fire Station 1 Seismic Retrofit Project, Project No. PW 15-23A; 2) Authorize staff to advertise the project for receipt of construction bids; 3) Alternatively, discuss and take other action related to this item.

(Fiscal Impact: $82,854.00 in grant funding)
Recommendation – 1) Authorize the City Manager to adopt a Resolution approving Plans and Specifications for Playground Improvements at Recreation Park, Project PW 14-10; 2) Alternatively, discuss and take other action related to this item.

12. Consideration possible action to adopt a Resolution approving Plans and Specifications for the Fire Station 1 Apparatus Bay Doors Replacement Project, Project No. PW 15-23B.
(Fiscal Impact: $170,000.00)
Recommendation – 1) Adopt attached Resolution approving Plans and Specifications for the Fire Station 1 Apparatus Bay Doors Replacement Project, Project No. PW 15-23B; 2) Authorize staff to advertise the project for receipt of construction bids; 3) Alternatively, discuss and take other action related to this item.
13. Consideration possible action to award a standard Public Works Contract to Vasilj, Inc. for construction of Sewer Main Repairs at Indiana St., Pine Ave., Illinois St. and Mariposa Ave. and a Professional Services Agreement to AKM for inspection services. Project No. PW 16-01
(Fiscal Impact: $625,423.00)
Recommendation – 1) Authorize the City Manager to execute a standard Public Works Contract, in a form approved by the City Attorney, with Vasilj, Inc. in the amount of $442,923.30 for construction of sewer main improvements; 2) Authorize the City Manager to execute a Professional Services Agreement, in a form as approved by the City Attorney, with AKM Consulting Engineers for inspection services in the amount of $55,070.00; 3) Authorize an additional contingency of $127,249.70 for unforeseen conditions; 4) Alternatively, discuss and take other action related to this item.

14. Consideration possible action to accept as complete the Hilltop Park Playground Improvement and authorize the City Clerk to file a Notice of Completion with the Los Angeles County Recorder's Office, (Project No. PW 16-05).
(Fiscal Impact: $267,483.33)
Recommendation – 1) Accept the work for the Hilltop Park Playground Project No. PW 16-05 as complete; 2) Authorize the City Clerk to file Notice of Completion in the County Recorder's office; 3) Alternatively, discuss and take other action related to this item.

15. Consideration possible action to accept regarding a request for a new tasting room offering related onsite sale and consumption of alcohol and offsite sale of alcohol (Type 74, 23 and 6 ABC Licenses) as an accessory use to a brewery and distillery (Rubens Distilling and Brewing) located at 909 E. El Segundo Boulevard. Applicant: Robert Rubens, on behalf of Hemilane Inc.
(Fiscal Impact: N/A)
Recommendation – 1) Receive and file this report regarding the issuance of an alcohol license for the tasting room and related onsite and offsite sale of alcohol as an accessory use to a brewery and distillery at 909 E. El Segundo Boulevard; 2) Alternatively, discuss and take other action related to this item.
16. Consideration and possible action regarding 1) Approval of a class specification and 2) adoption of a resolution for the implementation of a job classification and salary change.
   (Fiscal Impact: None)
   Recommendation – 1) Approve the proposed Class Specification; 2) Adopt the Resolution establishing the Basic Monthly Salary Range for the job classification of Finance Manager; 3) Approve the Examination Plan; 4) Alternatively, discuss and take other action related to this item.

17. Consideration and possible action regarding sponsorship of the Downtown El Segundo Car Show.
   (Fiscal Impact: Approximately $1,069.00 in additional fee waivers)
   Recommendation – 1) Review and approve the request to co-sponsor the Downtown El Segundo Car Show along with the El Segundo Chamber of Commerce and the Automobile Driving Museum; 2) Alternatively, discuss and take other action related to this item.

F. NEW BUSINESS

18. Discussion regarding the Police Department’s new patrol staffing model.
   (Fiscal Impact: Unknown)
   Recommendation – 1) Receive and file the Police Department’s new staffing model; 2) Alternatively, discuss and take other action related to this item.

   (Fiscal Impact: None)
   Recommendation – 1) Receive and file the proposed calendar of activities related to the 2016-17 Strategic Planning efforts; 2) Provide input as desired for background information, topical information, or general areas of interest to include as part of the City’s Strategic Planning activities; 3) Alternatively, discuss and take other action related to this item.

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK
J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

   Council Member Brann –

   Council Member Pirsztuk –

   Council Member Dugan –

   Mayor Pro Tem Boyles –

   Mayor Fuentes –

20. Consideration and possible action regarding the assignments of Council Members to various intergovernmental agencies, local agencies and subcommittees.
   (Fiscal Impact: N/A)
   Recommendation – 1) Approve and implement assignments; 2) Alternatively, discuss and take other possible action related to this item.

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MEMORIALS –

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

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:

DATE: 5/11/16

TIME: 12:00 pm

NAME: [Handwritten: Weaver]
Proclamation

City of El Segundo, California

WHEREAS, Over 70 percent of Americans may feel helpless to act during a cardiac emergency because they either do not know how to administer CPR or their training has significantly lapsed.

WHEREAS, About 750,000 people in the United State have heart attacks each year.

WHEREAS, Of the total number of people having a heart attack, about 500,000 people have their first heart attack.

WHEREAS, In the United States, about 356,500 people experienced an out-of-hospital cardiac arrest. Of the 22,520 bystander-witnessed cardiac arrests, 38.6 percent survived.

WHEREAS, The El Segundo Fire Department and the American Red Cross have historically provided exemplary emergency medical care and training, and continue this tradition with Super CPR Saturday.

WHEREAS, El Segundo High School provides a critical element for Super CPR Saturday by allowing use of the school’s facilities that accommodates the training of approximately 300 people.

WHEREAS, Super CPR Saturday receives generous financial and in-kind support from our corporate sponsors (Chevron, NRG, Teledyne Controls, Continental Development Corporation, Embassy Suites, Raytheon, Rinaldi’s, McDonald’s, Doubletree Hotel and Clockwork Enterprises) that enables this valuable community event to be held.

NOW, THEREFORE, the Mayor and the Members of the City Council of the City of El Segundo, California, hereby proclaim Saturday, May 21, 2016, as SUPER CPR SATURDAY, and encourage participation in CPR training.

Mayor Suzanne Fuentes

Mayor Pro Tem Drew Boyles                   Council Member Michael Dugan
Council Member Carol Pirsztuk                Council Member Don Brann
Proclamation

City of El Segundo, California

WHEREAS, May 2016 is National Older Americans Month, a time set aside annually to commemorate and celebrate the significant contribution older Americans have made to the community of El Segundo; and

WHEREAS, El Segundo is committed to valuing all individuals and recognizing their ongoing life achievements; and

WHEREAS, Older Americans possess and share a wealth of experience, background and history, making them one of the City's most treasured and enduring resources; and

WHEREAS, Older Americans are available, capable and enthusiastic to provide volunteer services that contribute to a coordinated community-based system of social, emotional, physical well-being of not only other seniors but the community at large thus an important part of the ties that bind both family and community; and

WHEREAS, Recognizing the successes of community elders encourages their ongoing participation and further accomplishments; and

WHEREAS, Lou Kutil was nominated by his peers as the El Segundo 2016 Older American of the Year, a recognition which identifies, inspires and promotes community involvement and a spirit of giving back to others through volunteerism and community engagement;

NOW, THEREFORE, on this 17th day of May, 2016, the Mayor and Members of the City Council of the City of El Segundo, California, do hereby proclaim the month of May, 2016,

OLDER AMERICANS MONTH 2016

and

Lou Kutil

the

2016 El Segundo Older American of the Year

And hereby recognize the Elderfest Celebration on Friday, May 20, 2016, from 11:00 a.m. to 2:00 p.m., at the Joslyn Center to recognize LOU KUTIL and other senior citizens who have given generously of their time and talent to improve the quality of life for all in El Segundo.

Mayor Suzanne Fuentes

Mayor Pro Tem Drew Boyles

Council Member Michael Dugan

Council Member Carol Pirzstuk

Council Member Don Brann
AGENDA DESCRIPTION:

Consideration and possible action regarding a request to substitute a subcontractor for the Richmond Street Improvement Project contract. (Fiscal Impact: None; any costs to be paid by prime contractor)

RECOMMENDED COUNCIL ACTION:

1. Open the evidentiary hearing, receive evidence, close the hearing, consider the evidence presented during the hearing and decide whether the City should consent to the prime contractor’s request to substitute the electrical subcontractor on the Richmond Street Improvement Project; or

2. Alternatively, consider appointing a hearing officer and delegating authority to the hearing officer to decide whether to grant a subcontractor substitution based upon the evidence presented during an evidentiary hearing held pursuant to Public Contract Code § 4107; or

3. Discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Sully-Miller’s Request for Substitution of Subcontractor (dated April 25, 2016)
2. Sully-Miller’s Request for Substitution of Subcontractor (dated May 4, 2016)
3. The City of El Segundo’s letter to Steiny & Company (dated May 4, 2016)
4. Steiny & Company’s Written Objections (dated May 6, 2016)
5. The City of El Segundo’s written notice of hearing (dated May 9, 2016)
6. CV of Mr. Richard Terzian, a possible hearing officer
7. Public Contract Code § 4108

FISCAL IMPACT: Potential cost of hiring a hearing officer estimated to be no more than $1500 ($250 per hour, maximum of six hours). The cost related to this matter would be reimbursed by the prime contractor.

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

ORIGINATED BY: City Attorney’s Office

REVIEWED BY: Stephanie Katsouleas, Public Works Director

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

On March 1, 2016, City Council awarded Sully-Miller Contracting Company (the “Prime Contractor”) a standard public works agreement to complete the Richmond Street Improvement
Project (the “Project”). Steiny & Company (the “Subcontractor”) is listed as an electrical subcontractor on the Prime Contractor’s bid for the Project. Work was scheduled to and commenced on April 25, 2016.

On April 25, 2016, the Prime Contractor informed the Project Manager regarding a dispute with the Subcontractor (see attached letter). While the Prime Contractor suggested to staff that it might seek to drop the Subcontractor from the Project at that time, the Contractor did not formally request a substitution pursuant to Public Contract Code (PCC) § 4107 until May 4, 2016 (see attached letter from the Prime Contractor).

PCC § 4107 requires the Prime Contractor to request that the City approve the removal of the Subcontractor from the Project and to consent to a new electrical subcontractor. As may be seen from the attached correspondence from the Subcontractor (dated May 8, 2016), it objects to the Prime Contractor’s request for substitution. Under such circumstances, the City is required to hold an evidentiary hearing to determine whether there is substantive evidence that would justify a substitution.

In reviewing the matter, the City Attorney’s office believes that the most efficient procedure for determining this matter is for the City Council to appoint a hearing officer to decide whether a substitution is justified (explained further below). As discussed in more detail below, this matter involves bonding requirements for the contract between the Prime Contractor and Subcontractor. Because the legal aspects of the matter are somewhat technical, it may be best decided by an expert in this field. In addition, appointing a hearing officer will not only allow both the Prime Contractor and Subcontractor to present evidence before a neutral party, but also (we hope) allow the Project to expeditiously proceed. Please note that the Prime Contractor agreed to implement a temporary solution to allow the project to move forward while this critical path issue is being resolved.

The letters supplied by the Prime Contractor and Subcontractor speak for themselves and suggest that additional evidence may be required in order to fully resolve the dispute (and determine whether a substitution is appropriate). As noted above, the City Attorney’s recommendation is to appoint a hearing officer to determine this matter and delegate authority to that hearing officer to render the City’s final decision. Such action is permitted pursuant to PCC § 4107, which allows the City to have a “duly authorized officer” consent to a substitution following a hearing. Should the City Council decide to move forward with an evidentiary hearing and decide the matter itself, then it should be aware of the following requirements for a quasi-judicial hearing.

A quasi-judicial hearing triggers the procedural due process rights of the United States and California Constitutions. Under such circumstances, a party appearing before the legislative body is entitled to:

1. Notice of the proposed action;
2. Reasons for the action;
3. A copy of the evidence on which the action is based; and
4. The right to respond before a reasonably impartial, noninvolved reviewer.

The last requirement is one of fundamental fairness. It is a long-standing rule that quasi-judicial bodies can only make decisions based upon the evidence before them; they cannot act on their own
information. A legislative body acting upon its own information, without a party’s input, does not conduct a fair hearing.

Here, the City Council would need to decide whether or not the Prime Contractor’s May 4th letter, along with any additional evidence it might introduce during the hearing, provide sufficient grounds for removing the Subcontractor from the Project. This must be balanced with the Subcontractor’s objection letter, dated May 8, 2016 (along with any additional evidence), where the Subcontractor alleges that the Prime Contractor’s contract requirements were ambiguous. The entire matter appears to involve PCC § 4108 (see attached) which governs the bonding requirements for the contract between the Prime Contractor and Subcontractor. As may be seen, the legal aspects of the matter are somewhat technical and may be better suited for an expert in this field.

Should the City Council forego its own quasi-judicial hearing and instead appoint a hearing officer, the City Attorney’s office recommends that Mr. Richard Terzian be retained (at the Prime Contractor’s expense). Mr. Terzian’s resume is included with the staff report. In brief, however, Mr. Terzian practiced municipal law for over 50 years and is well-versed in these types of contract disputes. Mr. Terzian charges $250 per hour, and conducting the hearing and providing a written determination should take no more than six hours total. He is available as early as May 18, 2016 to consider the matter.

Approval of Substitution

In the event that the City Council or hearing officer consents to the substitution, the Prime Contractor would then need to present its proposed replacement subcontractor. The City’s specifications state that the City Council must approve of such substitution. The City Council could choose to either delegate this authority to the hearing officer, delegate this authority to the Public Works Director or decide for itself whether a substitute subcontractor is acceptable at a regularly scheduled or special City Council meeting.
April 25, 2016

City of El Segundo- Public Works Department
350 Main Street
El Segundo, CA 90245

Attn: Ms. Floriza Rivera

RE: Richmond Street Improvement Project
Project No. PW 15-01
Sully-Miller Project No. 10178538
Letter Log# 001

Subject: Request for Subcontractor Substitution

Dear Ms. Rivera,

Sully Miller respectfully requests to substitute the listed electrical subcontractor, Steiny & Company.

We have been formally notified by our operating engineers union that the above referenced contractor is under legal delinquency (Exhibit A) and therefore not in good standing with its union agreement.

Per Article XIX- “Delinquency and Collection Procedure” (Exhibit B) of our operating engineers union agreement we are prohibited from subcontracting work to a delinquent subcontractor and would be liable for the subcontractors delinquencies in the event that we do so.

Per general provision section 2-3.1 General (Exhibit C), please provide written consent to substitute Steiny & Company, the designated electrical subcontractor in the original bid.

If you have any questions please call me at (714) 720-7460.

Respectfully,

[Signature]

Anthony Lino
Estimator/ Project Manager

cc: file, TC, GD, DG, VE
### Official Delinquency List

**Operating Engineers Trust Funds I.U.O.E. #12**  
**Southern California and Southern Nevada**

#### SO. Calif Construction
- AGC
- BIA
- SCCA
- ECA
- ACE
- SFC
- ADSC
- SPC
- PLC

#### So Nevada Construction
- SPN-SR
- NCA
- AGCN
- SPN-IN
- SPN-LD
- SPN-RS
- SFN
- NCCA
- TRUCK & CRANE

#### Rock, Sand & Gravel
- SP-NS
- AGREG PRODUCTS
- HORSE RACING
- SP-HR

#### Concrete Pumpers
- CPA
- CP ASSOC
- SF-CP
- SHORT FORM

#### Landscape
- SP-LSI
- CLC
- SP-LSZ
- YARD SHOP

#### Horse Racing
- SFL

#### International
- NA-PL PIPELINE
- NA PIPELINE SNEV
- NA-NMA NATL MAINT

#### Misc/Special
- VA - VZ

#### San Diego Construction
- AGC-S
- SCCA-S
- ECA-S
- EGCA-S
- SPS-CC
- ADSC-S
- ADR
- SF
- PLS

#### Field Survey
- CELSA-F
- CELSA-O
- SF-SR

#### Inspection
- SCCA-IN
- SCCA-INS
- SF-IN
- PJL
- SP-IN

#### Dredging
- DCAC
- DREDGING ASSOC
- SFDR

#### Column Seven

**THIS COLUMN INDICATES UNDER WHICH CODE(S) THE DELINQUENCY IS CLASSIFIED**

- A. NO REPORT FILED
- B. REPORT FILED, NO MONEY
- C. CONTRIBUTION SHORTAGE
- D. ASSESSMENTS
- E. LATE REPORT
- F. LEGAL
- G. PAYMENT PROPOSAL
- H. REFUSAL TO AUDIT
- J. PAYMENT PROPOSAL DEFAULT
- K. AUDIT CLAIM
- S. SMALL CLAIMS
any other employers.

The monies shall be used for the administration of the associations only, and shall not be used for any other purpose. A reasonable fee shall be charged by the Trust Fund for the collection and distribution of the amount collected to the various construction associations.

The contractors shall have the right to allocate an additional two cents ($0.02) per hour during the life of the Agreement to the Contract Administrative Fund contribution.

**ARTICLE XIX**

**Delinquency and Collection Procedure**

A. The Trustees of the Trust Funds, through their Administrator, shall give written notice to a delinquent Contractor with a copy to the Union, advising the Contractor to correct a delinquency within ten (10) days of the giving of such notice. Any dispute between the parties, or between the Trustees and a Contractor, concerning the payment or non-payment of monies due the Trust Funds shall not be subject to Article V concerning procedures for settlement of grievances) of this Agreement. The Union may withhold service from any or all jobs of such delinquent Contractor after said ten (10) day period, if the delinquency is not corrected and if the delinquency involves a failure by the Contractor to make payments on behalf of its employees. In this event, the provisions of Articles III and V of this Agreement shall not apply to any such delinquent Contractor, regardless of any change of name or association, until after all delinquent amounts owed to the Trust Funds have been paid in full.

B. The Trustees of the Trust Funds, through their Administrator, shall furnish the Contractor Association and the Union a list of delinquent Contractors each month. Because the furnishing of services by a Subcontractor who has not made the appropriate fringe benefit payments serves to undermine the standards of this Agreement and to deprive employees who would otherwise be having fringe benefit contributions paid on their behalf of the opportunity for employment, the Contractor agrees that it shall not subcontract any portion of his job to any such Subcontractor. The Contractor agrees that he will not subcontract any portion of his job to any Contractor whose name appears on the delinquent list, unless the delinquent Contractor has paid all delinquent monies to the various Trust Funds.

C. In the event the Contractor subcontracts to any delinquent Subcontractor, in violation of the foregoing, the Contractor shall be liable to the Trustees for all accrued delinquencies of the Subcontractor, provided, however, that the amount of the Contractor’s liability shall not exceed Ten Thousand Dollars ($10,000.00) or ten percent (10%) of the gross subcontract price, whichever is greater. The Contractor shall withhold sufficient funds from monies due to become due such Subcontractor and shall pay the sums over to the Trust Funds. If a Subcontractor becomes delinquent after commencing work for the Contractor, the Contractor shall be liable for all delinquencies incurred on the job after ten (10) days following the date of the delinquency list on which the Subcontractor’s name first appeared. The Contractor shall terminate the contract of the Subcontractor who fails to promptly correct the delinquency. This Section C shall be enforceable only through a lawsuit.

D. An Employer who pays any amounts to the Trust Funds under protest and claims a right to recover such amounts shall be considered delinquent to the Trust Funds until the dispute concerning such amounts is finally resolved. Any Subcontractor who is on a payment proposal and remains current in his payment schedule shall be removed from the delinquent list.
Not later than the date designated in the City Notice to Proceed, the City will provide access to the real property and facilities upon which the Work is to be performed, including access to real property and facilities designated in the Contract Documents for the Contractor’s use.

2-1.2 **OWNERSHIP AND USE OF CONTRACT DOCUMENTS.**

The Contract Documents and all copies furnished to or provided by the Contractor are the City’s property and may not be used on other work.

2-3 **SUBCONTRACTS**

Subsection 2-3 Subcontractors of Greenbook is deleted in its entirety and replaced with the following subsection.

2-3.1 **GENERAL**

Except as provided in PCC §§ 4100 et. seq., each bidder will file with its bid the name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specifically fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of one percent of the prime contractor’s total bid. Only one subcontractor will be listed for each portion of the work, which portion will be defined in the bid. In each instance, the nature and extent of the work to be sublet will be described. The failure of the Contractor to specify a subcontractor, or the listing of more than one subcontractor for the same portion of the work, constitutes an agreement by the Contractor that it is fully qualified to perform that portion itself and that it will perform that portion itself.

The Contractor must have the City Council’s written consent to substitute a subcontractor other than that designated in the original bid, to permit any subcontract to be assigned or transferred, or to allow a subcontract to be performed by other than the original subcontractor.

Subcontracting of work for which no subcontractor was designated in the original bid, and which is more than one-half of one percent of the work, will be allowed only in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the City Council setting forth the facts constituting the emergency or necessity.

Violation of any of the above provisions will be considered a breach of the Contract, and the City may terminate the Contractor’s control over the Work, cancel the contract, or assess the Contractor a penalty of not more than ten percent of the subcontract involved.
May 4, 2016

City of El Segundo- Public Works Department
350 Main Street
El Segundo, CA 90245

Attn: Ms. Floriza Rivera

RE: Richmond Street Improvement Project
   Project No. PW 15-01
   Sully-Miller Project No. 10178538
   Letter Log# 003

Subject: Request for Subcontractor Substitution

Dear Ms. Rivera,

Sully Miller respectfully requests to substitute the listed electrical subcontractor, Steiny & Company.

Per public contract code 4107 section (a) (4) the above referenced subcontractor has failed to meet the bond requirements as set forth in section 4108.

Please see attachment “A” for notification we have sent above referenced subcontractor for your records.

If you have any questions please call me at (714) 720-7460.

respectfully,

[Signature]
Anthony Lino
Estimator/ Project Manager

cc: file, TC, SK, GD, DG, VE
May 4, 2016

Steiny and Company, Inc.
12907 E. Garvey Avenue
Baldwin Park, CA 91706

Attn: Mr. John Garduno Jr.

RE: Richmond Street Improvement Project
Project No. PW 15-01
Sully-Miller Project No. 10178538
Letter Log# 002

Subject: Notice of Failure to Meet Bonding Requirements

Dear Mr. Garduno,

Please be informed that Sully Miller will request to substitute Steiny and Company from the above referenced project due to the failure of meeting our bonding requirements for this project.

Per public contract code 4108 section (A) and (C) any subcontractor solicited for a proposal will be required to submit a bond if requested by the prime. Please see attachment “A” the solicitation for a proposal on above referenced.

As you are aware on Friday April 29th Sully Miller emailed you a contract for the above referenced project. Per attachment “B”- Exhibit “B” we requested that you provide a 100% faithful performance and payment bond for this project.

Per our discussion this afternoon you do not currently have the bonding capacity for this project and will not be able to meet our bonding requirements.

If you have any questions please call me at (714) 720-7460.

Respectfully,

[Signature]
Anthony Lino
Estimator/ Project Manager

cc: file, TC, GD, DG, VE
INVITATION TO BID

Attention: - anthony.lino@sully-miller.com

Company:

We are seeking subcontractors/vendors on the following project:

Project: CITY OF EL SEGUNDO
RICHMOND STREET IMPROVEMENTS PROJECT

$905,093.00

Minority Type: N/A

Project Description:
AC GRIND & OVERLAY, EXCAVATION, CONCRETE IMPROVEMENTS, STAMPED CONCRETE, ADJUST UTILITIES, DRAINAGE, LANDSCAPE & IRRIGATION, ELECTRICAL, STRIPING & MARKING

Project Number: PROJECT NO. PW 15-01

Bid Due Date/Time: 02/08/2016 11:00 AM Pacific

Project Duration: 59 WORKING DAYS
Estimator: Anthony Lino - anthony.lino@sully-miller.com

To access plans, CLICK HERE or go to www.sully-millerplans.com and enter Access Key: 8DC348132F

Please let us know your bid intention

ACCEPT  DECLINE  VIEW DRAWINGS

Sully-Miller Contracting Co. is an Equal Employment Opportunity Company

Plans, specifications and project requirements are also available in our office. 100% Payment and Performance Bonds may be required. If you require information regarding assistance in obtaining bonding, insurance and credit, please contact the estimator at your earliest convenience.

www.sully-miller.com
135 S. State College Blvd. | Suite 400 | Brea, CA | 92821
Main (714) 578-9600 | Fax (714) 578-9672

Note: This message was sent from an Automated Project Messaging System. If you do not wish to receive these emails, please contact the Sender or visit http://www.sully-millerplans.com/optout to remove yourself from our system.
### EXHIBIT "B"

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<tr>
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<td>GAMA SONIC FIXTURE W/3 HEADS</td>
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<td>EA</td>
<td>1,225.00</td>
<td>36,750.00</td>
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<td>48</td>
<td>FOUNDATION &amp; CITY FURNISHED LIGHT POST</td>
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<td>360.00</td>
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<td>SERVICE PEDESTAL</td>
<td>1</td>
<td>EA</td>
<td>2,870.00</td>
<td>2,870.00</td>
</tr>
</tbody>
</table>

**TOTAL** $117,803.00

### GENERAL CONDITIONS:

All work to be done as per plans and specifications of this project.

- **Abnormal No. 1 Noted.**
  - **Steiny & Company, Inc.** to provide Sully-Miller contracting company with a Performance Bond and Payment Bond for One Hundred Percent (100%) of subcontractor’s portion of work. Sully-Miller will pay the premium up to One and One-Half Percent (1.5%) of the bond amount.
  - Sully-Miller to prepare all work areas prior to Steiny & Company, Inc. starting work.
  - Sully-Miller shall furnish all temporary site facilities including suitable storage space, traffic control, temporary electrical and water, and sanitary facilities at no cost to Steiny & Company, Inc. Additional move-ins at $2,500.00 each.
  - This proposal is based on all work being performed on straight time, based on a normal 8-hour workday, 40-hour per week basis. No allowance is included for overtime.

### SAFETY REQUIREMENTS:

Hard hats, safety vests, eye and hearing protection, work boots, etc., are required on project at all times.

### INCLUDES:

Traffic control for Steiny work only (based on most recent edition of "Watch" Manual)

### EXCLUSIONS:

Cost of bond, construction permits, inspection fees and encroachment permits, utility company fees, support of existing utilities and standby time; surveying and layout; removal of hazardous materials, waste handling or removal, clearing and grubbing, rock, demolition or removal; weekend, shift and night work.

Subcontractor Initial: [Signature]

Contractor Initial: [Signature]
May 4, 2016

Susan Steiny
John Garduno, Jr.
Steiny & Company, Inc.
12907 E. Garvey Ave.
Baldwin Park, CA 91706

Dear Ms. Steiny and Mr. Garduno, Jr.,

On May 4, 2016, Sully Miller notified the City of El Segundo that Steiny & Co., the listed electrical subcontractor on the Richmond Street Improvements Project, failed to meet the bond requirements of Sully Miller, as set forth in PCC Section 4108. Accordingly, Sully Miller has formally requested approval from the City to replace Steiny & Co. with a new electrical subcontractor so that the work may proceed according to the agreed-upon schedule.

Per California Public Contract Code (PCC) §4107, Sully Miller may request a subcontractor substitution under certain qualifying circumstances, including but not limited to a subcontractor’s refusal to meet the bond requirements of the prime contractor.

Based upon the information received and the requirements of PCC §4107, the City of El Segundo is hereby providing written notice to Steiny & Co. of Sully Miller’s request for substitution and the reason for that request. Steiny & Co. has five (5) working days within which to submit written objections to the substitution to the City of El Segundo. Failure to file a written objection constitutes the listed subcontractor’s consent to the substitution.

Written objections must be submitted to:

Stephanie Katsouleas, P.E.
Director of Public Works
350 Main Street
El Segundo, CA 90245

Or via email to Skatsouleas@elsegundo.org
Or via Fax to: 310-640-0489
Steiny & Co. is encouraged to confirm the City’s receipt of written objections by calling me at (310) 524-2356 for verification. Should you have any questions, please do not hesitate to contact me at the number provided above.

Sincerely,

Stephanie Katsouleas, P.E.
Director of Public Works
City of El Segundo  
Public Works Department  
350 Main Street  
El Segundo, California 900245-3813  

Attention: Stephanie. Katsouleas, PE  
Director of Public Works  

Reference: Richmond Street Improvements  

Subject: Sully Miller – Request for Replacement of Subcontractor  

Gentlepeople,  

In reference to your letter dated May 4, 2016 which notifies Steiny and Company, Inc. of Sully Miller’s request to replace Steiny with a new electrical subcontractor on the above mentioned project, Steiny respectfully objects to this substitution.  

While your letter lists section of the California Public Contract code #4107 which states:  

(4) When the listed subcontractor fails or refuses to meet the bond requirements of the prime contractor as set forth in Section 4108.  

That same code section references section 4108 which clearly states:  

4108. (a) It shall be the responsibility of each subcontractor submitting bids to a prime contractor to be prepared to submit a faithful performance and payment bond or bonds if so requested by the prime contractor.  

(b) In the event any subcontractor submitting a bid to a prime contractor does not, upon the request of the prime contractor and at the expense of the prime contractor at the established charge or premium therefor, furnish to the prime contractor a bond or bonds issued by an admitted surety wherein the prime contractor shall be named the obligee, guaranteeing prompt and faithful performance of the subcontract and the payment of all claims for labor and materials furnished or used in and about the work to be done and performed under the subcontract, the prime contractor may reject the bid and make a substitution of another subcontractor subject to Section 4107.  

(c) (1) The bond or bonds may be required under this section only if the prime contractor in his or her written or published request for subbids clearly specifies the amount and requirements of the bond or bonds.  

(2) If the expense of the bond or bonds required under this section is to be borne by the subcontractor, that requirement shall
also be specified in the prime contractor’s written or published request for subbids.

(3) The prime contractor’s failure to specify bond requirements, in accordance with this subdivision, in the written or published request for subbids shall preclude the prime contractor from imposing bond requirements under this section.

Steiny contends that Sully Miller did not comply with sections 4108 c (1) and c (3).
Attached please find a copy of Steiny’s quotation to Sully Miller dated which clearly excludes the bond at bid time. By listing of Steiny in their bid documents it can be assumed that Sully had Steiny within the scope of their bond. Certainly this is what was understood at bid time.

Steiny and Company is a Woman owned and operated business. I have attached both our City of Los Angeles certification as well as our public Utility Commissions certification for your reference.

On an even more serious note, Steiny would like the City of El Segundo to be aware of the reason that we believe Sully Miller is trying to have us removed from the project. Below is a list of 5 Steiny projects that we are owed monies:

<table>
<thead>
<tr>
<th>Description</th>
<th>Last Labor in Timberline</th>
<th>Final contract amount</th>
<th>Paid to date</th>
<th>Balance owed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job#3688 10142571 Waterfront POLA</td>
<td>05/31/14</td>
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<td>$ 42,532.00</td>
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<td></td>
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<td>$ 5,767.00</td>
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<tr>
<td></td>
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<td></td>
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<td>$ 303,640.63</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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Disputed t&m, not included on the final contract amount

<table>
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<tbody>
<tr>
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</tr>
<tr>
<td>77-0002: Lower conduit</td>
<td>$2,530.50</td>
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</tbody>
</table>
Some of these projects have been complete since May of 2 years ago. On each of these projects Steiny is complete. Please note the last day worked on each project. Sully Miller has refused to pay under the pretense that we were behind on Union releases. These releases are all in Sully Miller’s hand and they continue to refuse to honor their payments to Steiny. I have also attached the Union releases for your reference. The conversation between us started with them asking us to release this contract. Surely they have “shopped” our number for a lower number. Steiny said we would if they paid us….they refused… and here we are.
This request to have us removed is clearly a Sully Miller move to continue to not pay long past due amounts. Steiny did have difficulties paying the union because Sully Miller did not pay us on contracts.
Steiny apologizes for this situation and especially to the City of El Segundo for being drawn into the middle of a contractors issue but… Steiny feels that this situation caused unnecessary embarrassment to a reputable minority contractor. Steiny is proud to say this is our 63rd year in business in the LA basin.
Once again Steiny vehemently objects to this substitution under the grounds sited above.
Please feel free to contact me if you have any questions or require any further information on this.

Very Sincerely,

Susan Steiny
Steiny and Company, Inc.
Cc John Garduno, Mark Dillard, Edward Barron Esq.
STEINY AND COMPANY, INC.  
ELECTRICAL CONTRACTORS AND ENGINEERS  
12907 EAST GARVEY AVE., BALDWIN PARK, CA 91706  
PHONE (626) 338-9923    FAX (626) 337-6899  
License #161273  
DIR # 1000004082 Expiration 08/30/2016  

SULLY-MILLER CONTRACTING CO.  
Att ANTHONY LINO  
RE: JOB   EL SEGUNDO RICHMOND ST  

BID DATE  3/4/2016  
BID TIME  1100  
QUOTE#  7307  
QUOTE VALID FOR  80 DAYS  

We are pleased to offer for your consideration our proposal for the electrical work required on the referenced project. Our proposal is in accordance with the terms and conditions as stated in the Contract Documents, and includes the work required for providing the electrical system as shown on the electrical plans and as specified.

<table>
<thead>
<tr>
<th>BID ITEM</th>
<th>QUAN.</th>
<th>UNIT $</th>
<th>EXTENSION</th>
</tr>
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<td>$28.00</td>
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<td>47 GAMA SONIC FIXTURE W/3 HEADS</td>
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<td>$1,225.00</td>
<td>$36,750.00</td>
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<tr>
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<td>51 SCE HAND HOLE</td>
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<td>52 INSTALL RISER</td>
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<td>53 SERVICE PEDESTAL</td>
<td>1</td>
<td>$2,870.00</td>
<td>$2,870.00</td>
</tr>
</tbody>
</table>

TOTAL $117,803.00

Addendum # 1 noted

Clarifications:
1. Includes traffic control for our work only, based on most recent edition of "WATCH" manual.
2. Contractor is to prepare all work areas so as to be acceptable for our work under the subcontract. Steiny & Company, Inc. will not be called upon to start work until sufficient areas are ready to insure continued work. The Contractor shall furnish all temporary site facilities including suitable storage space, traffic control, temporary electrical and water, and sanitary facilities at no cost to Steiny & Company, Inc. Additional Move-In(s) $2,500.00 ea.
3. This proposal is based on all work being performed on straight time, based on a normal 8-hour workday, 40-hour per week basis. No allowance is included for any overtime.
4. Purchase of long lead items is subject to baseline schedule. If baseline schedule is not available, the purchase of long lead items as directed by the General Contractor/Owner, will be subject to material on hand billing and payment.
5. Conduit must be trenched in dirt. No AC or PCC patch back.

Exclusions:
1. Bonds
2. Construction permits, inspection fees and encroachment permits.
3. Utility Company fees, support of existing utilities & standby time
We appreciate the opportunity of providing you with our quotation for this project. The price(s) quoted herein is firm for 60 days. Should you have any questions, please contact us at your convenience.

Sincerely, David Chadbourne

Estimator
RE: WOMEN BUSINESS ENTERPRISE (WBE) CERTIFICATION APPROVAL

Dear Ms. Steiny:

Based on a thorough review of the submitted documents, we are pleased to inform you that your firm has been certified as a Women Business Enterprise (WBE) and has been placed in the City of Los Angeles DBE/MBE/WBE directory as a firm specializing in:

<table>
<thead>
<tr>
<th>NAICS Code</th>
<th>Description</th>
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<tbody>
<tr>
<td>238210</td>
<td>Electrical Contractor</td>
</tr>
</tbody>
</table>

You may review your firm's information in the City of Los Angeles DBE/MBE/WBE database at http://cba.lacity.org. Any additions and revisions must be submitted for review and approval.

This certification will continue until or unless it is removed by our agency. If there are any changes in ownership, control, or structure of your firm, you are required to notify this office of those changes in writing. Also, please include your file number on each page of correspondence relating to these matters.

The City reserves the right to withdraw this certification if at any time it is determined certification was knowingly obtained by false, misleading or incorrect information. The City also reserves the right to request additional information and/or conduct on site visits at any time during the certification period to verify any documentation submitted with your application. By accepting certification, the firm of Steiny and Company, Inc. Steiny and Company hereby consents to the examination of its books, records and documents by the City.

For information on City of Los Angeles contracting opportunities, please register at http://LABAVN.org.
SUPPLIER CLEARINGHOUSE
CERTIFICATE OF ELIGIBILITY

CERTIFICATION EXPIRATION DATE: October 6, 2018

The Supplier Clearinghouse for the Utility Supplier Diversity Program of the California Public Utilities Commission hereby certifies that is has audited and verified the eligibility of:

Steiny & Company, Inc.
Women Business Enterprise (WBE)

pursuant to Commission General Order 156, and the terms and conditions stipulated in the Verification Application Package. This Certificate shall be valid only with the Clearinghouse seal affixed hereto.

Eligibility must be maintained at all times, and renewed within 30 days of any changes in ownership or control. Failure to comply may result in a denial of eligibility. The Clearinghouse may reconsider certification if it is determined that such status was obtained by false, misleading or incorrect information. Decertification may occur if any verification criterion under which eligibility was awarded later becomes invalid due to Commission ruling. The Clearinghouse may request additional information or conduct on-site visits during the term of verification to verify eligibility.

This certification is valid only for the period that the above firm remains eligible as determined by the Clearinghouse. Utility companies may direct inquiries concerning this Certificate to the Clearinghouse at (800) 359-7998 in Los Angeles.
### Sully Miller
Summary of Open AR
Completed Projects

<table>
<thead>
<tr>
<th>Job#</th>
<th>Description</th>
<th>Last Labor in Timberline</th>
<th>05/31/14</th>
</tr>
</thead>
<tbody>
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<td>Final contract amount</td>
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<td></td>
<td>Paid to date</td>
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<td></td>
<td>Balance owed</td>
<td>$5,767.00</td>
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<tr>
<td>Job#4557</td>
<td>LA-San Fernando Rd Bike Path</td>
<td>Final contract amount</td>
<td>$434,981.71</td>
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<td></td>
<td>Paid to date</td>
<td>$303,640.63</td>
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<tr>
<td></td>
<td></td>
<td>Balance owed</td>
<td>$131,341.08</td>
</tr>
<tr>
<td>Job#4581</td>
<td>Long Beach-Magnolia</td>
<td>Final contract amount</td>
<td>$378,728.03</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Paid to date</td>
<td>$309,488.57</td>
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<td></td>
<td></td>
<td>Balance owed</td>
<td>$69,239.46</td>
</tr>
<tr>
<td>Job#4632</td>
<td>Santa Ana-Campus Drive</td>
<td>Final contract amount</td>
<td>$116,789.00</td>
</tr>
<tr>
<td></td>
<td>Bristol</td>
<td>Paid to date</td>
<td>$104,879.74</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Balance owed</td>
<td>$11,909.26</td>
</tr>
</tbody>
</table>

**Disputed t&m, not included on the final contract amount**

- 77-0001-Re-route conduit around vent: $3,224.92
- 77-0002-Lower conduit: $2,530.50

| Job#4665 | Ontario-Bon View         | Final contract amount    | $127,123.00 |
|          |                          | Paid to date             | $41,781.64  |
|          |                          | Balance owed             | $85,341.36  |

**Total Amount Owed**: $303,598.16
April 21, 2016

Vincent P. Mauch, CFO
Steiny and Company, Inc.
Electrical Contractors and Engineers
12907 East Garvey Avenue
Baldwin Park CA 91708

Re: Employer Name: Steiny and Company, Inc.
Account Number: 9017 0100
Local Union: 11
Agreements: Inside Wireman, Intelligent Transportation Systems and Ninth District Sound & Communications
Current through: November 2015 through January 2016

To Whom It May Concern:

Please be informed that Steiny and Company, Inc. has submitted reports and paid fringe benefit contributions to the Southern California IBEW-NECA Trust Funds for work performed under the Local 11 Inside Wireman, Intelligent Transportation Systems and the Ninth District Sound & Communications Agreements during work months of November 2015 through January 2016.

The reports and payments received for the referenced period are unaudited and the employer is not released from any claims arising under the collective bargaining agreements or ERISA.

Sincerely,

Cynthia Medina
Contributions Department

Southern California IBEW-NECA
Administrative Corporation

cc: Employer File
April 21, 2016

Steiny and Company, Inc.
12907 E. Garvey Avenue
Baldwin Park, CA 91706

RE: Fringe Benefit Contributions to the Orange County Electrical Workers Trust Funds

To Whom It May Concern:

Please be informed that Steiny and Company, Inc. has paid fringe benefit contributions to the Orange County Electrical Workers Trust Funds for work performed under the Local 441 Inside Wireman Agreement through the payroll month ended January 31, 2016.

The reports and payments received for the referenced period are unaudited and the employer is not released from any claims arising under the collective bargaining agreement, ERISA, mechanic's liens, payment bond claims, or stop payment notices.

Sincerely,

Kami Weyland
Electrical Industry Accounts
May 3, 2016

Vincent P. Mauch, CFO
Stelny and Company, Inc.
Electrical Contractors and Engineers
12907 East Garvey Avenue
Baldwin Park CA 91706

Re: Employer Name: Stelny and Company, Inc.
Account Number: 9017 0100
Local Union: 440 and 477
Agreements: Inside Wireman
Current through: November 2015 through January 2016

To Whom It May Concern:

Please be informed that Stelny and Company, Inc. has submitted reports and paid fringe benefit contributions to the Southern California IBEW-NECA Trust Funds for work performed under the Local 440 and 477 Inside Wireman Agreements during work months of November 2015 through January 2016.

The reports and payments received for the referenced period are unaudited and the employer is not released from any claims arising under the collective bargaining agreements or ERISA.

Sincerely,

Cynthia Medina
Contributions Department

Southern California IBEW-NECA
Administrative Corporation

JMK:cmn

cc: Employer File
May 4, 2016

STEINY & COMPANY, INC.
P.O. BOX 8100
BALDWIN PARK CA 91706

Attention: Cynthia Yun

On May 4, 2016 you demanded in writing that the Trusts provide a written statement in accordance with § 3111.5 of the California Civil Code.

Trust Fund records show that within the six (6) months preceding the date of demand, commencing with the last month of record in possession of the Trusts, Steiny & Company, Inc., license number 161273, reported and made contributions as follows:

<table>
<thead>
<tr>
<th>Month</th>
<th>Year</th>
<th>Month</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>April</td>
<td>N/A</td>
<td>October</td>
<td>2015 Paid</td>
</tr>
<tr>
<td>May</td>
<td>N/A</td>
<td>November</td>
<td>2015 Paid</td>
</tr>
<tr>
<td>June</td>
<td>N/A</td>
<td>December</td>
<td>2015 Paid</td>
</tr>
<tr>
<td>July</td>
<td>N/A</td>
<td>January</td>
<td>2016 Paid</td>
</tr>
<tr>
<td>August</td>
<td>N/A</td>
<td>***</td>
<td>***</td>
</tr>
<tr>
<td>September</td>
<td>N/A</td>
<td>***</td>
<td>***</td>
</tr>
</tbody>
</table>

The Trusts have not conducted an independent audit of the contractor and expressly reserve the right to and claim any delinquencies revealed thereby, nor do waive any right to unpaid interest and liquidated damages as a result of late payments.

As of the date of this statement, the Trusts have no information or belief that the subcontractor is further indebted to the above-named Trusts for the months checked.

The Trusts have Information or belief that:

This statement is made in accord with § 3111.5 (b) California Civil Code without prejudice to the Trusts sufficient to satisfy any creditor of subcontractor to whom it is given, that the subcontractor is not indebted to the Trusts for the months so stated, without further release from the Trusts.

Any and all the rights to recover from any source whatsoever, such contributions as may be discovered to be due and owing to said Funds for the period covered by this statement, or for any other period, is NOT waived by the Trusts hereby.

Cement Masons Trust Funds

[Signature]
Rudy Gocher
Field Audit Collections Department
January 22, 2016

Steiny & Company, Inc.  
I.D. #161273
P O Box 8100
Baldwin Park, CA 91706

Attn: Linda Martinez via: J.Martinez@steinyco.com  
Vikki Duran via: VDuran@steinyco.com

RE: Current Status

To Whom It May Concern:

In reply to your request, this letter will serve to inform all parties concerned that as of this date a review of your file shows that your company has submitted to this office the required report forms and fringe benefit contributions through October, 2015.

Without the results of a current audit of your records by this office, we can only state that there is no apparent delinquency at this time.

Should you have any questions, or if I can be of further assistance, please do not hesitate to contact me at (626) 356-1042.

Very truly yours,

Alex Acevedo  
Employer Accounting Dept.

cc: Employer File
May 3, 2016

Steiny & Company Inc.
PO Box 8100
Baldwin Park, CA 91706

Re: Status: Steiny & Company, Inc.
Account Numbers: 073891

Gentlemen:

This letter will serve to confirm that the Construction Laborers Trust Funds for Southern California ("TRUST FUNDS") have received a paid employer report from you for the month of February 2016, provided that the check submitted in payment will in fact be paid by the bank upon which it is drawn. However, without an audit of your payroll records, the TRUST FUNDS cannot certify that all hours have been properly reported and paid.

Your March 2016 contribution payments, which were due on April 15, 2016, have not been received, and interest and liquidated damages have come due on the unpaid contributions. Your account also reflects that liquidated damages and interest are due for the months of November 2014 through February 2016 due to late payments of contributions.

Sincerely,

[Signature]

CONSTRUCTION LABORERS TRUST FUNDS FOR SOUTHERN CALIFORNIA ADMINISTRATIVE COMPANY, LLC

George Figueroa
Account Representative
(626) 258-0491

cc: Sergio Rascon, Business Manager, Laborers Local Union 300
Peter A. Hutchinson, Esq., Reich, Adell & Catian
Richard A. Quevedo, Executive Director

4401 Santa Anita Avenue, Suite 150 * El Monte * California 91731 *(626)258-9044 ph * (626)258-9094 fx
May 9, 2016

Susan Steiny
John Garduno, Jr.
Steiny & Company, Inc.
12907 E. Garvey Ave.
Baldwin Park, CA 91706

Dennis Gansen
Gary Downey
Sulle Miller Contracting Company
135 S. State College Blvd., Ste. 400
Brea, CA 92821

Re: Notice of Hearing for Request to Substitute

Dear Ms. Steiny and Mr. Gansen,

On May 4, 2016, the City of El Segundo notified Steiny & Co. that Sully Miller Contracting Company formally requested approval to replace Steiny & Co. with a new electrical subcontractor for the Richmond Street Improvement Project. Per California Public Contract Code (PCC) §4107, the City of El Segundo formally notified Steiny & Co. of that substitution request. On May 8, 2016 Steiny & Co. emailed a letter to me formally protesting the requested substitution. Therefore, per the requirements of PCC §4107, the City of El Segundo is hereby providing written notice to Steiny & Co. and Sully Miller that a hearing to consider this request has been scheduled as follows:

Tuesday, May 17, 2016
City Council Chamber
350 Main Street
El Segundo, CA 90245
7:00 p.m.

Steiny & Co. and Sully Miller are strongly encouraged to attend this hearing where City Council will receive and consider all arguments for and against the substitution request. Alternatively, the City Council may exercise its option to
select an administrative hearing officer to hear and decide this issue at a future hearing. Please be advised that the City Council’s decision will be limited to the facts presented at the hearing and the parties may not have any further opportunities to present evidence.

Should you have any questions, please do not hesitate to contact me at (310) 524-2356 or via email to skatsouleas@elsegundo.org.

Sincerely,

Stephanie Katsouleas, P.E.
Director of Public Works
Richard R. Terzian

Richard Terzian was a partner at Burke, Williams & Sorensen, LLP and retired at the end of 2015 after having served an aggregate of 33 years with that firm and a total of 55 years in practice. For most of that time he handled litigation for public agencies in state and federal court at the trial and appellate level and before local and state administrative agencies in the areas of personnel, civil rights, land use, government operations, constitutional law, torts, and contracts. He also regularly rendered advice to public agencies on a variety of personnel and other matters, primarily while serving as the contract city attorney for the cities of Azusa, Calabasas, Malibu, Rolling Hills Estates, and South Pasadena and special counsel for the Torrance Unified School District.

Over the years, Mr. Terzian has lectured at seminars and panels conducted by the League of California Cities, City Attorneys' Association of Los Angeles County, and other organizations on a variety of legal subjects including handicap discrimination in employment, First Amendment rights of public employees, federal and state constitutional law, federal procedure, municipal antitrust liability, rights of discovery in litigation from public officials, and religious freedom. During that time Mr. Terzian also served as a volunteer mediator with the Los Angeles County Superior Court.

Mr. Terzian's areas of specialization are:

- Employment disputes including claims of discrimination, harassment and retaliation.
- Civil rights claims including police excessive force and denial of First Amendment rights.
- Local government-related claims including land use decisions, governance, and contracts.
- School district operations, including student abuse and financial issues.

Mr. Terzian has also published articles in Los Angeles Lawyer, Public Law Journal, Fiscal Report, and Western City on the binding effect of administrative agency decisions in subsequent court proceedings, municipal antitrust liability, the validity of Buy American ordinances, and charter schools.

Mr. Terzian served as a member of the State Bar Disciplinary Board (1976-1979), the Executive Committee of the Public Law Section of the State Bar (1993-1995), and president of the City Attorneys' Association of Los Angeles.

As an appointee of two successive Governors, Mr. Terzian served on the Commission on California State Government, Organization and Economy, commonly known as the “Little Hoover Commission” from 1986 to 2003 (Chair 1994-2001).
Representative Cases Reaching Appellate Courts

**Employment**

- *Leafblad v. City of Pasadena*, [Unpublished, 2015 WL1736328] [Female fire fighter claimed gender, disability and sexual orientation discrimination]

- *Duncan v. City of Simi Valley*, [Unpublished, 602 Fed.Appx. 394 (2015)] [Detective claimed discipline was retaliation for exercise of First Amendment rights]

- *Dahlia v. Rodriguez*, 735 F.3d 1060 (9th Cir. 2013) [Retaliation against police officer for exercise of First Amendment rights]

- *White v. City of Pasadena*, 671 F.3d 918 (9th Cir. 2011) [Termination of suicidal police officer and impact of prior administrative proceeding]

- *White v. City of Pasadena*, [Unpublished, 2011 WL3130626] [Appeal of terminated officer from order denying petition for writ of mandate returning her to service]

- *Los Angeles County Police Officers Assn. v. Los Angeles County Employees Retirement Assn.*, [Unpublished, 2007 WL 1663520] [Status of county security guards as safety personnel for retirement purposes]

- *Chase v. Los Angeles County Employees Retirement Association*, [Unreported, 2007 WL646241] [Mandatory retirement of fire captain as age discrimination]

- *Riggins v. City of Pasadena*, [Unpublished, 2002 WL 479752] [Claim by fire captain of racial discrimination and harassment]


- *Rattray v. City of National City*, 36 F.3d 1480 (1994) [Termination of police officer for lying during internal investigation]

- *Manhattan Beach Police Officers Ass'n, Inc. v. City of Manhattan Beach*, 881 F.2d 816 (1989) [Retaliation against police officer for criticism of police chief]

- *Thorne v. City of El Segundo*, 726 F.2d 459 (1983) [Refusal to hire police officer based on gender]
Civil Rights

- *Bravo v. City of Santa Maria*, 665 F.3d 1076 (9th Cir. 2011) [Police search of home under faulty warrant]
- *Karam v. City of Burbank*, 352 F.3d 1188 (9th Cir. 2003) [Arrest of activist at city council meeting]
- *Cornwell v. City of Riverside*, 896 F.2d 398 (9th Cir. 1990) [City’s right to pay punitive damages for police officer’s civil rights violation]

Land Use

- *City of Malibu v. Santa Monica Mountains Conservancy*, 98 Cal.App.4th 460 (2002) [Right of city to regulate use of state property]
- *Goat Hill Tavern v. City of Costa Mesa*, 16 Cal.App.4th 1519 (1992) [Vested right under conditional use permit]
- *City of Coachella v. Riverside County Airport Land Use Commission*, 210 Cal.App.3d 1277 (1989) [Regulation of land use adjacent to airport]

Miscellaneous

- *Grobeson v. City of Los Angeles*, 190 Cal.App.4th 778 (2010) [Right to new trial based on jury bias]
§ 4108. Faithful performance and payment bonds of sub contractors

West’s Annotated California Codes
Public Contract Code (Refs & Annos)
Division 2. General Provisions (Refs & Annos)
Part 1. Administrative Provisions (Refs & Annos)
Chapter 4. Subletting and Subcontracting (Refs & Annos)


§ 4108. Faithful performance and payment bonds of subcontractors

Currentness

(a) It shall be the responsibility of each subcontractor submitting bids to a prime contractor to be prepared to submit a faithful performance and payment bond or bonds if so requested by the prime contractor.

(b) In the event any subcontractor submitting a bid to a prime contractor does not, upon the request of the prime contractor and at the expense of the prime contractor at the established charge or premium therefor, furnish to the prime contractor a bond or bonds issued by an admitted surety wherein the prime contractor shall be named the obligee, guaranteeing prompt and faithful performance of the subcontract and the payment of all claims for labor and materials furnished or used in and about the work to be done and performed under the subcontract, the prime contractor may reject the bid and make a substitution of another subcontractor subject to Section 4107.

(c) (1) The bond or bonds may be required under this section only if the prime contractor in his or her written or published request for subbids clearly specifies the amount and requirements of the bond or bonds.

(2) If the expense of the bond or bonds required under this section is to be borne by the subcontractor, that requirement shall also be specified in the prime contractor’s written or published request for subbids.

(3) The prime contractor’s failure to specify bond requirements, in accordance with this subdivision, in the written or published request for subbids shall preclude the prime contractor from imposing bond requirements under this section.

Credits

(Added by Stats.1986, c. 195, § 42.1. Amended by Stats.1991, c. 754 (S.B.580), § 1.)

Notes of Decisions (1)

The statutes and Constitution are current with urgency legislation through Ch. 11 of the 2016 portion of the 2015-2016 Regular Session and Ch. 3 of the 2015-2016 Second Extraordinary Session.
EL SEGUNDO CITY COUNCIL
AGENDA ITEM STATEMENT

AGENDA DESCRIPTION:

Consideration and possible action to provide conceptual direction to ES CenterCal, LLC, for the design of the new Lakes at El Segundo Golf Course facility and to authorize the City Manager to negotiate a conditional lease agreement with West Basin Municipal Water District for the purposes of an alternative parking area for the TopGolf facility adjacent to The Lakes Golf Course. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Provide conceptual direction to ES CenterCal, LLC, to proceed into the detailed design phase for The Lakes at El Segundo Golf Course improvements; and,
2. Direct the City Attorney to draft an amendment to Exhibit D of the Due Diligence and Lease Agreement between the City and CenterCal LLC accordingly; and,
3. Authorize the City Manager to negotiate a conditional lease agreement with West Basin Municipal Water District for additional parking area; and,
4. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Exhibit D of the Due Diligence Agreement with ES CenterCal, LLC
2. Air Photo of West Basin Municipal Water District property to be used for possible parking area expansion

FISCAL IMPACT: N/A

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

PREPARED BY: Meredith Petit, Recreation & Parks Director
REVIEWED BY: Greg Carpenter, City Manager
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND & DISCUSSION:

As part of the Due Diligence Agreement between the City and ES CenterCal LLC ("CenterCal"), the developer working to construct a TopGolf Driving Range facility, Exhibit D sets forth the anticipated improvements and modifications to the golf course that are to be incorporated in a design for consideration and approval by the City Council. Exhibit D requires a golf shop, starter desk, restrooms, management office, café/bar, outdoor patio seating area, and a nine-hole golf course, among other improvements. The golf course must have the same or better degree of play difficulty as the current golf course, a safety rating that is as good or better than the existing course, 2 par-4 holes, and the course must maintain the total current play yardage as that which exists at the course currently (current course is approximately 1,340 yards). Additionally, it is desirable to offer a course that could acquire a slope-rating by the USGA for the purposes of establishing consistent scoring opportunities for avid golfers.
The Agreement also indicated that the City Council would appoint a task force to work with CenterCal, to develop the golf course design within the guidelines of Exhibit D. In June 2015, the City Council established the Golf Course Design Task Force encompassing members recommended by the Golf Course Subcommittee. The Design Task Force is comprised of 9 members of the Golf Course Design Task Force encompassing members recommended by the Golf Course Subcommittee. The Design Task Force is comprised of 9 members of the community and is jointly facilitated by a City staff representative (Recreation and Parks Director Meredith Petit) and a CenterCal representative (Rupesh Bhakta).

The Golf Course Design Task Force began meeting last November and has since met about once monthly for a total of six meetings. The initial meetings were to establish a clear vision based on community feedback and City Council direction as to how the group would collaborate with the developer to create the best facility possible – one that would be created with the goal of synergy between the City’s 9-hole golf course and the new TopGolf Driving Range. The Task Force also assisted with the creation of an RFP to solicit proposals from golf course architectural firms as well as provided feedback during the final selection process of an architect. With the approval from the Golf Course Design Task Force, CenterCal engaged the work of the Fry Straka Group with Jason Straka identified as the principal of the project.

The last four meetings have been focused meetings with the architect to review conceptual designs for the 9-hole course and the layout of the entire complex as it flows with the practice area, putting green, and clubhouse areas. After many iterations of the potential courses and site layouts, the architect and the Task Force have developed three feasible concepts to be presented to the City Council for final direction. Each of the design options, however, do not meet the conditions of Exhibit D and will require various deviations from the document as written.

As the Golf Course Design Task Force vetted the various concepts, discussions centered on the community’s vision of the facility as demonstrated by the public outreach process that has occurred throughout the planning process. To recap, based on a public outreach effort administered by The Lakes Vision Committee in April 2015, the community’s top priorities for the future of the facility were (ranked from highest): Parks and recreation core values, Golf-focused experience with practice facilities and instruction, and Multi-generational accessibility. Parks and recreation values were further described as affordable opportunities to play/learn golf, safety and security, outdoor open space, family-friendly environment, and variety of programming. The result of the three final design concepts are that which maximizes the facility footprint while successfully accomplishing the community’s and City’s highest priorities.

A golf course design that incorporates all of the parameters of Exhibit D would not be feasible due to safety concerns of overlapping ball flight paths, the need for intrusive netting and net poles, and the cost associated with a total course renovation. With safety and quality as the driving factors of the design, various options are presented:

*Option A* – Retain two par-4 holes, requires nets/poles on Hole #9, approximately 1,300 yards, poses potential issues on Hole #9 in relation to TopGolf netting/poles

*Option B* – Reduced to one par-4, Hole #9 becomes lengthy par-3, Holes #2 and #3 to be reconfigured, approximately 1,200-1,250 yards, expands short game and putting green practice areas
Option C – Alternative six-hole course, meets most parameters in Exhibit D, approximately 1,600 yards played as 9-hole course, poses potential management/operation challenges

Given all of the abovementioned considerations, the Golf Course Design Task Force has come to consensus that Option B is the most feasible option to move the project forward. The modification of Hole #9 from a par-4 to a par-3 is acceptable to the group as they focus on quality of a hole. In other words, the length of the hole does not equate to difficulty or superiority; a short par-4 hole is actually easier than a long par-3 in scoring average. Additionally, adding water features and bunkers can increase the difficulty level of a hole without modifying its length.

It is important to reiterate that all designs are conceptual in nature and during the next phase will be fully built and designed to scale. All of the options will require the designers of TopGolf and The Lakes to work together to resolve potential issues with the border of the two facilities, most specifically the boundary on Hole #9, as well as focus on complementary aesthetics and the flow of one facility to the other. Additionally, Holes #2 and #3 will likely require further discussion in regards to safety, playability, and difficulty levels.

While Option B does not meet the conditions as set forth in Exhibit D, the Golf Course Design Task Force recommends that the City Council provide direction to CenterCal to move forward with the concept that satisfies the safety priorities and community vision of the facility. The Task Force supports this concept largely because of the expanded practice facilities, flow of the facility in relation to TopGolf, placement of the Clubhouse Building in the site plan to maximize the view and efficiency of operations, improves many of the holes, and maintains a high level of quality and safety. Additionally, the Task Force will continue working with CenterCal and the golf course architect to vet the remaining issues surrounding the south edge of Hole #9 and the TopGolf netting/pole location, as well as fine-tuning the design of Holes #2 and #3.

If a golf course concept is approved, CenterCal and Fry Straka will continue to fine-tune the design of the course and auxiliary practice facilities. CenterCal has also engaged Architects Orange to design the Clubhouse Building according to the specs identified in Exhibit D. Architects Orange has shared a preliminary floorplan with the Golf Course Design Task Force as well as examples of the type of exterior architecture that would complement the entire site. They will also be utilized to help coordinate the overall site planning to ensure proper flow and synergy exists among The Lakes, TopGolf, and the supporting parking areas.

In anticipation of the completion of the traffic study in the next couple of weeks, CenterCal and the City have discussed alternative solutions to add parking spaces if necessary. One area of future exploration would be to develop the City-owned property adjacent to Hole #4 on the north side of the facility that is currently the golf course maintenance facility. While the desired amount of maintenance area is not likely to change, there is unused land area that could be incorporated into a redesigned maintenance facility that could yield potential parking spaces for TopGolf employees during peak times.

Additionally, preliminary discussions have revealed that an unused area of property owned by West Basin Municipal Water District may be of interest to the City and CenterCal (see attached air photo). The City currently leases the area depicted as “Area B” from West Basin at no cost with the understanding that West Basin may request that the property be returned if and when they need it in the future. Staff would like to essentially extend those terms to the depicted “Area A” for the purposes of providing an additional 60-70 parking spaces for the joint (Top Golf and Lakes) facilities. As
envisioned, this lease would be conditional upon the commencement of the Top Golf project and CenterCal/Top Golf would be responsible for the improvement and maintenance of this area. Staff and CenterCal have met with West Basin staff and there is interest on their part in potentially leasing the property to the City. Staff is seeking authority from the City Council to negotiate lease terms that would be presented to the City Council at a future date.
Exhibit D
GOLF COURSE AND PREMISES IMPROVEMENTS

GOLF COURSE IMPROVEMENTS

Lessee and a Task Force appointed by the City Council shall work together and reasonably cooperate for purposes of preparing a preliminary and conceptual design of the following golf course and clubhouse improvements to be presented to the City Council for approval consistent with the Lease provisions. The final design shall be consistent with the conceptual design. During the course of design and ultimate construction, a “standard of quality” shall be maintained throughout the newly constructed facility as mutually agreed upon by both parties. The use of the word “Quality” in this agreement is intended to mean that the building, building materials and furnishings shall convey design interest and coordination, craftsmanship and use of durable and visually attractive finishes and materials. With respect to the design of the improvements to the course itself, “Quality” is intended to mean that, in consultation with an approved golf course architect, the safety rating of the facility shall be maintained or improved, that the level of difficulty in playing the course shall be maintained or improved. In both the case of the buildings and the course improvements, the City’s intent is that they shall be of the same, or better quality than what currently exist. This exhibit contains photos of the existing facility as examples of the current level of quality. The facility is intended to be in “turn-key” condition at the time of completion meaning that the Lessee shall provide a facility that is furnished and ready for operations.

➢ Construction of new pro shop at approximately 2,500 square feet interior usable/lease able area. Detailed below are some of the key building improvements anticipated:

- **Facility Generally** – Facility shall include a security camera system that provides surveillance of the interior and exterior of the facility to the satisfaction of the ESPD.

- **Limited Golf Shop Area/ Starter Desk** – The newly constructed structure shall contain a segregated area for a pro-shop and starter/check-in desk as one combined unit. Generally, this facility will be equipped with sufficient desk space to facilitate placement of a computer, phone and cash register with desk space providing glass surfaces such that display shelving is readily accessible by employees and for display of soft goods as a part of pro-shop operations. This facility will include internet and phone cabling along with standard electrical outlets installed as provided for in the latest version of the California Building and Electrical Code. Shelving will be installed along the walls of the facility in sufficient footage to provide for display of basic retail items consistent with a golf pro-shop. Behind the main desk area, a small room accessible by a standard door shall provide sufficient space for storage of basic retail goods.

- **Restrooms** – separate male and female restrooms, fully ADA compliant to specifications that are current as of construction year. Restrooms shall
contain the amount of fixture units consistent with city code and capacity of the facility and be consistent with the existing clubhouse (including installation of soap dispensers, hand drying devices and trash enclosures). Restrooms shall be accessed solely from the interior of the newly constructed facility.

- **Management Office** - within the described (structure) a separate office for management operations shall be included. This office shall include a door and wall safe as required by current permitting policy.

- **Café/Bar with seating area** - The facility shall be sufficiently constructed to include wiring for sound and wi-fi capabilities. Additionally, televisions of sufficient size (55”) shall be included and mounted on the interior and potentially on the exterior patio areas. Exterior television equipment shall be constructed with exterior placement/waterproof integrity. Indoor snack bar portion of facility shall consist of sufficient square footage to maintain and operate a small commercial kitchen with equipment such as commercial grade reach-in freezer and cooling units, a three compartment sink, mop closet, griddle (with grill), microwave and fryer. New facility shall also contain sufficient space for and include an ice making machine and soft drink dispenser (typically vendor provided). All equipment shall be included and will be further outlined through the collaborative efforts with the Taskforce during the design process. A bar with sufficient beer taps and spacing for refrigeration of the same number of kegs (minimum 5). Dining area should be able to accommodate 20-30 guests and in accordance with established LA County Health Department guidelines.

- To the extent practical, all equipment that is in good repair at the existing facility, not past its useful life shall be utilized and installed at the new facility.

- **Outdoor patio space with seating area** - Outdoor space shall include hard floor surfaces (i.e. concrete or other approved material) and maintain position directly adjacent to the snack bar entry. Generally this will be at least 750 square feet with some or all the area covered. The Covered outdoor area shall be of sufficient size to accommodate adequate seating for 15-20. The balance of outdoor dining area (which may not be covered) shall accommodate seating for at least an additional 20-35. This area shall also be equipped with appropriate space heaters, lighting and outdoor furniture/seating.

- Construction of a practice putting green and practice chipping/bunker area with the one contiguous putting green surface area being no less than 4,500 square feet with the intent being that the area shall be the maximum allowable by the physical constraints of the site. Prior to construction, the existing putting green surface area shall be given sole and exclusive priority to the golf course putting.
green. Any remainder putting green may be utilized as a putting green within the TopGolf site.

- **Screening poles and safety netting will be installed to ensure the safety of golfers, the public, automobiles, and surrounding properties and rights of way per golf course architect recommendations**

- **Golf course modifications:**
  - Upon completion of construction, the golf course with described improvements shall maintain or increase in degree of difficulty compared to its current condition. The approved Golf Course Architect shall provide an assessment of difficulty of the course before and after; Lessee will maintain and or improve the difficulty of the golf course.
  - The overall final design of the golf course after modifications shall maintain a safety rating consistent or safer than existing conditions. For the purposes of determining golf course safety, the Minimum Safety Envelope (MSE) shall be utilized as adopted by the United Stated Golf Association such that all factors applicable from the **Dean vs. McStain** (Colorado) case shall be applied in the calculations of structures and roadways to any physically altered portions of the course. In the event that during the design process, more stringent safety measures are implemented in California, the mutually agreed upon Golf Course Architect shall determine the best practice for this type of facility.

  - The course shall have a minimum of two Par 4 holes. While no specific definition has been established in yardage for distinguishing a range for a Par 4 hole, effective length as defined by the USGA in conjunction with consultation by a golf course architect shall prevail. In general, a Par 4 is considered to maintain yardage with a range of 230-270 yards. In developing yardage, the Lessee and City will maintain an objective approach while providing flexibility.
  - Construction of new hole 3 green and bunkers and tee box.
  - Reset both par 4 tee boxes to accommodate new modifications.
  - Where possible, the existing tee boxes shall be leveled and lengthened. Lessee shall make every effort (within the project scope and budget) in consultation with an approved golf course architect (approved mutually by the Lessee and City), to expand tee boxes. The intention of this effort is to increase yardage from tee boxes to holes to achieve the minimum USGA standard of 1,500 (or current minimum) yardage for a nine hole course to establish a Course Rating and Course Slope. In no instance shall the course modifications result in the total yardage of the course to be shortened or lessened from its current and existing state of play. The total current yardage of play for the existing nine-hole course is approximately 1,340 yards from the white tee line (Men's). The City will be responsible
for any costs, not including design or construction costs, for certifying the Course Rating and Slope per USGA guidelines.
  - Lessee to add bunkers and/or sand traps to the north side of hole number 8 with the intention of increasing speed of play. Placement, sizing and number of bunkers and/or sand traps will be based upon approved golf course architect recommendations.
  - When possible, Lessee shall utilize existing and available poles and netting not otherwise repurposed by TopGolf project.
  - Hole three will be redesigned in such a fashion to maintain a minimum Par 3 and play over the existing northern body of water feature.

**PREMISES IMPROVEMENTS**

- Prior to disposal of the existing Pro Shop and Restaurant roof surfaces, further direction shall be given to the disposal or repurposing of the copper roof. Direction may come from the assigned Taskforce or directly from the City Council in a timely manner.
- Construction of the Top Golf Driving Range and Facility approximately 40,000 SF of indoor area and 20,000 SF of outdoor hitting bays which shall be substantially similar to the Top Golf Prototype Facility defined in the Lease with regard to construction materials, quality, type and size and facilities. Attached are pictures of the Prototype Facility.
- Replacement/relocation of the existing net poles with the Top Golf required poles, which will adhere to all building and safety codes, SCE safety standards and other applicable safety standards. Any/all poles not specifically used in the construction of the TopGolf facility shall be repurposed, to the extent possible, for the golf course modifications.
- Expansion of the existing parking which shall extend over the area where hole number one is currently located on the golf course and provide adequate parking per city code. During the design process, the City shall determine the number and location of parking spaces that will be reserved (during the hours of operation of the Lakes) for patrons of the Lakes golf course, consistent with Section 5.4 of this Lease and subject to the terms and conditions of the approved Required Project Entitlements (as defined in the Lease). Should parking conflicts arise after the commencement of joint use of the parking facility, the City and the Lessee shall mutually cooperate and work together to implement parking control measures to further reserve parking spaces by use of patrons of the Lakes.
The Lakes

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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 payments for materials, supplies and services in support of City Operations.

For Ratification:

**A** = Payroll and Employee Benefit checks

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

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

**FINANCE DIRECTOR:**  
**CITY MANAGER:**

**DATE:** 5-10-16  
**DATE:** 5-10-16
CITY OF EL SEGUNDO
PAYMENTS BY WIRE TRANSFER
4/25/16 THROUGH 5/8/16

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869,779.65

DATE OF RATIFICATION: 5/9/16
TOTAL PAYMENTS BY WIRE: 869,779.65

Certified as to the accuracy of the wire transfers by:

Deputy City Treasurer II: ___________________________ 5/9/16

Director of Finance: ___________________________ 5/10/16

City Manager: ___________________________ 5/10/16

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MAY 3, 2016 – 5:00 PM

5:00 PM SESSION CANCELLED – NO ITEMS TO DISCUSS
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MAY 3, 2016 – 7:00 PM

7:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 7:06 PM

INVOCATION – Pastor John Svendsen, First Baptist Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Jacobson

PRESENTATIONS

a) Proclamation read by Mayor Fuentes and presented to Carol Pirsztuk, Ed! Director, Lily Craig, Chevron Inc., and Richard Lundquist, CDC, proclaiming Friday, May 13, 2016 as El Segundo Education Foundation Day.

b) Commendation read by Council Member Fellhauer and presented to Loretta rye, as a dedicated AARP Volunteer Tax Preparer at the El Segundo Joslyn Center for the Senior Citizens of El Segundo.

c) Presentation by Mayor Fuentes recognizing the Election poll workers, Election night workers and RSVP’s for their valuable services rendered to The City of El Segundo during the April 12, 2016 Municipal Election.

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)

CITY COUNCIL COMMENTS – (Related to Public Communications)
Marsha Hansen, El Segundo Rotary Club Representative, invited everyone to the Home Fair on Saturday May 7, 2016 and join the Rotary Club in their Rubber Duck Event.
Joe Svezia, resident, commented on Top Golf, RV parking on streets and future development in El Segundo.
Mike Robbins, resident, thanked Carl Jacobson for his service on the Council, congratulated the newly elected officials, commented on Measure B, commented on Agenda Item #L8 and FPCC filing campaign of the POA and FAA PACS.
Corrie Zupo, resident & Environmental Committee member, stated the committee will present to the Council draft environmental documents in the near future and asked the Council to make decisions with the environment in mind when approving possible infrastructure projects.

Jen Frank and Jill Dull, residents and Carl Jacobson's daughters, thanked their Dad for his service on the Council over the last 24 years.

Julie Stolnak, resident, thanked the outgoing Council Members for their dedication and work on the Council.

Robert Pullen-Miles, Assemblywoman Autumn Burke's District Director, presented the outgoing Council Members with a Certificate for serving in a public office.

Richard Lundquist, Continental Development Corporation President, thanked Carl for his 24 years of service to the City of El Segundo, thanked Carl's family for sharing Carl with the community, thanked Marie and Dave for their service and congratulated the newly elected Council Members.

A. PROCEDURAL MOTIONS

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

MOTION by Mayor Pro Tem Jacobson, SECONDED by Council Member Fellhauer to read all ordinances and resolutions on the agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

E. CONSENT AGENDA

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

1. Approve Warrant Numbers 3010745 through 3010940 on Register No. 14 in the total amount of $735,200.00 and Wire Transfers from 4/11/16 through 4/24/16 in the total amount of $2,697,872.74. Authorize 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.

2. Approve Special City Council Meeting Minutes of April 5, 2016 and Regular City Council Meeting Minutes of April 19, 2016.
3. Approve a thirty (30) day provisional appointment extension for the position of Information Systems Manager.
   (Fiscal Impact: $)

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

MOTION by Mayor Pro Tem Jacobson, SECONDED by Council Member Fellhauer to approve Consent Agenda items 1, 2, 3, and 4. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.

F. NEW BUSINESS

G. REPORTS – CITY MANAGER – Thanked the outgoing Council, congratulated the newly elected Council Members and presented a video commemorating Carl Jacobson’s time on the Council over the last 24 years.

H. REPORTS – ASSISTANT CITY ATTORNEY – Thanked the outgoing Council Member’s; Marie Fellhauer, Carl Jacobson and Dave Atkinson.

I. REPORTS – CURRENT CITY COUNCIL MEMBERS

   Council Member Dugan – Thanked the outgoing Council Members: Marie Fellhauer, Dave Atkinson and Carl Jacobson

   Council Member Fellhauer – Received a plaque from the City and several certificates of recognition. Council Member Fellhauer commented on her time on the Council and thanked the City employees, supporters and thanked her husband, Justin Fellhauer for his support. Wished the newly elected Council Members well and wished them the best.

   Council Member Atkinson - Received a plaque from the City and several certificates of recognition. Council Member Atkinson commented on the City and its employees. Atkinson feels the City is blessed and thanked the citizen’s for passing Measure B.

   Mayor Pro Tem Jacobson - Received a plaque from the City and several certificates of recognition. Thanked his family, residents and corporations.
Mayor Fuentes – Thanked the outgoing Council Member’s and especially Carl Jacobson for their service to the City of El Segundo.

J. REPORTS – CITY CLERK

5. Consideration and possible action adopting a proposed resolution declaring the results of the General Municipal Election held on April 12, 2016. (Fiscal Impact: None)

Tracy Weaver, City Clerk, read by Title Only:

RESOLUTION NO. 4982


MOTION by Council Member Fellhauer, SECONDED by Mayor Pro Tem Jacobson to adopt Resolution No. 4982 declaring the results of the General Municipal Election held April 12, 2016. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

6. Consideration and possible action regarding the administering of the Oath of Office to the Council Members Elect, City Clerk Elect and City Treasurer Elect. (Fiscal Impact: None)

Mona Shilling, Deputy City Clerk II, administered the Oath of Office and presented a Certificate of Election to City Clerk Elect Tracy Weaver.

Tracy Weaver, City Clerk, administered the Oath of Office and presented a Certificate of Election to Treasurer Elect Crista Binder.

Tracy Weaver, City Clerk, administered the Oath of Office and presented a Certificate of Election to Council Members Elect Drew Boyles, Carol Pirsztuk and Don Brann.

Drew Boyles – commented on campaigning and the community, Mr. Boyles thanked various community members for their support and help with his campaign.

Carol Pirsztuk – thanked her family, parents and those who helped with her campaign.

Don Brann – thanked the voters for returning him to the Council, commented on his campaign, thanked Team Brann and his wife. Thanked Carl for his service to the City of El Segundo.
7. Consideration and possible action regarding election of Mayor and Mayor Pro Tem by seated Council Members.
   (Fiscal Impact: None)

Council Member Brann nominated Mayor Suzanne Fuentes for Mayor.
Council Member Pirsztuk nominated Mike Dugan for Mayor.

The votes were as follows:
Mayor Suzanne Fuentes – Aye’s - Brann and Fuentes
Council Member Dugan – Aye’s - Pirsztuk and Dugan
Drew Boyles – abstained

Due to a tie; Mayor Fuentes will continue to serve as Mayor due to the fact she currently holds the office.

Mayor Fuentes opened the floor to nominations for Mayor Pro Tem.

Council Member Pirsztuk nominated Council Member Dugan for Mayor Pro Tem.
Mayor Fuentes nominated Council Member Brann for Mayor Pro Tem.
Council Member Dugan nominated Council Member Boyles for Mayor Pro Tem.

The votes were as follows:
Council Member Dugan – No votes
Council Member Brann – Aye’s – Fuentes and Brann
Council Member Boyles – Aye’s – Dugan, Pirsztuk and Boyles

Drew Boyles is Mayor Pro Tem with 3 votes.

K. REPORTS – CITY TREASURER

L. REPORTS – NEWLY ELECTED/CURRENT CITY COUNCIL MEMBERS

Council Member Dugan and Council Member Pirsztuk -

8. Consideration and possible action to change the current practice of electing a Mayor and Mayor Pro-tem for two-year terms and instead, to have these positions appointed on an annual basis using a set rotation. (Fiscal Impact: None)

Greg Carpenter, City Manager, introduced the item.

Council Discussion
MOTION by Mayor Pro Tem Dugan, SECONDED by City Council Member Pirsztuk directing staff to make the appropriate changes to the Municipal Code to allow the annual rotation of the positions of Mayor and Mayor Pro Tem. MOTION FAILED BY A 3/2 VOICE VOTE. NO: Boyles, Brann, Fuentes YES: Dugan, Pirsztuk

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) None

ADJOURNMENT at 8:47 PM

Tracy Weaver, City Clerk
SPECIAL MEETING OF THE EL SEGUNDO CITY COUNCIL
WEDNESDAY, MAY 4, 2016, 8:00 A.M.

CALL TO ORDER – Mayor Fuentes

ROLL CALL

Mayor Fuentes - Present
Mayor Pro Tem Boyles - Present
Council Member Dugan - Present
Council Member Brann - Present
Council Member Pirsztuk - Present

PUBLIC COMMUNICATION – (Related to City Business Only – 5 minute limit per person, 30 minute limit total)

SPECIAL ORDER OF BUSINESS:

1. Consideration and possible action to review, discuss and provide direction to staff on the current construction delay for the Richmond Street Rehabilitation Project due to the electrical portion of the work.
   (Fiscal Impact: To be Determined)

   Greg Carpenter, City Manager, introduced the item and explained the situation.

   Stephanie Katsouleas, Public Works Director, presented the situation and answered Council questions.

   Council Discussion

   During the discussion it was surmised the situation could be handled by a temporary solution, thus allowing construction on Richmond Street to continue.

   Council consensus directed staff to move forward with the temporary solution for the Richmond Street Rehabilitation Project.

   David King, Assistant City Attorney, advised the newly elected Council Members on closed session protocols. Mr. King explained closed session is a highly confidential meeting and explained what types of items would be discussed in closed session.

   Moved into Closed Session at 8:33 AM.

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

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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): -6- matters

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

   Agency Designated Representative: Steve Filarsky and City Manager

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

City Manager, Greg Carpenter, reported Council voted 5/0 to file a petition against the EIR (Environmental Impact Review) from SCAG (Southern California Association of Governments) for the Regional Transportation Plan.

ADJOURNMENT at 12:00 PM

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Tracy Weaver, City Clerk
CALL TO ORDER – Mayor Fuentes at 7:00 PM

ROLL CALL

Mayor Fuentes - Present
Mayor Pro Tem Boyles - Present
Council Member Dugan - Present
Council Member Brann - Present
Council Member Pirztk - Present

PUBLIC COMMUNICATION – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) None

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

ADJOURNMENT at 10:15 PM

Tracy Weaver, City Clerk
AGENDA DESCRIPTION:
Consideration and possible action to waive the bidding process per El Segundo Municipal Code §1-7-10 and authorize the City Manager to engage disaster preparedness consulting services with Emergency Management Consulting Solutions, Inc. (EMCS) for a sum not to exceed $75,000 annually. (Fiscal Impact: $75,000)

RECOMMENDED COUNCIL ACTION:
1. Pursuant to El Segundo City Code §1-7-10, waive the formal bidding process and authorize the City Manager to engage a professional services agreement with Emergency Management Consulting Solutions, Inc.
2. Alternately, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Formal Quote from Emergency Management Consulting Solutions, Inc.
2. Formal Quote from Tetra Tech
3. El Segundo Consulting Services Agreement

FISCAL IMPACT: $75,000

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ORIGINATED BY: Chris Donovan, Fire Chief

REVIEWED BY: Greg Carpenter, City Manager

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

As with all California municipalities, El Segundo is required by law to adopt and be proficient in the use of emergency management practices, including the application of the Incident Command System (ICS), California’s Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). In fact, the California Emergency Services Act § 8568 states “The State Emergency Plan shall be in effect in each political subdivision of the state, and the governing body of each political subdivision shall take such action as may be necessary to carry out the provisions thereof.”

A critical component of compliance with the California Emergency Services Act is the ability for El Segundo to activate, staff, and manage an Emergency Operations Center (EOC) for extended periods and to comply with an assortment of plans, such as an Emergency Operations Plan (EOP) and a local Hazard Mitigation Plan (LHMP). Given the risks associated with natural and man-made disasters, it critically important for El Segundo to maintain a constant state of
readiness related to the preparedness, response, recovery and mitigation efforts that will become necessary during a local, state of federal emergency.

Previously the City utilized a part-time Emergency Services Coordinator (ESC) to handle all functions necessary to comply with Federal and State laws, however that position has been vacant for approximately seven (7) months. The use of an ESC has been found to be a somewhat successful approach to El Segundo’s efforts related to disaster preparedness, however it has also created some gaps in the current state of readiness. In researching the best path forward, it is suggested that instead of filling the vacant ESC position, the use of consulting services to take a more global approach in improving El Segundo’s disaster preparedness efforts would be most effective.

The use of consulting services provides a “team-approach” to fill the gaps that have been identified in El Segundo’s disaster preparedness program. Having professionals that can concurrently complete the following tasks will optimize use of staff time and will provide a comprehensive approach to create a new baseline:

- Support operation in maintaining an efficient level of emergency management service
- Evaluate current baseline emergency preparedness efforts within the City
- Review and identify areas of improvement with the current Emergency Operations Plan
- Review and identify areas of improvement with the current Hazard Mitigation Plan
- Review current Emergency Operations Center (EOC) procedures
- Review current staffing requirements within the EOC
- Evaluate NIMS/SEMS staff training compliance and provide ICS training for key staff
- Provide EOC position training
- Provide Web EOC software training for City Staff
- Develop emergency preparedness tabletop and functional exercises for City staff
- Provide recommendations for City’s disaster Cache
- Provide CERT training and other business outreach opportunities

Interviews and quotes have been received by two (2) consulting groups:

Tetra Tech is a leading engineering, technical, and emergency management services company, employing 14,000 personnel in 350 offices worldwide. The project lead identified for this position is Denise Davis, a Certified Emergency Manager with over 30 years of local public service in various positions. Ms. Davis was the previous project lead for the City of El Segundo, while employed by Willdan Consulting. The bid form Tetra Tech uses fixed pricing and based on hours listed ranges from $85,000 to $95,000 annually.

Emergency Management Consulting Solutions (EMCS) is a California based corporation that is comprised of current and former public safety professionals providing emergency preparedness training and planning to public and private entities. The project lead identified for this assignment is Matt Hallock, a current Fire Captain who manages disaster coordination for the City of Monterey Park and has previous experience with Southern California Edison where he was responsible for their EOC procedures, planning and exercises. The quote from Emergency Management Consulting Solutions uses hourly pricing and based on hours listed would not exceed $75,000 annually.
PROPOSAL
FOR
EMERGENCY PREPAREDNESS & PLANNING SERVICES

ORIGINAL PROPOSAL
Submitted to:
El Segundo Fire Department
Attn: Fire Chief Chris Donovan
314 Main St.
El Segundo, A 90245
Submitted By:
Emergency Management Consulting Solutions, Inc.
21520 Yorba Linda Blvd.
Suite G-560
Yorba Linda, CA 92887
(714) 713-9781
www.emc-s.com

March 21, 2016
March 21, 2015

El Segundo Fire Department
c/o Fire Chief Chris Donovan
314 Main St.
El Segundo, CA 90245

Dear Chief Donovan:

Emergency Management Consulting Solutions, Inc. (EMCS) is pleased to provide the City of El Segundo with a proposal to provide Emergency Preparedness and Planning Services. We understand your need for resiliency continuity through planning and exercises and we are prepared to provide direction and leadership for the execution and achievement of the City of El Segundo's emergency preparedness needs. EMCS is proposing a comprehensive service proposal utilizing an experienced Disaster Coordinator (Project Manager, Matt Hallock) as well as administrative oversight by President and CEO of EMCS, Jim Birrell, to fulfill these elements.

EMCS is a third year California based corporation comprised of current and former Public Safety Professionals providing emergency preparedness training as well as emergency preparedness planning to public and private entities.

Members of the EMCS staff have been serving in Public Safety since 1983 with a combined service experience of nearly 75 years. Our personnel draw experience from not only the public sector but the private sector as well. This experience has proven to be an exceptional benefit in meeting the needs of our current and future clients.

Matt Hallock will serve as your primary point of contact and will fill the role of Project Manager. Matt's extensive background in emergency preparedness will benefit the City of El Segundo by assisting your agency in emergency preparedness exercises and planning services. His experience draws from employment at Southern California Edison where he was responsible for their Emergency Operations Center (EOC) procedures, planning and exercises as well as serving the City of Monterey Park as Disaster Coordinator. In addition to his qualifications, Matt is a resident of the City of Long Beach and is easily accessible in person when needed.

We look forward to the next steps in this process including the ability to showcase our capabilities in servicing the needs of the City of El Segundo and the community you serve and to answer any questions you have about our proposal.

Respectfully,

James Birrell
EMCS, Inc
Proposed for The City of El Segundo
Emergency Preparedness & Planning Services

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Emergency Management Consulting Solutions, Inc
21520 Yorba Linda Blvd., Ste G-560
Yorba Linda, CA 92887
Executive Summary

Emergency Management Consulting Solutions, Inc. (EMCS) is pleased to submit our proposal to the City of El Segundo for Emergency Preparedness & Planning Services. EMCS has proposed a comprehensive service plan from an experienced Project Team to fulfill the objectives, deliverables, and timelines of this request.

Why EMCS?

EMCS carefully reviewed your emergency preparedness needs and we are confident that our solutions and implementation approach are unmatched through a proven track record in the public and private sector with public safety response, training, preparation and management. As experienced Emergency Management Personnel, our methodology includes the delivery of highly proven success through knowledge and experience in Emergency Preparedness.

Our team has developed guidelines, plans and coordinated emergency exercises as mandated by NIMS. Our familiarity in this arena will provide preparedness and planning direction as well as leadership for the City of El Segundo planning and training needs.

"The EMCS Team continued to oversee and monitor the operations of our project and training in order to make sure our expectations were being met. EMCS delivered on every promise, as agreed upon. The Monrovia Fire Department now has a product that is extremely valuable to our organization."

- Chris Fabrizio
Division Chief
Monrovia Fire Department

Are you ready?

Our solution to the City of El Segundo provides a combined experience of over 50 years of emergency preparedness leadership in the LA region. At EMCS, we recognize that planning & training is the gateway to operational effectiveness, and we share your commitment in assisting El Segundo personnel with the skills necessary for a successful future in emergency preparedness.

EMCS Staff

EMCS's proposal includes a recently retired Fire Chief who serves as President and CEO of EMCS and will facilitate administrative oversight of this project.

The Project Manager representing EMCS with the City of El Segundo's Resiliency Continuity will be Matt Hallock who is a highly educated Administrator who possesses the vision and commitment necessary to assist the City of El Segundo in implementation of your planning and exercise needs.
COMPANY PROFILE
BACKGROUND AND REFERENCES

PRIMARY CONTRACTOR INFORMATION

- **COMPANY OWNERSHIP** - EMCS is a California "S" Corporation, Number C3664979, EIN # 46-5520083. Founder and CEO, Jim Birrell is a recently retired Fire Chief with 33 years of experience in the Fire Service. Chief Birrell filed an application of Incorporation with the State of California Secretary of State in early 2014 and EMCS was incorporated on April 9th, 2014 under the name of Emergency Management Consulting Solutions Incorporated. DUNS#: 079526649 CAGE Code: 77N40

- **LOCATION OF COMPANY OFFICES**
  - Physical Address: 17568 Cloverdale Way, Yorba Linda, CA 92886
  - Mailing Address: 21520 Yorba Linda Blvd. Suite G-560, Yorba Linda, CA 92887

- **NUMBER OF EMPLOYEES** - Four

- **LOCATION(s) FROM WHICH EMPLOYEES WILL BE ASSIGNED** - Designated facility agreed upon as well as remotely at physical address listed above.

- **VENDOR POINTS OF CONTACT**
  - James Birrell, 17568 Cloverdale Way, Yorba Linda, CA 92886
  - Phone: (714) 713-9781, Email Address: JABirrell@emcs.com
  - Matt Hallock, 2521 Vuelta Grande, Long Beach, CA 90815
  - Phone: (626) 476-2226, Email Address: MHallock@emcs.com
  - Company Website: www.emcs.com

- **COMPANY BACKGROUND/HISTORY** - EMCS President and CEO Jim Birrell possesses 33 years of fire service experience with a diverse fire service background. (Please see Resume in Section 5)

- **VENDOR SERVICES** - Corporation providing training, preparedness and planning to public and private sectors with decades of public safety service experience. (Please see letters of reference and recommendation)

- **RESUMES** - Please see enclosed Resumes
EL SEGUNDO MANAGEMENT PROJECT PLAN

Under the direction of the El Segundo Fire Department, EMCS proposes to provide a Project Manager who will collaborate with the City of El Segundo project team to complete a variety of projects that fall within the scope of work in order to meet clear objectives, deliverables, and timelines.

In order to propel the City of El Segundo to the forefront of Emergency Preparedness, there needs to be a strong relationship built between the City, the residential community and the business community. By reaching out to stakeholders within the community, the path to preparedness will be built on a rock solid foundation that can withstand the potential emergencies, both man-made and natural, that may occur. We have reviewed the necessary steps to accomplish this task and understand the direction and leadership needed for the execution and achievement of the Emergency Preparedness & Planning Services requested by the City of El Segundo.

This proposal includes Matt Hallock to fulfill the Project Manager position of this assignment. Matt is the Director of Planning & Training for EMCS and is well qualified to carry out the duties and responsibilities, which the City of El Segundo is requesting. As an Emergency Manager with private and public sector experience, Matt possesses working knowledge of the private sector's Emergency Preparedness requirements through his employment with SCE and the public sector as Emergency Coordinator for the City of Monterey Park. Matt was responsible for SCE's Emergency Operation's Center as well as Business Continuity Plans and Exercises. Matt also understands the critical decision making needed through his vast experience in the public sector. This experience will best serve the interests of the City of El Segundo and the citizens it serves while making recommendations of best management practices as it relates to Emergency Preparedness through performance benchmarks and deliverables.
Management Plan Continued

Project Manager Responsibilities continued:

To accomplish the goals of the City of El Segundo’s Emergency Preparedness & Planning Services needs, the EMCS proposal to provide these services includes the following objectives:

- EMCS Director of Planning & Training, Matt Hallock will serve as the Project Manager for this proposal. Matt’s experience will provide continuity in implementing, developing and leading the strategy of the City’s broad context of Emergency Preparedness & Planning Services. Matt will provide high-level guidance and product for the implementation with a focus on the overall big picture. As Director of Planning & Training for EMCS, Matt ensures visibility and accountability throughout every phase of the project, and direct access to an appointed person within the City as an Emergency Preparedness Representative. EMCS accepts full responsibility and accountability for the work required and Matt will serve as the dedicated point of contact to the City. Specific responsibilities of the Project Manager include but are not limited to the following and will include additional duties not listed to get the job done:
  - Support operations in order to maintain an efficient level of service to the City of El Segundo;
  - Evaluate current baseline of emergency preparedness in the City of El Segundo;
  - Review the City of El Segundo’s Emergency Operations Plan (EOP), emergency operating procedures, and other emergency preparedness documents to identify areas of improvement and recommend corrections to possible deficiencies;
  - Review the City of El Segundo’s Hazard Mitigation Plan, (HMP) to identify areas of improvement and recommend corrections to possible deficiencies. Assist an appointed Emergency Preparedness Representative from the City to prepare and update the document through the following process:
    - Evaluate NIMS/SEMS City staff training compliance and provide ICS training for key staff positions
    - Develop emergency preparedness tabletop and functional exercise following Homeland Security Exercise and Evaluation Program (HSEEP) guidance;
    - Provide EOC position training and Web EOC training for EOC Staff as well as Disaster Awareness Course (DAC) training to non-essential EOC staff;
    - Provide CERT training and/or reorganization/reactivation if needed;
    - Provide recommendations for City’s disaster cache;
Management Plan Continued

Project Manager Responsibilities continued:

- At its inception of the project, the EMCS Project Manager will provide identified deliverables and timelines for completing elements of the project which will include updates to the Fire Chief or appointed designee;
- All deliverables will be distributed to the Fire Chief or designee via Microsoft Office format as well as PDF where applicable;
- As current and former Public Safety Officials, EMCS Staff understands the security sensitive information in which we will be privy to and shall keep all information within the scope of this work confidential;
- EMCS Staff will serve with efficiency and professionalism;
- EMCS Staff will provide thorough communications with the Fire Chief and/or City designee;
- EMCS will provide timely processing of financial documents;
- EMCS will ensure the deliverables are designed in a manner to meet the City of El Segundo’s organizational goals & objectives;
- EMCS will collaborate with positive effects to build professional relationships with stakeholders, partners and auxiliary organizations;
- EMCS will promote an organizational culture that fosters passion for the mission, cooperation, open and frequent communication and teamwork, working towards the City of El Segundo’s vision, goals and objectives.
August 25, 2014

City of Long Beach Fire Department
C/O LAAPCA

To Whom it May Concern:

I’m writing this Letter of Recommendation on behalf of Captain Matt Hallock. I’ve known Captain Hallock for going on 20 years and in that time I have seen him develop into one of the forward thinking leaders of our department. Specifically, Captain Hallock has been heavily involved in Emergency Preparedness where he has developed many different educational training programs to further educate the community with the importance of being prepared. One particular training tool that Captain Hallock not only developed but built is our Emergency Preparedness Trailer that we take to different community events and groups. This trailer is outfitted with “hands-on” tools to help the community become aware of their utilities and how to shut them off given any type of emergency. Captain Hallock also developed the curriculum to utilize when presenting to the public. This trailer has been in our fleet for almost 10 years now and to say it has been a success would be an understatement. Captain Hallock is the lead instructor when using the trailer and his enthusiasm when instructing the public is always met with positive feedback.

Beginning in 2013, Captain Hallock was instrumental in developing the first ever Monterey Park Emergency Preparedness Clinic. Captain Hallock developed the clinic with the intention of holding them quarterly and in different parts of the city. Each of the clinics was met with positive feedback and each subsequent clinic has expanded to include additional information which has benefited the community. The clinics have continued into 2014 and there are plans to continue them into 2015. Captain Hallock has utilized this “clinic” forum to invite members from the business community to set up booths to display their products as they are relevant to Emergency Preparedness. This has been integral in developing positive relationships with our business partners in our community.

If I can be of further assistance, please do not hesitate to contact me at KLensire@montereypark.ca.gov or at 626-307-1270.

Ken Lensire – Battalion Chief
Monterey Park Fire Department
Email Correspondence

Sent: Thursday, September 3, 2015 5:27 PM  
To: Hallock, Matthew

Captain Hallock,
On behalf of Los Angeles County Department of Health Services Managed Care Services Department (LACDHS MCS) Monterey Park Facility, once again I want to thank you and your team (Raul Mata and Steve Gregg) from the Monterey Park Fire Department (MPFD) in assisting us plan and execute another successful fire drill at our Monterey Park Facility in August 2015.

As with the first-ever fire drill at our facility for which you and your MPFD team assisted us in planning and successfully executing in the fall of 2013, the success of these drills would not have been possible without your leadership and generosity of time in helping us identify and implement many procedures to enhance the safety of our staff at our worksite, including preparing detailed plans for facility evacuation, and the MPFD being present at the drills to assess our performance and make ongoing recommendations for ongoing all-hazard preparedness.

I am attaching some photos that were taken at the August 2015 drill. These pictures do not capture how many people were involved in our fire drills and the extent of the pre-planning that was needed for successful execution of the drills. For those MPFD members who are not familiar with our facility layout, from the pictures they would not know that our office space occupies a large area on the first floor a two-story office building that is partitioned to accommodate almost 100 staff LACDHS MCS staff members. There are multiple exits from our office space and we thank you, Captain Hallock, for making recommendations for multiple evacuation groups (with floor monitors for each group) with pre-designated exits. Because of this, in both drills all staff was able to quickly and orderly evacuate our offices and assemble in pre-designated areas. As there are other non-County tenants in the building that LACDHS MCS staff is located, based upon your recommendation, we invited them to participate in our drills, which allowed us to assess how an evacuation would go with almost 150 individuals.

In your remarks to our staff and building tenants after the fire drills, you impressed upon us the importance of resiliency continuity to prepare for emergencies and the importance of all-hazards planning for our workplace and our personal residences. Many staff here commented to me that your messages were non-preachy and motivational – they really liked your approach.

It is one thing to understand the importance of preparedness, but it another thing to know specific and concrete steps than should be in place to prepare for emergencies. As such, we appreciate your offer to continue to collaborate with us to plan for and implement strategies to prepare for earthquakes and other hazards. I very much enjoyed brainstorming with you, your team, and MPFD Battalion Chief Randy Harper following the August 2015 drill to discuss some strategies you recommend to motivate staff here toward increased workplace preparedness and your plans to visit our facility in future to discuss these strategies with our staff.

I will add a personal note about which you may not be aware: Prior to coming to LACDHS MCS, I worked for a number of years as an analyst in Los Angeles County Department of Public Health’s Emergency Preparedness and Response Program Policy and Planning Unit. Given this experience, I can say without qualification that you are professional, knowledgeable and motivational in your role as MPFD’s Emergency Preparedness Coordinator.
Finally, note to you, Chief Birrell: Thank you for allowing MPFD members to collaborate with us in preparedness. You are a great neighbor and your collaboration has made us feel safer!

Best regards, Joy

Joy Blevins, MS, MFT, MPH
Staff Analyst, Health
LACDHS Managed Care Services Member Services Unit
1100 Corporate Center Drive
Monterey Park, CA 91754
626-299-3381
jblevins@dhs.lacounty.gov
August 26, 2014

City of Long Beach Fire Department

C/O LAAFCA

To Whom It May Concern:

My name is Bryan Frieders and I am a Division Chief with the San Gabriel Fire Department. I have known Captain Matt Hallock for 12 years and have seen him progress successfully through the ranks to his current position. Captain Hallock is a highly respected member of the Monterey Park Fire Department. The City of San Gabriel borders Monterey Park and as such, we often train together. Captain Hallock is very involved with the training aspect of the fire service. Captain Hallock is a member of the joint Monterey Park/San Gabriel Urban Search and Rescue (USAR) team. Captain Hallock is one of the lead members representing their department and often attends training courses to present new trends and training techniques to the other members of the USAR team. Captain Hallock often instructs the members of his department and the success of his training is evident in the level with which the members of his team perform during joint training exercises.

Captain Hallock is very involved with Emergency/Disaster Preparedness with the City of Monterey Park Fire Department. In July of 2013, the Fire Department unveiled a “State of the Art” Emergency Operations Center (EOC). Captain Hallock was one of the members responsible for the design and layout of the EOC and assisted with the grant process in procuring funds to help see this project from inception to completion. It has been just over one year since the Ribbon Cutting ceremony and in that year, Captain Hallock has not only held numerous training classes in the EOC but has also assisted with enhancing the already technologically advanced EOC by obtaining funds to add a Smart Classroom. This Smart Classroom will assist with training opportunities throughout the region and will project the Monterey Park Fire Department to the forefront of not just training but also Emergency Operations preparedness.

If you require anything additional, please contact me at bfrieders@sefd.org or on my cell phone at 661-904-5075.

Bryan Frieders
Division Chief
San Gabriel Fire Department
August 31, 2015

RE: Letter of Recommendation for Matt Hallock

To Whom It May Concern:

I am writing this Letter of Recommendation on behalf of Matt Hallock. I worked with Matt in the Emergency Planning & Preparedness Division at Southern California Edison. Ensuring the business continuity of one of the largest utility providers in California is a vital responsibility, and the role Matt played in that was crucial. Matt was tasked with coordinating the Annual Corporate Exercise where the capabilities of all Edison Departments were tested to a high level of competency given a large scale disaster affecting the Southern California Service Territory. This exercise is a tremendous undertaking and requires interaction with not only every department within Southern California Edison but also the stakeholders who rely on Edison for their power needs.

Matt was also responsible for maintaining the Emergency Operations Plan as directed by the Public Utilities Commission. This document was tested annually during the Corporate Exercise. Not only was the accuracy of this document critical during the Corporate Exercise but also during times of extreme power usage where rolling blackouts became necessary to maintain the integrity of the power grid. Matt had to maintain constant communications with the various power companies throughout California to help keep management informed of the status of electrical power supplies throughout California. This was a critical task to the sustainability of business operations at Southern California Edison with which Matt performed exceptionally.

It is my pleasure to provide this Letter of Recommendation for Matt Hallock and should you require any additional information, please do not hesitate to contact me at troy.whitman@sce.com.

Respectfully,

Troy Whitman
Fire Management, Business Resiliency
Section 5

Staff Experience

“Resumes”
Summary of Professional Qualifications
14 Years of Fire Service Experience and a Proven Leader, Manager and Coordinator of several projects, CERT Coordinator, Emergency Response, Disaster Preparedness, Homeland Security Grants, Proposals, and Reports, Self Motivated, Reliable, and Responsible, Provides outstanding service to the community utilizing his education, training and experience and to ensure their safety through preparedness.

Dec. 2014 – Present: Director of Planning & Training, Emergency Management Consulting Solutions (Part-time)
• Provide emergency preparedness solutions to both the business and residential communities utilizing experience gained in the fire service directly related to emergency preparedness.

MONTEREY PARK FIRE DEPARTMENT

Nov. 2010 – Present: Fire Captain
• Supervise personnel during emergency and non-emergency operations.
• Ensure personnel are operating at or above department/city standards.

• Maintain fire apparatus and equipment.
• Operate fire pump and aerial ladder during emergencies as well as training.

• Provide emergency services to the city and surrounding community.
• Maintain emergency equipment and station facilities.
• Maintain standards through training both in-house as well an inter-agency.

Significant Accomplishments:
• Emergency Preparedness Coordinator
• Department Public Information Officer
• Responsible for developing City’s Emergency Operations Plan
• CERT Program Coordinator/Lead Instructor
• Disaster Service Worker Coordinator/Instructor
• Designed Emergency Preparedness Trailer for use at community events
• Coordinate Emergency Preparedness Clinics throughout city on a quarterly basis
• Order and Inventory Emergency Preparedness Supply Cache for city employees/residents
• Set up and manage American Red Cross Shelter Agreement.
• Designed Emergency Preparedness Info Magnet for use by the community
• Designed a language barrier translation tool for EMS emergencies as part of Master’s Degree thesis
Matthew Hallock
Professional Qualifications Continued


• Developed guidelines and coordinated the Corporate Emergency Exercise as mandated by the Public Utilities Commission
• Responsible for set-up and maintenance of SCE’s Emergency Operations Center
• Completed emergency preparedness planning for Business Continuity
• Maintained Mutual Assistance Agreement between SCE and CA utility departments


• Managed accounts and served as the primary account to develop electrical design options.
• Developed requirements and cost estimates for new business construction of distribution facilities.
• Assured customer satisfaction of all project work from start to full completion, and maintain an up-to-date understanding of changes in industry practices and standards.

Education

• CALIFORNIA STATE UNIVERSITY – LONG BEACH, Bachelor of Arts Degree – Geography, 1995
• CALIFORNIA STATE UNIVERSITY – LONG BEACH, Master of Arts Degree – Public Policy & Administration, 2006

Training and Certifications

o Fire Officer (Completion 4/5/08)
o Fire Apparatus Driver/Operator 1
o USAR Certified
o CERT Train-the-Trainer
o EMT-1
o S-231 Engine Boss
o First Responder: Operations- Terrorism Consequence Management
o L449 Train-the-Trainer ICS 100, 200, 300, 400
Summary of Professional Qualifications
Chief Birrell possesses 33 Years of Fire Service Experience with a diverse Fire Service Background – Emergency Medical Services, Fire Department Instructor, Emergency Response, Emergency Preparedness, Homeland Security Grants, Contributor of several Fire Service Programs, Proposals, and Reports, Self-Motivated, Reliable, and Responsible, Enjoys Challenges, Opportunities, and Innovation.

April 9, 2014 – Present: President and CEO, Emergency Management Consulting Solutions
- Founded “EMCS Inc” to share knowledge in public safety and emergency preparedness after a successful 31 year career in the Fire Service

November 9, 2014 – Present: Executive Director, Los Angeles Regional Training Group
- Chief Birrell is currently under contract with the LA Area Fire Chief’s Association serving as its Executive Director of the LA Regional Training Group, (RTG). The RTG designs, coordinates, delivers and provides cost-effective fire service training equitably to all participating agencies in the LA Region.

- Appointed Acting Fire Chief July 4, 2010
- Appointed Fire Chief May 12, 2012
- During tenure as Fire Chief, emergency preparedness was moved to the forefront as a priority for the City as responders and the community to prepare. Efforts culminated in the construction and completion of the City’s Emergency Operations Center, City employee training, promotion of community involvement through the CERT Program and Community Disaster Preparedness Clinics.

- Administrative Battalion Chief, EOC Coordinator/Emergency Preparedness Coordinator
- Department Instructor in:
  o Building Construction
  o Ventilation Practices & Procedures
  o Multi-victim Incidents
  o Recruit Training
  o Blood Borne Pathogens

- Paramedic Coordinator / EMT Instructor
- Training Officer
- Department Purchasing Agent
- Chair – Firefighter Protective Hearing Device Committee
- Medical Equipment Purchasing Agent

- Fire Apparatus Engineer

- Firefighter/Paramedic

- Firefighter
James Birrell
Professional Qualifications Continued

**Education**
- Master's Degree, Emergency Services Administration; California State University at Long Beach (In progress)
- Bachelor of Science, Occupational Studies; California State University at Long Beach
- Fire Science Coursework; Rio Hondo College, Whittier, CA

**Training and Certifications**
- Certified Fire Officer
- Leadership in EMS Management
- Emergency Medical Technician – Paramedic - Certified EMT Instructor
- Firefighter I, II
- Red Card Certified Engine Boss
- Strike Team Leader Trainee Qualified
- IS 130, 200, 220, 300, 334, 400, 700, 800
- IS 231, 290
- Emergency Response to Terrorism

**Awards and Honors**
1988 - Monterey Park Fire Department “Firefighter of the Year;”
1993 - City of Monterey Park Commendation for Firefighting the Fire Storms of Malibu and Laguna Beach
2001 - Commendation from the Monterey Park Police Department for Assistance in Apprehension of two suspects defacing private property
2005 - City of Monterey Park, Certificate of Appreciation for Customer Service to the community during the 2005 rainstorms
2008 - City of Monterey Park Public Safety Employee of the Year

**Professional Organizations and Community Service**
- California Fire Chiefs Association
- International Association of Fire Chiefs
- California State Firefighters' Association
- Los Angeles Area Fire Chiefs' Association
- Foothill Fire Chiefs' Association
- League of California Cities
- Professional Chief Officers’ Association
- Monterey Park Firefighters' Association, Local 3625
- Principle author of Monterey Park Fire Department’s Ground Ladder Training Manual
- Little League Coach
- Career Day Volunteer, Bernardo Yorba Junior High, Five Consecutive Years
- Esperanza High School Football Booster Club President
- Yorba Linda High School Football Booster Club Member
- Orange Lutheran High School Football Parent
Exhibit A
Fee Schedule

Standard rate for services performed by EMCS staff using the table below. Hourly rates include all applicable taxes, travel, overtime, and other expenses related to performing the scope of work except printing and or binding cost of over 50 pages.

Rates are projected at an average of 80 hours per month for the Project Manager and 4 hours per month for Corporate Administrator oversight.

<table>
<thead>
<tr>
<th>PROJECT STAFF TITLE</th>
<th>HOURLY RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Manager</td>
<td>$70.00</td>
</tr>
<tr>
<td>Corporate Administrator</td>
<td>$110.00</td>
</tr>
</tbody>
</table>

I recommend an initial term of six (6) months, April 1, 2016 – September 30, 2016 for an evaluation period.

Six-month evaluation period not to exceed $42,000.

Respectfully,

James Birrell, President & CEO
EMCS, Inc
Form W-9
Department of the Treasury Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

1. Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
   Emergency Management Consulting Solutions Inc

2. Business name/described entity name, if different from above
   EMCS

3. Check appropriate box for federal tax classification; check only one of the following seven boxes:
   - Individual/sole proprietor or single-member LLC
   - Limited liability company; Enter the tax classification (C=C corporation, S=S corporation, P=partnership)
   - Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.
   - Other (see instructions)

4. Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3; for
   Exempt payee code (if any)
   Exemption from FATCA reporting code (if any)
   (Applicable to accounts maintained outside the U.S.)

5. Address (number, street, and apt. or suite no.)
   21520 Yorba Linda Blvd., Suite G-560
   Yorba Linda, CA 92887

6. City, state, and ZIP code

7. List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid
backup withholding. For individuals, this is generally your social security number (SSN). However, for
a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other
tentities, it is your employer identification number (EIN). If you do not have a number, see How to get a
TIN on page 3.

Social security number

Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue
   Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am
   no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding
because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage
interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and
generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the
instructions on page 3.

Sign Here
Signature of U.S. person

Date 3/21/2016

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN)
which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer
identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information
returns include, but are not limited to, the following:

• Form 1099-INT (interest earned or paid)
• Form 1099-DIV (dividends, including those from stocks or mutual funds)
• Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
• Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
• Form 1099-S (proceeds from real estate transactions)
• Form 1099-K (merchant and third party network transactions)

• Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
• Form 1099-C (canceled debt)
• Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
2. Certify that you are not subject to backup withholding,
3. Claim exemption from backup withholding if you are a U.S. exempt payee, if applicable, you are also certifying that as a U.S. person, your allocable share of
   any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See What is FATCA reporting? on
   page 2 for further information.
April 11, 2016

Chris Donovan  
Fire Chief  
El Segundo Fire Department  
350 Main Street  
El Segundo, CA 90245

Subject: Emergency Management Support Services

Dear Chief Donovan:

I enjoyed meeting you last Tuesday, April 5th, and believe we share a common understanding of the importance of emergency management for cities such as El Segundo. As discussed, I am following up with a summary of the potential services we outlined along with estimated pricing to aid in decision making. Subject to your review and further discussion within the City, I’d be happy to make any changes requested and provide a formal scope of work and pricing from Tetra Tech, Inc. (Tetra Tech).

Background & Understanding

Tetra Tech understands that the City of El Segundo contains a mixture of residential, commercial, and industrial sectors representing nearly 20,000 residents and a much larger daytime population. As a coastal California community, El Segundo is susceptible to a large variety of natural and manmade hazards including earthquakes, tsunamis, flooding and many types of severe weather. In addition, its proximity to critical infrastructure, such as the Los Angeles International Airport and the Chevron El Segundo Refinery, add another layer of complexity in the event of a major emergency or disaster.

As with all California municipalities, El Segundo is required by law to adopt and be proficient in the use of certain emergency management constructs that aid coordination in the field as well as at the local, regional, state, and federal levels. This includes the Incident Command System (ICS), California’s Standardized Emergency Management System (SEMS), and the National Incident Management System (NIMS). A central component of these systems is the City’s ability to activate, staff, and manage an Emergency Operations Center (EOC) for extended periods. In addition, the City must maintain a comprehensive preparedness program that includes developing and maintaining an assortment of plans, such as an Emergency Operations Plan (EOP) and a Local Hazard Mitigation Plan (LHMP), while also maintaining an effective training and exercise program.
In support of these needs and requirements, the City has previously contracted for emergency management support services and for nearly three years, culminating in mid-2015, these services were provided by Ms. Denise Davis, now a Tetra Tech employee. Ms. Davis’ experience and familiarity with El Segundo is extensive, having been the primary author of many plans including the City’s revised EOP and LHMP, while providing direct input and other support for the training and exercise program and advising on changes to the physical layout of the EOC. However, the City is unsure about the current status of the emergency management program and it is unclear what activities have taken place since Ms. Davis last provided support.

Recognizing the importance of emergency management to the El Segundo community, and understanding its associated legal obligations, the City of El Segundo is looking to once again contract for emergency management support services. Given her previous duties, knowledge of the City, and familiarity with relevant stakeholders, Ms. Davis is the logical choice to resume these activities. In addition, Tetra Tech is the nation’s largest provider of emergency management support services to state and local governments and can provide additional resources and expertise as needed. This combination of city-specific knowledge and corporate resources is unavailable from other vendors and represents best value for the City.

Limitations
Tetra Tech understands that although this project is important to the City, certain limitations exist. While working within the City’s budget is always necessary, another potential limitation will be the availability of City staff to participate in training and exercises. Tetra Tech recognizes that the commitment and availability of staff fluctuates throughout the year. To accommodate these fluctuations, Tetra Tech has included elements within the outlined scope that can be modified as needed depending upon staff availability.

Approach
In accordance with previous conversations, Tetra Tech understands the City’s desire to conduct a baseline assessment of its current emergency management program followed by a training and exercise program culminating in a functional exercise validating the City’s ability to activate and staff the EOC. Consistent with these goals, and utilizing a 12-month timeline, Tetra Tech has prepared the following approach representing between 10 – 30 hours per week, depending upon need. The work will be performed off-site with on-site meetings, trainings, and exercises as required.

Task 1 – Program Evaluation
Tetra Tech will conduct a baseline review of the emergency management program to identify activities that have occurred since Ms. Davis last provided support. Including:
- Review of the current Emergency Operations Plan (EOP) with recommendations
- Evaluation of current compliance with SEMS/NIMS training requirements
Recommendations on the City’s disaster cache

Task 2 – Emergency Operations Center Recommendations
Tetra Tech will provide recommendations to improve EOC functionality including:
- Review of the current EOC procedures
- Review physical layout
- Review current staffing requirements
- Identify and select EOC staff
  - Tetra Tech will assist the City in selecting appropriate EOC staff and assigning them to sections/positions within the EOC with the intent of providing enough redundant staffing to support two shifts and allow for 24-hour operations.

Task 3 – Training & Exercise Program
Tetra Tech will provide directed training and exercises consistent with the Homeland Security Exercise and Evaluation Program (HSEEP).
- CERT Training
  - Assist in delivering up to One (1) CERT training per quarter
- EOC Training
  - Up to Four (4) Section Specific/Position Specific Trainings for each section (Operations, Planning, Logistics, Finance)
  - Assist in delivering up to One (1) WebEOC Training per quarter
- EOC Drills and Exercises
  - Up to Two (2) Facilitated Discussions (Subject to City Staff Availability)
  - Up to Two (2) EOC Drills (Subject to City Staff Availability)
  - One (1) HSEEP compliant Tabletop Exercise
  - One (1) HSEEP compliant Functional EOC Exercise

Staffing & Management
The project will be managed out of Tetra Tech’s Irvine, CA office and supported with administrative support and additional corporate resources as required. As the Principal-in-Charge, Mr. Geneau will provide a point of contact for all contract and administrative activities and will assist as required while Ms. Davis will serve as the Project Lead and oversee day-to-day support and stakeholder coordination.

Principal-in-Charge
Mr. Jason Geneau, JD, MEP is a FEMA-Certified Master Exercise Practitioner (MEP), an HSEEP instructor, and a graduate of Rutgers Law School. A Southern California native, Mr. Geneau started his career in emergency medical services (EMS) and transitioned into emergency management with the Santa Barbara County Office of Emergency Services. Mr. Geneau has subsequently served as a Hospital Emergency Manager and with the City of Philadelphia Office of Emergency Services as the Weapons of Mass Destruction
TETRA TECH

(WMD) Planning Coordinator. In these roles Mr. Geneau participated in numerous EOC activations, field deployments, and exercises for a wide variety of local and regional events, including state and federally declared disasters. Since joining Tetra Tech, Mr. Geneau has worked for dozens of clients on successful projects across the nation, specializing in project management, planning and HSEEP exercises. Mr. Geneau is a certified HSEEP trainer and has completed ICS 100, 200, 300, 400, 700 and 800. In addition to his Law Degree, Mr. Geneau has a Bachelor’s Degree in Political Science/Global Peace & Security from The University of California at Santa Barbara (UCSB).

Project Lead

Ms. Denise Davis has extensive experience in emergency management, establishing her expertise while serving in various positions at local governments for over 30 years. Ms. Davis is a Certified Emergency Manager (CEM) with the International Association of Emergency Managers (IAEM). Her expertise is in emergency operations, hazard mitigation, and continuity of operations planning, developing training programs and instruction, Emergency Operations Center (EOC) development, operations, and training, interoperable communications planning, public outreach, and project management. Denise is an expert on the Standardized Emergency Management System, the National Incident Management System, and in implementing SEMS and NIMS into government operations, plans, programs, and policies. She is a certified California Specialized Training Institute Outreach Instructor for EOC, SEMS, and NIMS courses.

Throughout her experience as an emergency management coordinator for local governments and as an emergency management consultant, Denise has been responsible for the emergency management function citywide, developing Emergency Operations Plans (EOP), Hazard Mitigation Plans, Emergency Operations Center (EOC) procedures, developed and conducted EOC training and exercises for responders, served as the EOC Coordinator during EOC activations, advised City Managers and City Councils on emergency management matters, administered and instructed Community Emergency Response Team (CERT) and other volunteer programs, and conducted public and stakeholder outreach for emergency preparedness activities and education. Denise also managed the Federal and State emergency management grants, completed reimbursement claims for three federally declared disasters, and coordinated several local emergencies, working either in the EOC or at the field level.

Estimated Cost

To assist the City in deliberations, Tetra Tech estimates a total fixed price cost of between $80k - $95k representing between 800 and 1000 hours of staff time. Upon further discussion, Tetra Tech is happy to provide a revised scope of work and formal budget.
Corporate Qualifications

**Tetra Tech** is a leading provider of engineering, technical, and emergency management services. Clients include a diverse base of public and private sector organizations located throughout the United States and internationally. The company was founded in 1965 and became a publicly traded company (NASDAQ-TTEK) in 1991. With annual revenues of $2.6 billion, Tetra Tech is headquartered in Pasadena, CA and employs 14,000 personnel in 350 offices worldwide.

Specific to this project, Tetra Tech is one of the leading firms in the nation in the field of Emergency Management & Community Resilience, serving more state, local and private sector clients than any other single company. Our service portfolio includes the full spectrum of emergency management services, including mitigation, prevention, preparedness, response, and recovery services. Specific areas of focus include infrastructure hardening and protection; security planning; major incident and disaster operations planning; cyber-security project coordination and consequence management planning; training and exercises; community mitigation and resilience; incident policy and procedure development; and comprehensive disaster recovery.

Our Emergency Management team consists of more than 150 full-time, professionals and is augmented by dozens of experienced technical support staff, many of which are certified as Master Exercise Practitioners, Certified Emergency Managers, or both. Several of our members previously served as Senior Executives in State and Federal emergency management, public health and law enforcement agencies. Their extensive experience leading organizations, shaping policy, successfully working with diverse stakeholders and elected leaders as well as leading responses to some of the most notable incidents and disasters in our nation’s history provides our team with insights not easily gained and ensures an in-depth knowledge of smart practices and the ability to provide clients with achievable, customized solutions.

Local Experience, Knowledge and Staff

Headquartered in Pasadena, Tetra Tech has a number of offices throughout the region and, as such, Tetra Tech completes hundreds of projects annually in Southern California and the Los Angeles area. As a local firm, most of the project team, including the Principal-in-Charge and the on-site Planning Lead, are based in either Los Angeles County or Orange County, and have an understanding of the regional capabilities and challenges.

Planning Experience

Tetra Tech has more than 25 years of extensive expertise in reviewing, assessing, and developing emergency management and preparedness plans for clients across the country in jurisdictions that face a variety of threats and hazards. Our emergency preparedness expertise covers the full spectrum of emergency plans ranging from strategic to tactical level plans. Our plans incorporate and align with ICS, SEMS and NIMS and are developed...
consistent with planning principles outlined in FEMA’s Comprehensive Preparedness Guide (CPG) 101 or the 6-Step Federal Plan Development Process (FPDP) as warranted.

Training and Exercise Support Experience
Tetra Tech’s experience with the Homeland Security Exercise and Evaluation Program (HSEEP) is extensive and ranges from local-level tabletop exercises to national-level full-scale exercises. This includes developing HSEEP exercises for a majority of the nation’s largest metropolitan regions and in many cases Tetra Tech was selected to develop and manage ongoing multi-year exercise programs. In support of these efforts, Tetra Tech maintains a large cadre of exercise design specialists with long histories of demonstrated proficiency in the HSEEP process including completion of the Federal Emergency Management Agency’s (FEMA) Master Exercise Practitioner Program (MEPP) resulting in certification as Master Exercise Practitioners (MEP).

Tetra Tech has provided HSEEP support for a majority of major metropolitan regions in the United States, including New York, Philadelphia, Washington D.C. and Chicago. Within California, Tetra Tech recently completed, or is actively developing HSEEP exercises for the City of Los Angeles, the City of San Francisco, and Ventura County, as well as the Ports of Los Angeles, San Francisco, and Stockton.

If you have any questions or need additional clarification with regard to our qualifications, please contact our proposed Principal-in-Charge, Mr. Jason Geneau, JD, MEP at (949) 285-3334 or by e-mail at jason.geneau@tetratech.com. We look forward to hearing from you and further outlining a mutually agreeable scope.

Sincerely,

Jason Geneau, JD, MEP
Deputy Director
Emergency Management Consulting Solutions

And

The City of El Segundo

Services Agreement

This Agreement ("Agreement") is made and entered as of June 01, 2016, by and between, Emergency Management Consulting Solutions ("EMCS"), a California corporation, and The City of El Segundo ("City").

RECITALS

A. EMCS is a company that provides disaster preparedness and planning services in collaboration with host agencies. EMCS personnel are current and recently retired fire service officers who have field experience in disaster mitigation, preparedness, response and recovery, as well as didactic experience in preparing agencies for Emergency Operations Center (EOC) activation through training and exercises. The staff experience of EMCS affords them the ability to build strong relationships between the City, the residential community and the business community.

B. City desires to utilize EMCS’s services to improve all elements of disaster preparedness that falls under the responsibility of the City of El Segundo. This includes compliance with all State and Federal mandates, ICS/NIMS training, EOC position training, table-top exercises, functional exercises and other activities deemed by the City to be critical for disaster preparedness.
NOW THEREFORE, the Parties hereby agree as follows:

Article 1

Rights and Responsibilities of EMCS

1.1 **Provide an Executive Representative ("Corporate Administrator").** EMCS shall provide one ("Corporate Administrator") to oversee all disaster preparedness efforts and to provide clarification if issues arise between the City and EMCS. The Corporate Administrator will also produce invoices and other documents required to verify the requisite work is being completed and will produce various status reports when asked. The Corporate Administrator will also make himself/herself available for meetings, presentations or large scale events that may occur within the City of El Segundo.

1.2 **Provide a lead instructor ("Project Manager").** EMSC shall provide one ("Project Manager") that will be the lead for all training, exercises and other functions that may be required to enhance disaster preparedness within the City. Deliverables include:

1.2.1 **Support operations in order to maintain efficient levels of service.** Provide high-level guidance and product for the implementation of emergency preparedness and planning service, maintaining visibility and accountability throughout every phase of the project.

1.2.2 **Evaluate current baseline of disaster preparedness.** Conduct a baseline assessment of El Segundo’s current disaster preparedness program and compare it to recognized standards to determine gaps in the program. Once the gaps are identified, provide a
plan which includes needed training, exercises, equipment, technology, services or supplies that will address all gaps identified.

1.2.3 **Review and recommend corrections to Emergency Operations Plan.**
Review the current Emergency Operations Plan (EOP) and make recommendations on actions that can be taken to update and improve the document. Assist with determining the best means by which to make improvements and distribute an updated EOP.

1.2.4 **Review and recommend corrections to Hazard Mitigation Plan.**
Review the current Local Hazard Mitigation Plan (LHMP) and make recommendations on actions that can be taken to update and improve the document.

1.2.5 **Evaluate ICS/NIMS compliance and provide training for key staff**
Identify City staff members that are not compliant with the mandated ICS/NIMS training based on their assignment (EOC staff require ICS 100, 200 and NIMS 700, 800) and provide the necessary training to maintain compliance.

1.2.6 **Provide EOC Recommendations**
Review current EOC procedures, physical layout, and current staffing and make recommendations to improve EOC functionality.

1.2.7 **Update EOC software**
Review the current software (Web EOC) used within the EOC and determine how to bring the system into compliance with necessary upgrades, patches and fixes. If it is determined that the Web EOC system is inoperable, please make recommendations on the most effective path.
forward to engage technology and function paperless within the EOC. Provide the necessary work to have a high-functioning technology within the EOC.

1.2.8 **EOC Software Training**

Once the EOC Technology system is updated, provide one (1) training session every quarter (four per year) on the use of Web EOC (or any other product that is installed for use within the EOC) for those software user’s identified within the City.

1.2.9 **Provide EOC position training**

Assist with the selection of City personnel who will have work responsibility within the EOC and identify sufficient staffing to support two (2) shifts working 24 hours per day. Once City staff has been identified, provide four (4) section specific training sessions for each position that will be used during a disaster within El Segundo.

1.2.10 **Develop Table Top EOC Exercises**

Following compliance with ICS/NIMS training, software upgrades, and EOC position training, provide two (2) Homeland Security Exercise and Evaluation Program (HSEEP) compliant table-top exercises and include post exercise evaluation.

1.2.11 **Develop Functional EOC Exercise**

Following the completion of two (2) HSEEP compliant table top exercises, conduct one (1) HSEEP compliant functional EOC exercise and include post exercise evaluation.
1.2.12 **Provide recommendations for City’s disaster cache**

Review the current disaster cache used by the City and provide recommendations on how to improve the cache, as well as ideal location(s) for storage.

1.2.13 **Provide CERT training and/or reorganization/reactivation if needed**

Assist with re-engaging the El Segundo CERT program and provide two (2) CERT training session annually.

**Article 2**

**Confidentiality**

2.1 **Definition.** For purposes of this Agreement, the term “Confidential Information” shall mean any information disclosed in order to accomplish the work under this Agreement by one party (“Disclosing Party”) to another party (“Receiving Party”) that is considered confidential by the Disclosing Party, provided such information is in writing or other tangible form and clearly marked as confidential when disclosed, or is so designated in writing within thirty (30) days of such disclosure. The Parties agree to disclose only information that is necessary to the work and to send such information directly to the Parties noticed in Section 9 of this Agreement.

2.2 **Obligations of the Parties.** The Receiving Party agrees, to the extent permitted by law, that Confidential Information shall remain the property of the Disclosing Party and that the Receiving Party shall only use, disclose or distribute Confidential Information within its own organization as is reasonably necessary to carry out the intent of this Agreement. For the period of the Agreement and for a
period of five (5) years after disclosure, Confidential Information shall not be used or disclosed to others except in furtherance of this Agreement, provided, however, that the foregoing obligation of non-use and non-disclosure shall not apply to any portion of the Confidential Information that:

2.2.1 is or shall have been known to the Receiving Party before his/her receipt thereof;

2.2.2 is or shall have been disclosed to the Receiving Party by a third party;

2.2.3 is or shall have become known to the public other than through the Receiving Party;

2.2.4 is independently created by the Receiving Party’s personnel who have had no exposure to the Confidential Information; or

2.2.5 is required by law, regulation, a court of competent jurisdiction or any rules of civil procedure applicable to any court or administrative proceeding to be disclosed.

2.3 **Return of Confidential Information.** Upon the expiration or earlier termination of this Agreement, the Receiving Party shall promptly return to the Disclosing Party all Confidential Information of the Disclosing Party and any copies made thereof, whether in written, electronic or any other form.

**Article 3**

**Rights and Responsibilities of City and Departments**

3.1 **Provide Space and Equipment.** City and Departments shall provide office space and a classroom in a facility sufficient to provide quality instruction, audiovisual equipment, and access to City’s training equipment and supplies for the purposes
of Incident Command System (ICS), National Incident Management System (NIMS) and Emergency Operations Center (EOC) position instruction. Specifically, the City will provide access to the EOC for training and exercises.

3.2 **Emergency Preparedness Liaison.** Fire Department shall designate a person responsible for coordination between the City Managers Office and the consultant and to receive the information under this agreement and direct the Emergency Preparedness and Planning activities ("Emergency Preparedness Liaison").

3.3 **Designated Maintenance Person.** Fire Department shall designate a person responsible for maintenance checks within the Emergency Operations Center (EOC), Fire Department, Police Department, and City buildings.

3.4 **Training Requirements.**

3.4.1 All City Department shall ensure all personnel are certified ICS-100 & IS-700 NIMS (both independent study courses).

3.4.2 All City Department who have city staff designated as EOC worker shall ensure all personnel are certified ICS-200 & IS-800 NIMS.

3.5 **Registration.** The City will coordinate the registration of City personnel into State and Federal classes, as well as any specialty training opportunities.

3.6 **Textbooks.** The City will provide any textbook or learning aid for participants enrolled in any Disaster Preparedness class, as approved by the City Manager or his/her designee.

3.7 **Responsibility.** City understands and accepts the responsibility for the Federal and State training provided to its employees and agents and for the implementation of all services provided herein.
Article 4

Term

4.1 The term of this Agreement shall be for two (2) years, from June 1, 2017, through May 31, 2019. This Agreement shall automatically renew for two additional one-year terms unless terminated earlier as set forth in this Agreement.

Article 5

Termination

5.1 *Termination without Cause.* Either party may terminate this Agreement at any time without cause by providing the other party with sixty (60) days written notice to the names set forth in Article 9 below.

5.2 *Termination for Cause.* Either party may terminate this Agreement for cause or a material breach by providing the other party with thirty (30) days written notice to the names set forth in Article 9 below. If the breaching party fails to cure the breach, the termination shall be effective at the end of the thirty (30) day period.

Article 6

Payment

6.1 *Compensation for Services.* City agrees to compensate EMCS for the services provided under this Agreement at the rates set forth in Exhibit A. EMCS will invoice City on a monthly basis. City shall pay the invoiced amount due within 30 days of receipt of the invoice from EMCS.
6.2 **Payment.** Any payment to EMCS made pursuant to this Agreement shall be made by check payable to the Emergency Management Consulting Services and mailed to:

Mr. James Birrell, CEO
Emergency Management Consulting Solutions
21520 Yorba Linda Blvd., Suite G-560
Yorba Linda, CA 92887

**Article 7**

**Insurance**

7.1 The Parties agree to obtain and maintain the insurance set forth in **Exhibit B**.

**Article 8**

**Indemnification**

8.1 Departments and the City agree to defend, indemnify, and hold harmless EMCS, its officers, employees and agents from and against any and all liability, loss, expense (including reasonable attorneys’ fees) or claims for injury or damages arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, expense, attorneys’ fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the Departments and City, its officers, employees or agents.

8.2 EMCS agrees to defend, indemnify, and hold harmless Departments and the City, its officers, employees and agents from and against any and all liability, loss, expense (including reasonable attorneys’ fees) or claims for injury or damages arising out of the performance of this Agreement, but only in proportion to and to
the extent such liability, loss, expense, attorneys’ fees, or claims for injury or
damages are caused by or result from the negligent or intentional acts or
omissions of EMCS, its officers, employees or agents.

Article 9

Notice

9.1 Any notice required to be given to any Party is deemed to have been given and to
be effective on the date of delivery if delivered in person, or five days after
mailing if mailed by first-class certified mail, postage paid, or on the date of the
fax confirmation if made by fax, to the respective addresses given below or to
any other address as designated in writing to the other Party:

EMCS:

Mr. James Birrell, CEO
Emergency Management Consulting Solutions
21520 Yorba Linda Blvd., Suite G-560
Yorba Linda, CA 92887

City:

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

With a copy to:
Chris Donovan, Fire Chief
El Segundo Fire Department
314 Main Street
El Segundo, CA 90245
Article 10

General Terms

10.0 **Relationship.** This Agreement is not construed as creating a partnership, joint venture, or agency relationship among the Parties. The relationship between the Parties shall at all times be that of independent contractors.

10.1 **Non-solicitation.** City and Departments agree that they will not solicit EMCS staff for employment at the City or Departments during the term of the Agreement and for twelve 12 months after the end of its term.

10.2 **Governing Law.** This Agreement must be interpreted and construed according to the laws of the State of California.

10.3 **Modifications.** Any amendments or modifications to this Agreement must be in writing and signed by authorized representatives of both Parties.

10.4 **Assignment.** Neither Party may assign their rights, duties, or obligations under this Agreement, either in whole or in part, without the prior written consent of the other Party.

10.5 **Severability.** The provisions of this Agreement are severable. If any provision of this Agreement is determined to be invalid or unenforceable under any controlling body of law, the invalidity or enforceability does not in any way affect the validity or enforceability of the remaining provisions of this Agreement.

10.6 **Waiver.** Waiver by any Party of any breach of any provision of this Agreement or warranty or representation shall not be construed as a waiver of any subsequent breach of the same or any other provision. The failure to exercise any right in this Agreement shall not operate as a waiver of such right.
10.7 **Entire Agreement.** This Agreement, and the Exhibits, contain the entire Agreement between the Parties with respect to the subject matter of the Agreement and supersedes all prior written or oral agreements with respect to the subject matter in the Agreement.

10.8 **No Third Party Beneficiaries.** None of the provisions contained in this Agreement are intended by the Parties, nor shall they be deemed, to confer any benefit on any person not a Party to this Agreement.

**IN WITNESS THEREOF,** the Parties hereto have executed this Agreement on the dates indicated.

**DATE:** ________________

Emergency Management Consulting Solutions (EMCS)

By: ______________________

James Birrell, CEO

**DATE:** ________________

**THE CITY OF EL SEGUNDO**

A general law City.

By: ______________________

Greg Carpenter, City Manager

**DATE:** ________________

**ATTEST:**

By: ______________________

Tracy Weaver, City Clerk

**DATE:** ________________

**APPROVED AS TO FORM:**

MARK D. HENSLEY, City Attorney

By: ______________________
Exhibit A

Fees

Standard rates for services performed by EMSC staff apply using the table below. Hourly rates include all applicable taxes, travel, overtime, and other expenses related to performing the scope of work, except for printing and or binding costs over 50 pages.

Rates are projected at an average of 80 hours per month for the Project manager and 4 hours per month for Corporate Administrator oversight. Annual fees shall not exceed seventy five thousand dollars ($75,000) without expressed written approval.

<table>
<thead>
<tr>
<th>PROJECT STAFF TITLE</th>
<th>HOURLY RATE</th>
</tr>
</thead>
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<td>Project Manager</td>
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</tr>
<tr>
<td>Corporate Administration</td>
<td>$110.00</td>
</tr>
</tbody>
</table>
I. **EMCS**

EMCS at its sole cost and expense shall insure or self-insure its activities in connection with this Agreement by maintaining programs of self-insurance as follows:

1. General Liability Self-Insurance Program with limits of five million dollars ($5,000,000) per occurrence, with a general aggregate of five million dollars ($5,000,000). If such insurance is written on a claims-made form, it shall continue for three (3) years following termination of this Agreement. The insurance shall have a retroactive date prior to or coinciding with the effective date of this Agreement.

2. Business Automobile Liability Self-Insurance Program with a combined single limit of not less than one million dollars ($1,000,000) per occurrence, if such automobile insurance is not included as part of EMCS’s General Liability Coverage.

3. Professional Medical and Hospital Liability Self-Insurance Program with limits of five million dollars ($5,000,000) per occurrence and a general aggregate of five million dollars ($10,000,000).


5. Such other insurance in such amounts which from time to time may be reasonably required by mutual consent of the Parties against other insurable risks relating to performance.

It should be expressly understood, however, that the coverages required under Sections 1, 2, and 3 above shall not in any way limit the liability of EMCS. If such insurance is written on a claims-made form, it shall continue for three years following termination of this agreement. The insurance shall have a retroactive date prior to or coinciding with the effective date of this Agreement.

The coverages referred to under Sections 1 and 2 above shall include Departments and City as insureds. Such a provision, however, shall apply only in proportion to and to the extent of the negligent acts or omissions of EMCS, its officers, employees and agents under this Agreement. EMCS, upon execution of this Agreement, shall furnish City and Departments with Certificates of Self-Insurance evidencing compliance with all requirements.
II. **City and Departments**

City and Departments at their sole cost and expense shall insure or self-insure their activities in connection with this Agreement by maintaining programs of self-insurance as follows:

1. General Liability Self-Insurance with a limit of five million dollars ($5,000,000) per occurrence and a general aggregate of five million dollars ($5,000,000).

2. Business Automobile Liability Self-Insurance Program with a combined single limit of not less than one million dollars ($1,000,000) per occurrence with additional coverage available, if such automobile insurance is not included as part of City and Departments’ General Liability Coverage.

3. Professional Medical Liability Self-Insurance Program with limits of three million dollars ($3,000,000) per occurrence, and a general aggregate of ten million dollars ($10,000,000). If such insurance is written on a claims-made form, it shall continue for five (5) years following termination of this Agreement. The insurance shall have a retroactive date prior to or coinciding with the effective date of this Agreement and a deductible of no more than five hundred thousand dollars ($500,000). In the event that a claims-made policy is canceled or non-renewed, then City and Departments shall obtain extended reporting (tail) coverage for the remainder of the five (5) year period.


5. Such other insurance in such amounts which from time to time may be reasonably required by mutual consent of the Parties against other insurable risks relating to performance.

It should be expressly understood, however, that the coverages required under Sections 1, 2, and 3 above shall not in any way limit the liability of City or Departments. If such insurance is written on a claims-made form, it shall continue for three years following termination of this agreement. The insurance shall have a retroactive date prior to or coinciding with the effective date of this Agreement.

The coverages referred to under Sections 1 and 2 above shall include EMCS as insured. Such a provision, however, shall apply only in proportion to and to the extent of the negligent acts or omissions of City or Departments, their officers, employees and agents under this Agreement. City and Departments, upon execution of this Agreement, shall furnish EMCS with Certificates of Self-Insurance evidencing compliance with all requirements.
III. NOTICE

Each party shall provide the other with at least thirty (30) days advance written notice to the names set forth in Exhibit B of this Agreement of any changes, modifications or cancellations of the above coverages.
AGENDA DESCRIPTION:

Consideration and possible action to approve a contract amendment for J & L Building Maintenance for additional custodial services at Hilltop Park Pool. (Fiscal Impact: $22,049 over the five year term of the contract).

RECOMMENDED COUNCIL ACTION:

1. Authorize the City Manager to execute a contract amendment, in a form approved by the City Attorney, with J & L Building Maintenance to increase the budget for Hilltop Park Pool custodial services from summer-only service rates to year round service rates.

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

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT: Budget Adjustment Required

- **Amount Budgeted:** $959,477.00 over (5) years
- **Additional Appropriation:** Yes
- **Account Number(s):** 001-400-2601-6206 (Government Buildings Contracted Services)

ORIGINATED BY: Julie Hegvold, Management Analyst
REVIEWED BY: Stephanie Katsouelas, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

City Council awarded a five-year Public Works Maintenance Agreement to J & L Building Maintenance for custodial services at City facilities in June of 2015. At the time of award, the Hilltop Park Pool and its restroom were only open during the summer months. As such, the agreement with J & L Building Maintenance provided daily custodial services at the pool during the summer months only. However, since last summer Recreation and Parks received survey results showing that respondents strongly recommended that the Hilltop Park bathroom remain open year round like other park facilities, independent of the pool schedule. In response to that survey, staff opened the bathrooms in March concurrent with the opening of the Hilltop Park playground renovation project.

Therefore, staff is requesting that City Council authorize the City Manager to execute a contract amendment with J & L Building Maintenance to increase the budget by $22,049 for additional custodial services, which includes $2,000 for this fiscal year and $20,049 for the remaining four (4) years of the agreement. The budget increase will cover the additional custodial services at Hilltop Park Pool, expanding from summer-only services to year round services.
AGENDA DESCRIPTION:
Consideration to enter into an agreement between the El Segundo Fire Department and the California Firefighter Joint Apprenticeship Committee (Cal-JAC). (Fiscal Impact: None).

RECOMMENDED COUNCIL ACTION:
1. Authorize the Fire Chief and El Segundo Firefighters Association President to enter into an agreement with the California Firefighter Joint Apprenticeship Committee (Cal-JAC).
2. Alternately, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. None.

FISCAL IMPACT: None

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

ORIGINATED BY: Chris Donovan, Fire Chief
REVIEWED BY: Greg Carpenter, City Manager
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION: For over 25 years, the California firefighter Joint Apprenticeship Committee (Cal-JAC) has provided the highest quality of fire service education and training. With participation from more than 90 percent of paid, professional fire departments throughout California, and nearly 7,000 active apprentices, the Cal-JAC is nationally acclaimed as a model apprenticeship program.

The Registered Apprenticeship System of training is unique in that it is the only formal, structured, and nationally recognized education and training program available that combines the two most common forms of career and occupational learning: classroom instruction with on-the-job training. The program is funded and administered through the California Division of Apprenticeship Standards (DAS) and includes many skilled trades, including the fire service.

By entering into an agreement El Segundo Fire Department commits to providing apprentices (recruit firefighters, recently promoted Fire Engineers and Fire Captains) valuable instruction which parallel the State Board of Fire Services and the National Fire Protection Association standards. In doing so the department will receive reimbursement for costs and expenses associated with the apprenticeship training equal to at least $3.10 per hour times each hour of instruction given. Training hours will regularly be reported to Cal-JAC and revenues will be used to support on-going training as approved by the Fire Chief and Association President.
AGENDA DESCRIPTION:
Consideration and possible action regarding a request for a new on-site sale and consumption of alcohol (Type 47 ABC License) for a new restaurant (Saloon at El Segundo) under construction at a new commercial center (Elevon at El Segundo) located at 727 N. Douglas Street, EA No. 1134, CUP No. 15-07, AUP No. 06-10. Applicant: Petros Benekos. (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:
1. Receive and file this report without objecting to the issuance of an alcohol license for the on-site sale of beer, wine and distilled spirits for on-site consumption at a new restaurant at 727 N. Douglas; 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. Administrative Use Permit Letter, dated April 7, 2016

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

ORIGINATED BY: Paul Samaras, Acting Planning Manager
REVIEWED BY: Sam Lee, Planning and Building Safety Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

I. Background

On April 7, 2016, the Director of Planning and Building Safety approved an Administrative Use Permit application (EA-1134, AUP 15-04) for 727 N. Douglas Street, with conditions of approval, which allows the sale of beer, wine and distilled spirits at the proposed new restaurant Saloon at El Segundo). The Director’s decision was forwarded to the Planning Commission on April 14, 2016, and the Planning Commission Received and Filed the Director’s decision.

Under California law, once the Department of ABC receives an application for a license, the Department must notify the applicable local city council, law enforcement agency and planning department. (Bus. & Prof. Code § 23987). The city council or local agency then has 30 days to
review and, if applicable, protest the issuance of the license. The grounds of a protest, if any, should relate to public health, safety or welfare concerns. At this time, the applicant expects to submit its application for a license to the Department of ABC on Monday, May 9, 2016.

In 1995, the City Council directed staff to bring all future Department of ABC licenses to it for review. Based upon previous Council direction, staff is providing background information regarding this application.

II. Analysis

The application for a license, if approved by the Department of ABC, would allow the sale of beer, wine, and distilled spirits for on-site consumption in conjunction with the operations of a 4,194 square-foot restaurant (Type 47), which will include a 665 square-foot outdoor dining area. The proposed new restaurant (Saloon at El Segundo) will contain 1,521 square feet of indoor dining area consisting of dining and bar service area. The total dining area, including the 665 square-foot outdoor patio, will be 2,186 square feet. The outdoor patio will be approximately 30% of the total eating area. The proposed hours for alcohol sales will be the same as the hours the restaurant is open, which is from 11 a.m. to 10:00 p.m., daily and closed on Sunday.

According to the most recent Crime and Arrest statistics report prepared by the Police Department, the proposed restaurant is located in Reporting District (RD) 307. Based on the January – March 2016 reported data prepared by the Police Department, the district had a total of 27 Part I crimes. “Part I crimes” include criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson. The Police Department and the Planning and Building Safety Department do not object to the issuance of the Type 47 ABC License for the new restaurant.

The project site is located in the Corporate Campus Specific Plan (CCSP) zone within the recently completed Elevon Project. Restaurants are permitted uses in the Elevon Project and in accordance with CCSP § V(A). The proposed use (on-site sale and consumption of beer, wine, and distilled spirits at a restaurant), requires the approval of an Administrative Use Permit in accordance with CCSP § V(C)(1). In addition, CCSP § V(D)(3) requires a conditional use permit for outdoor dining when the outdoor dining area exceeds 20% of the total dining area. As noted above, such permits were approved, with conditions, by the Director of Planning and Building Safety and the Planning Commission, respectively.

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

III. Environmental Review

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The project is a request for an alcohol license for a new restaurant, which results in a negligible expansion of use in the operation of an existing
building (with an existing ABC license). The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality or water quality.

IV. Conclusion

Planning staff recommends that the Council receive and file this report without objecting to the issuance of a new Type 47 ABC license for the on-site sale of beer, wine and distilled spirits for on-site consumption at a new restaurant at 727 N. Douglas Street, or alternatively discuss and take another action related to this item.
EL SEGUINDO POLICE DEPARTMENT
CRIME STATISTICAL REPORT BY SELECTED LOCATION

CATEGORY: UCR PART I & II CRIMES
REPORTED PERIOD: 01/01/2015 – 03/31/2016
LOCATION: 727 N DOUGLAS ST (SELECTED AREA)

SOURCE DATA: RMS

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April 7, 2016

Petros Benekos  
359 Hillcrest Street  
El Segundo, CA 90245

RE: Environmental Assessment No. EA-1134 and  
Administrative Use Permit AUP No. 15-04

An Administrative Use Permit request to allow the on-site sale and  
consumption of alcohol at a restaurant

Address: 727 N. Douglas Street

Dear Mr. Benekos:

In accordance with El Segundo Municipal Code (“ESMC”) Chapter 15-22,  
the Planning Division reviewed your application for the above-referenced  
project and the Director of Planning and Building Safety APPROVED  
Environmental Assessment No. EA-1134 and Administrative Use Permit  
No. 15-04 for the on-site general sale and consumption of alcohol (beer,  
wine, and distilled spirits) at a restaurant at 727 N. Douglas Street. The  
following are the findings and facts in support of each finding for this  
decision:

FINDINGS AND FACTS IN SUPPORT OF FINDINGS:

Environmental Assessment No. EA-1134

Finding 1

- The proposed project is categorically exempt from the requirements of  
the California Environmental Quality Act (CEQA) pursuant to 14  
California Code of Regulations § 15301 as a Class 1 categorical  
exemption (Existing Facilities).
Facts in Support of Finding 1

1. The applicant proposes to serve alcohol within a proposed restaurant located at 727 North Douglas Street. The subject property is developed with vacant commercial building that was approved as part of the Elevon Project. The Elevon Project is part of a larger Corporate Campus Specific Plan that allowed the construction of a commercial office complex including several commercial offices, retail uses, and restaurants. The project involves no expansion of use, because the restaurant use was previously-approved as part of the approval of the Elevon Project and is a permitted use under the Corporate Campus Specific Plan. There is adequate access and all public services and facilities are available. The site is in an area that is not environmentally sensitive. Therefore, the project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality.

2. Alcohol will be served and consumed in the following locations on the ground floor of the restaurant:
   a. The Dining area: 1,526 square feet
   b. Bar area: 273 square feet
   c. Outdoor Patio area: 665 square feet

Administrative Use Permit 15-04

Finding 1

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

Facts in Support of Finding 1

1. The applicant proposes to provide on-site sale and consumption of alcohol inside the restaurant, bar, and outdoor dining areas. Alcohol will be served from the bar and consumed within the restaurant, bar, and the outdoor patio.

2. The area is situated in a commercial office complex that includes offices, retail uses and restaurants. There are no residential uses in the immediate vicinity and the alcohol service will only be used by restaurant guests.

3. There is sufficient parking as part of the Elevon Project approvals. Since the restaurant is a permitted use to the Elevon Project no additional parking spaces are required for the request.
4. The General Plan Land Use designation for the site is Corporate Campus Specific Plan. The zoning for the site is Corporate Campus Specific Plan. On-site sale and consumption of alcohol is permitted in the Zone with the approval of an Administrative Use Permit.

5. The Corporate Campus Specific Plan permits and the surrounding land uses include: restaurant, commercial retail, and medical office. Given the commercial nature of the surrounding uses, and the absence of any residential uses in the immediate vicinity of the proposed restaurant, the proposed on-site sale and consumption of alcohol will be compatible with the surrounding uses.

Finding 2

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

Facts in Support of Finding 2

1. The General Plan Land Use designation for the site is Corporate Campus Specific Plan.

2. The zoning for the site is Corporate Campus Specific Plan. The proposed use of on-site sale and consumption of alcohol requires an Administrative Use Permit in accordance with the Corporate Campus Specific Plan.

3. The Corporate Campus Specific Plan identifies two specific goals: Facilitate Economic Development and Promote Compatible Uses. The proposed use and its proposed operations are consistent with the goals since it expands quality retail service facilities in proximity to major employment centers. In addition, the proposed use is economically viable and environmentally safe, and provides a stable tax base.

4. The proposed use is consistent with Land Use Element Goal LU4 in that it provides a stable tax base for the City through development of new commercial uses, and primarily within a mixed-use environment.

5. The proposed use is consistent with Land Use Element Objective LU4-4 in that it adds to the mixture of uses, which has the potential to maximize economic benefit, reduce traffic impacts, and encourage pedestrian environment.

6. The proposed use is consistent with Land Use Element Objective LU4-1 in that it promotes the development of high quality retail facilities in proximity to major employment centers. Therefore, for all of the foregoing reasons, the use is consistent and compatible with the purpose of the Corporate Campus Specific Plan.
Finding 3

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

Facts in Support of Finding 3

1. The on-site sale of alcohol will be located both inside the proposed restaurant and in the outside patio area and will be constructed in accordance with all applicable codes and regulations. The project proposes minimal structural change to the exterior of the building, and no changes to the building envelope, parking or landscaping. Sufficient parking will be provided on-site in compliance with ESMC Chapter 15-15.

2. The surrounding land uses include commercial retail, restaurant, and office uses. The proposed sale of alcohol and the restaurant is a permitted use within the Corporate Campus Specific Plan.

3. The proposed hours of operation to serve alcohol is between 11:00 a.m. to 10:00 p.m. Mondays through Saturdays. The restaurant will be closed on Sundays. Alcohol will be served within the restaurant, bar, and outdoor patio. No live entertainment is proposed. The use is also subject to certain conditions outlined in this approval letter.

4. Because the location of the proposed restaurant is surrounded by commercial uses (and not residential uses) and the proposed on-site sale and consumption of alcohol will be contained at the restaurant and will not extend into the late-night hours, the proposed location and use, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Finding 4

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

Facts in Support of Finding 4

1. The on-site sale and consumption of alcohol will not create any new impacts that would not be normally associated with the operation of a restaurant.

The proposed hours of operation and alcohol sales are limited from 11:00 a.m. to 10:00 p.m., daily and closed on Sundays.
2. The approved Elevon Project was approved with 732 parking spaces and is providing 735 parking spaces. Since the restaurant and outdoor dining uses are permitted uses to the operations of the Elevon Project and the parking allocation accounted for restaurant uses, no additional parking spaces are required.

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

Finding 5

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

Facts in Support of Finding 5

1. The applicant must obtain a license from the State of California Department of Alcoholic Beverage Control for on-site sale and consumption of alcohol for restaurants (Type 47).

DIRECTOR OF PLANNING AND BUILDING SAFETY DEPARTMENT ACTION

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

1. The hours of operation to sell alcohol for on-site sale and consumption is limited to 11:00 a.m. to 10:00 p.m. daily, Monday through Saturday. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety.

2. Any subsequent modification to the project as approved must be referred to the Director of Planning and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification.

3. Any subsequent changes to the floor plan and areas where alcohol will be served and consumed must be reviewed and approved to the satisfaction of the Director of Planning and Building Safety Department. The serving of alcohol will be allowed in the 1,526 square-foot indoor dining area, 273 square-foot bar area, and in the 665 square-foot outdoor dining area.

4. The applicant must obtain and maintain all licenses required by the Alcoholic Beverage Control Act (Business & Professions Code §§ 23310 et seq.).
5. The restaurant operations must comply with ESMC §§ 7-2-1, et seq. regulating noise and vibration.

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

7. 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 ofRegs. §§ 55, et seq.

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

9. 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.

10. 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), 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, 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.
11. The licensee must have readily identifiable personnel to monitor and control the behavior of customers inside the building premises. Staff must monitor activity outside in the parking lot and any adjacent property under the establishment's control to ensure the areas are generally free of people.

12. If complaints are received regarding excessive noise, parking availability, lighting, building access, and the like associated with the sale of beer and wine, the city may, in its discretion, take action to review the Administrative Use Permit, including without limitation, adding conditions or revoking the permit.

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

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

15. The Applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. 1134 or Administrative Use Permit AUP No. 15-04. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of EA-1134 or AUP 15-04, 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.

16. Petros Benekos must acknowledge receipt and acceptance of the project conditions by executing the acknowledgement below.

By signing this document, Petros Benekos certifies that he has read, understood, and agrees to the Project Conditions listed in this document

________________________
Petros Benekos
PLANNING COMMISSION

This determination is scheduled to be received and filed by the Planning Commission at its April 14, 2016 meeting. Please be advised that this does not conclude the review process. The City Council will determine whether or not to protest the approval of the alcohol permit at its meeting at an as of yet undetermined date.

Should you have any questions, please contact Louis Morales, Contract Planner, at (310) 524-2351.

Sincerely,

[Signature]

Sam Lee, Director
Department of Planning and Building Safety

P:\Planning & Building Safety\0 Planning - Old\PROJECTS (Planning)\1126-1150\IEA-1134\IEA 1134 CUP 15-07 AUP 15-04 Douglas Street approval letter.doc
EL SEGUNDO PLANNING COMMISSION

AGENDA STATEMENT

MEETING DATE: April 14, 2016

AGENDA HEADING: New Business

AGENDA DESCRIPTION:
Consideration and possible action regarding approval of Environmental Assessment No. EA-1134, Conditional Use Permit No. CUP 15-07, and Administrative Use Permit No. AUP 15-04 for the sale of alcohol for on-site consumption and for an outdoor dining area in conjunction with a new restaurant (the “Project”) within an existing building at the Elevon Project located at 727 N. Douglas in the Corporate Campus Specific Plan (CCSP) Zone.
(Applicant: Petros Benekos).

RECOMMENDED PLANNING COMMISSION ACTION: It is recommended that the Planning Commission open the public hearing, receive testimony, close the public hearing, consider the evidence, and then adopt Resolution No. 2791 approving Environmental Assessment No. EA-1134.

ATTACHED SUPPORTING DOCUMENTS:

1. Draft Planning Commission Resolution No. 2791
   A. Conditions of Approval
2. Plans
3. Administrative Use Permit approval letter dated April 7, 2016

ORIGINATED BY: Louis Morales, Contract Planner
REVIEWED BY: Paul Samaras, Acting Planning Manager
APPROVED BY: Sam Lee, Director of Planning and Building Safety

I. INTRODUCTION

The proposed project is a request for a Conditional Use Permit to allow outdoor dining and an Administrative Use Permit to allow alcohol service at a new restaurant. The subject restaurant will be located at 727 North Douglas Street in the Corporate Campus Specific Plan (the “Property”).

II. BACKGROUND AND DISCUSSION

Background

The Property is located within the Elevon Project and bounded by Maple Avenue on the north, Campus Square West on the west, Douglas Street on the east, and Campus Drive on the south. The Property is surrounded by other commercial office, retail/restaurant, and Light Industrial uses.
The surrounding land uses are summarized in the following table:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Commercial/Retail</td>
<td>Corporate Campus Specific Plan (CCSP)</td>
</tr>
<tr>
<td>East</td>
<td>Manufacturing</td>
<td>Urban Mixed Use North (MU-N)</td>
</tr>
<tr>
<td>South</td>
<td>Office</td>
<td>Corporate Campus Specific Plan (CCSP)</td>
</tr>
<tr>
<td>West</td>
<td>Office</td>
<td>Corporate Campus Specific Plan (CCSP)</td>
</tr>
</tbody>
</table>

**Discussion**

The proposed restaurant, Saloon at El Segundo, will be located in the retail portion of the Elevon project within a recently-completed, vacant building. The Elevon Project consists of a 17 buildings and 21 lots containing a mix of office, retail, and commercial uses. The subject building is approximately 7,963 square feet and is located on lot No. 21. Lot No. 21 is 38,890 square feet in area and is improved with 59 parking spaces. The subject restaurant will be located in the southern portion of the building and will be 4,194 square feet including, a bar, interior dining area, outdoor dining area, and non-dining/service area. An outdoor dining area (665 square feet) is proposed at the south and west side of the restaurant. The outdoor dining area will be facing the pedestrian corridor and is 665 square feet. The outdoor patio area is further defined with a metal cable type fence securing the dining area with access from the restaurant only. An emergency access gate will be installed in the outdoor patio with access to the pedestrian corridor. Alcohol service is proposed in the bar, interior dining area, and outdoor patio area. The proposed hours for restaurant and alcohol service are 11 a.m. and 10 p.m. Monday through Saturday. The restaurant will be closed on Sundays.

The Applicant plans to apply for a type 47 (On-sale General – Eating Place) Alcohol Beverage Control (ABC) license. The type 47 ABC License allows for the service of beer, wine, and distilled spirits in conjunction with an eating place. A condition of approval is proposed that the applicant obtain an ABC license prior to opening the restaurant and the alcohol service as provided for under the type 47 On-sale requirements.
III. ANALYSIS

Zoning consistency

The following table contains the development standards for the Corporate Campus Specific Plan.

<table>
<thead>
<tr>
<th>Permitted Uses</th>
<th>Corporate Campus Specific Plan</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restaurants AUP for alcohol, CUP for outdoor dining when exceeding 20% of dining area. Corporate Campus Specific Plan §V. C and D</td>
<td>Restaurant on-site sale and consumption of alcohol and outdoor dining (27% of total dining area) Complies</td>
<td></td>
</tr>
<tr>
<td>Lot Area</td>
<td>Minimum 10,000 square feet Corporate Campus Specific Plan §V.F2</td>
<td>38,890 square feet. Complies.</td>
</tr>
<tr>
<td>Height</td>
<td>Maximum 175 feet Corporate Campus Specific Plan §V.F3</td>
<td>Maximum 26’-0” for the existing building. Complies.</td>
</tr>
<tr>
<td>Setbacks</td>
<td>15 feet from adjacent public right-of-ways, and private streets; 5 feet for all other interior setbacks. Corporate Campus Specific Plan §V.F.4</td>
<td>Front (Douglas Street): 130 feet; Side (south): 15 feet; Side (north): 15 feet; Rear: 5 feet. Complies</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Five percent (5%) of the at-grade total vehicular use area must be landscaped. Corporate Campus Specific Plan §V.F.13</td>
<td>No new vehicular use area is proposed. No new landscaping is required. Complies</td>
</tr>
<tr>
<td>Parking</td>
<td>Proposed use is a restaurant. Dining areas - 1 space per 75 square feet: 1,986 square feet (less first 200 sq. ft. of patio) of dining area requires 26.48 parking spaces. Non-dining areas - 1 space per 250 square feet: 2,008 square feet of non-dining area requires 8.03 parking spaces. Thirty-five (35) parking spaces required. Corporate Campus Specific Plan §V.F.10</td>
<td>The retail/restaurant parking at Elevon is provided on Lot Nos. 21 and 22. Lot No. 21 has 47 parking spaces and Lot No. 21 and 57 parking spaces for a total 104 parking spaces. Total retail parking required based on proposed uses requires 100 parking spaces. The project requires 35 parking spaces. Complies</td>
</tr>
</tbody>
</table>

On and Off-Site Parking

The approved Elevon Project is improved with 735 parking spaces and easements and reciprocal parking agreements are maintain throughout the Elevon Site. In addition, the project has secured and provided 100 additional off-site parking spaces at the northeast
corner of Maple and Campus Square West to be used by the businesses operators at Elevon. The parking breakdown is as follows:

<table>
<thead>
<tr>
<th>Elevon Project Parking</th>
<th>Use</th>
<th>Square feet</th>
<th>Requirement by Use</th>
<th>Parking Required</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Office</td>
<td>180,768 gsf</td>
<td>1 space/300</td>
<td>83</td>
</tr>
<tr>
<td></td>
<td>1st 25,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2nd 25,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3rd 25,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>130,768</td>
<td></td>
<td></td>
<td>71</td>
</tr>
<tr>
<td></td>
<td>Medical</td>
<td>28,750 gsf</td>
<td>1 space/200</td>
<td>143.75</td>
</tr>
<tr>
<td></td>
<td>Required parking for Office/medical</td>
<td></td>
<td></td>
<td>624.67</td>
</tr>
<tr>
<td></td>
<td>Provided parking for Office/Medical</td>
<td></td>
<td></td>
<td>631</td>
</tr>
<tr>
<td></td>
<td>Retail</td>
<td>4,701 nsf</td>
<td>1 space/300</td>
<td>15.69</td>
</tr>
<tr>
<td></td>
<td>Restaurant Dining</td>
<td>5,014 nsf</td>
<td>1 space/75</td>
<td>66.85</td>
</tr>
<tr>
<td></td>
<td>Restaurant Non-dining</td>
<td>4,368 nsf</td>
<td>1 space/250</td>
<td>17.47</td>
</tr>
<tr>
<td></td>
<td>Required parking for Retail/Restaurant</td>
<td></td>
<td></td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Provided parking for Retail/Restaurant</td>
<td></td>
<td></td>
<td>104</td>
</tr>
<tr>
<td></td>
<td>Total on-site parking required</td>
<td></td>
<td></td>
<td>725</td>
</tr>
<tr>
<td></td>
<td>Total on-site parking provided</td>
<td></td>
<td></td>
<td>735</td>
</tr>
<tr>
<td></td>
<td>Total additional (off-site) parking provided</td>
<td></td>
<td></td>
<td>100</td>
</tr>
</tbody>
</table>

The office/medical uses are located in Building Nos. 1 through 15 and the retail and restaurant uses will be located in building Nos. 16 and 17 and will park in lot Nos. 21 and 22 which face Douglas Street and will be shared by retail/restaurant patrons. Since the restaurant and outdoor dining are permitted uses contemplated within the Elevon Project, spaces are provided based on the overall mix of uses, no additional parking spaces are required.
General Plan Consistency

The General Plan Land Use Designation of the Project is Corporate Campus Specific Plan. The proposed project is consistent with the Goals and Policies of the General Plan as specified in the attached Approval Letter and Resolution.

Administrative Use Permit

The project includes a request to serve alcohol in conjunction with a new restaurant, which requires approval an Administrative Use Permit (AUP). The Director of Planning and Building Safety may grant an Administrative Use Permit upon making the findings in ESMC §15-22-5. The Director has made the necessary findings to grant the requested Administrative Use Permit subject to the conditions of approval in the attached approval letter dated April 7, 2016.

Conditional Use Permit

The project includes a request to have an outdoor patio, which exceeds 20% of the dining area and requires approval of a Conditional Use Permit. Pursuant to El Segundo Municipal Code §15-23-4, the Planning Commission is authorized to grant a conditional use permit if it makes the three required findings listed in ESMC §15-23-6. The required findings state that: 1) the proposed location of the conditional use permit is in accord with the objectives of the Title and the purposes of the zone in which the Property is located; 2) the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and 3) the proposed conditional use will comply with each of the applicable provisions of this Chapter. Facts in support of said findings are outlined in the attached resolution of approval.

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

IV. INTER-DEPARTMENTAL COMMENTS

The project application and plans were circulated to all City departments. The City Departments did not have any comments or objections to the proposed project.

V. ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations §15301 as a Class 1 categorical exemption (Existing Facilities). The project includes the approval of permits to allow the sale of alcohol at a new restaurant and for outdoor
dining. Minor tenant improvements are proposed for the proposed restaurant and outdoor dining patio. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, the project is proposed to be built within an existing approved building and exterior work will be limited to any signs proposed for the restaurant. The project involves a negligible expansion of use because the restaurant was previously-approved as part of the approval of the Elevon Project and is a permitted use under the Corporate Campus Specific Plan. There are adequate utilities and public services to serve the project.

VI. RECOMMENDATION

Planning staff recommends that the Planning Commission Receive and File Administrative Use Permit No. 15-04 and adopt Resolution No. 2791 approving Environmental Assessment No. EA-1134 and Conditional Use Permit CUP No. 15-07.
RESOLUTION NO. 2791

A RESOLUTION APPROVING ENVIRONMENTAL ASSESSMENT NO. EA-1134 AND CONDITIONAL USE PERMIT CUP NO. 15-07 TO ALLOW A 665 SQUARE-FOOT OUTDOOR DINING AREA IN CONJUNCTION WITH A RESTAURANT AT 727 DOUGLAS STREET.

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

SECTION 1: The Commission finds and declares that:

A. On November 5, 2015, Petros Benekos filed an application for Environmental Assessment No. EA-1134, Conditional Use Permit No. 15-07 to allow the operation of a new 665 square-foot outdoor dining area for a proposed restaurant located at 727 Douglas Street;

B. The application 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”);

C. 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);

D. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before this Commission for April 14, 2016;

E. On April 14, 2016, the Commission held a public hearing to receive public testimony and other evidence regarding the application including, without limitation, information provided to the Commission by Petros Benekos; and

F. The Commission considered the information provided by City staff, public testimony, and Petros Benekos. This Resolution, and its findings, are made, in part, based upon the evidence presented to the Commission at its April 14, 2016 public hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

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

A. The subject site is located in the Corporate Campus Specific Plan (“CCSP”) at 727 Douglas Street on Lot No 21. The lot is 38,890 square feet and the
restaurant is approximately 4,194 square feet. The restaurant will occupy the southern portion of existing 7,963 square-foot building.

B. The subject site is bounded on the south by Campus Drive, on the west by Campus Square West, on the north by Maple Avenue, and on the east by Douglas Street.

C. The subject site is located within the Elevon Project Lot No. 21 and currently is developed with a recently completed 7,963 square-foot building that was approved as part of the Elevon Project that is approved for a restaurant. The subject site is part of the much larger 46.5-acre mixed-use commercial complex of Corporate Campus Specific Plan.

D. The subject site and the Elevon Project was approved with 732 parking spaces and the project provides 735 parking spaces, which includes parking for restaurant uses. Since the restaurant and outdoor dining is a permitted use contemplated and approved under the Elevon Project, no additional parking is required.

E. A Conditional Use Permit is required for outdoor dining areas that exceed 20% of the total dining area of the restaurant, pursuant to CCSP §V (D)(3).

F. The proposed outdoor dining area is approximately 665 square feet.

SECTION 3: Environmental Assessment. The adoption of this Resolution is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The adoption of this Resolution approves of a Conditional Use Permit for outdoor dining. The proposed project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. The project involves a negligible expansion of use because the restaurant was previously-approved as part of the approval of the Elevon Project and is a permitted use under the CCSP. The outdoor dining area will be built on a site of not more than five acres surrounded by urban uses. Further, the site has no value as habitat for endangered, rare, or threatened species. There are adequate utilities and public services to serve the project.

SECTION 4: General Plan Findings. The proposed project conforms to the City's General Plan as follows:

A. The El Segundo General Plan land use designation for the property is Corporate Campus Specific Plan. This designation permits a mixture of office, research and development, retail, restaurants and hotel uses. Outdoor dining areas in conjunction with a restaurant that exceed 20% of the dining area are permitted in the Corporate Campus Specific Plan with approval of a Conditional Use Permit.

B. The Corporate Campus Specific Plan identifies two specific goals: Facilitate Economic Development and Promote Compatible Uses. The proposed use is
consistent with these goals since it expands quality retail service facilities in proximity to major employment centers, it is economically viable, environmentally safe, it provides a stable tax base and it minimizes any negative impact in the City.

C. The proposed use is consistent with Land Use Element Goal LU4 in that it provides a stable tax base for the City through development of new commercial uses, primarily within a mixed-use environment, without adversely affecting the viability of Downtown.

D. The proposed use is consistent with Land Use Element Objective LU4-1 in that it promotes the development of high quality retail facilities in proximity to major employment centers.

E. The proposed use is consistent with Land Use Element Objective LU4-4 in that it adds to the mixture of uses, which has the potential to maximize economic benefit, reduce traffic impacts, and encourage pedestrian environment.

F. The surrounding land uses include: commercial retail, restaurant, and office uses. The proposed on-site sale and consumption of alcohol will be compatible with the surrounding uses.

SECTION 5: Conditional Use Permit Findings. After considering the above facts, the Commission finds as follows:

A. The proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located.

The zoning designation for the subject site is Corporate Campus Specific Plan. This zone allows outdoor dining areas which exceed 200 square feet or 20% of the indoor dining area, whichever is less, subject to the granting of a conditional use permit pursuant to CCSP §V.C and D. The size of the outdoor dining area is appropriate to its location as it will be part of the restaurant. The permitted uses in the zone are a mixture of commercial, office, research and development, retail, restaurant and hotel uses. The subject building is currently vacant but is approved for a restaurant. Businesses located within this Specific Plan are encouraged to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors. The outdoor dining area in support of the existing restaurant is in accord with the principal objectives of the zone.

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

The proposed location of the conditional use is adjacent to the proposed
restaurant. The outdoor patio is located on the south and west side of the restaurant facing the pedestrian corridor of the Elevon Project. No particular use is adjacent or near the proposed outdoor dining area that could be impacted by the operation of the outdoor dining area. The area is surrounded by a mix of commercial offices, soccer field, and other potential restaurants. Outdoor dining activities are not anticipated to be detrimental to adjacent businesses and no residential uses are located in the vicinity. The use is also subject to certain conditions in the attached Exhibit A. Accordingly, given the commercial nature of the surrounding uses, and the absence of any residential uses located in the vicinity, the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

C. That the proposed conditional use will comply with each of the applicable provisions of this Chapter.

The proposed conditional use complies with the applicable provisions of ESMC Chapters 15-23 and 15-27 since proper notice was provided and proper hearing was conducted on April 14, 2016. In addition, proper hearing decision and records will be complied with, and the required findings will be considered. The proposed project meets all of the current ESMC and CCSP requirements.

SECTION 6: Approval. Subject to the conditions listed on the attached Exhibit “A,” which are incorporated into this Resolution by reference, the Planning Commission approves Environmental Assessment No. EA-1134 and Conditional Use Permit No. 15-07.

SECTION 7: This Resolution will remain effective unless superseded by a subsequent resolution.

SECTION 8: The Commission Secretary is directed to mail a copy of this Resolution to Petros Benekos and to any other person requesting a copy.

SECTION 9: 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 10: Except as provided in Section 9, this Resolution is the Commission's final
decision and will become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 14th day of April, 2016.

__________________________
Ryan Baldino, Chair
City of El Segundo Planning Commission

ATTEST:

__________________________
Greg Carpenter, Secretary

Baldino   -
Newman   -
Nicol     -
Nisley    -
Wingate  -

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

By: _______________________
    David King, Assistant City Attorney
PLANNING COMMISSION RESOLUTION NO. 2791

Exhibit A

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Petros Benekos agrees to comply with the following provisions as conditions for the City of El Segundo’s approval of Environmental Assessment No. EA-1134 and Conditional Use Permit No. 15-07 ("Project Conditions"):

Zoning Conditions

1. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Department. Any subsequent modification must be referred to the Planning and Building Safety Director for a determination regarding the need for Planning Commission review and approval of the proposed modification.

2. The outdoor dining area will be limited to 665 square feet immediately adjacent to the restaurant and must comply with all requirements of ESMC § 15-2-16.

3. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety. The restaurant’s alcohol sales will operate from 11:00 a.m. to 10:00 p.m. Monday through Saturday. The restaurant will be closed on Sundays.

4. No live entertainment is permitted. Only pre-recorded background music may be provided; such background music must not exceed the noise and vibration requirements of ESMC § 7-2-1.

5. Pursuant to ESMC §15-23-11(B)(1), this conditional use permit expires 24 months after its approval if the use does not commence or construction does not commence under a valid building permit. The City is not responsible for informing the applicant regarding a pending CUP expiration.

Building Safety Conditions

6. Before the City issues building permits, the applicant must obtain Los Angeles County Health Department approval.

7. Before the City issues building permits the applicant must comply with all access, ingress and egress, and walkway widths pursuant to a report completed by a Certified Access Specialist (CASp) as determined by the City Building Official.
Fire Department Conditions

8. The applicant must comply with applicable California Fire Code requirements and El Segundo Fire Department regulations.

Public Works Department Conditions

9. The project must comply with the latest NPDES requirements and must provide Best Management Practices (BMP’s) for sediment control, construction material control and erosion control.

Miscellaneous Conditions

10. Petros Benekos 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-1134 or Conditional Use Permit CUP No. 15-07. 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-1134 or Conditional Use Permit No. 15-07, the Applicant agrees to defend the City (at the City’s request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section “the City” includes the City of El Segundo’s elected officials, appointed officials, officers, and employees.

By signing this document, Petros Benekos, certifies that he has read, understood, and agrees to the Project Conditions listed in this document.

Petros Benekos

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}
PLANNING COMMISSION RESOLUTION NO. 2791

Exhibit A

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Petros Benekos agrees to comply with the following provisions as conditions for the City of El Segundo’s approval of Environmental Assessment No. EA-1134 and Conditional Use Permit No. 15-07 ("Project Conditions"):  

Zoning Conditions

1. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Department. Any subsequent modification must be referred to the Planning and Building Safety Director for a determination regarding the need for Planning Commission review and approval of the proposed modification.

2. The outdoor dining area will be limited to 665 square feet immediately adjacent to the restaurant and must comply with all requirements of ESMC § 15-2-16.

3. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety. The restaurant’s alcohol sales will operate from 11:00 a.m. to 10:00 p.m. Monday through Saturday. The restaurant will be closed on Sundays.

4. No live entertainment is permitted. Only pre-recorded background music may be provided; such background music must not exceed the noise and vibration requirements of ESMC § 7-2-1.

5. Pursuant to ESMC §15-23-11(B)(1), this conditional use permit expires 24 months after its approval if the use does not commence or construction does not commence under a valid building permit. The City is not responsible for informing the applicant regarding a pending CUP expiration.

Building Safety Conditions

6. Before the City issues building permits, the applicant must obtain Los Angeles County Health Department approval.

7. Before the City issues building permits the applicant must comply with all access, ingress and egress, and walkway widths pursuant to a report completed by a Certified Access Specialist (CASp).
Fire Department Conditions

8. The applicant must comply with applicable California Fire Code requirements and El Segundo Fire Department regulations.

Public Works Department Conditions

9. The project must comply with the latest NPDES requirements and must provide Best Management Practices (BMP's) for sediment control, construction material control and erosion control.

Miscellaneous Conditions

10. Petros Benekos 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-1134 or Conditional Use Permit CUP No. 15-07. 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-1134 or Conditional Use Permit No. 15-07, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.

By signing this document, Petros Benekos, certifies that he has read, understood, and agrees to the Project Conditions listed in this document.

Petros Benekos

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}
AGENDA DESCRIPTION:

Consideration and possible action to adopt a Resolution approving Plans and Specifications for Police Department and Fire Department Roof Replacement Projects. Project No. PW 15-18. (Fiscal Impact: $450,000.00)

RECOMMENDED COUNCIL ACTION:

1. Adopt the attached Resolution approving Plans and Specification for the Police Department and Fire Department roof replacement projects.
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Resolution

FISCAL IMPACT: Additional Funds Required

Amount Budgeted: $200,000 for the Police Building
$250,000 for Fire Station 1

Additional Appropriation: Yes: To Be Determined based on bids received

Account Number(s): 301-400-8201-8708 (Police Department)
301-400-8201-8707 (Fire Department)

ORIGINATED BY: Orlando Rodriguez, Senior Civil Engineer
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

Police Department Building

The Police Department building was constructed in the 1950s and the original roof was replaced in the 1980s. In 1999, the Dispatch center was added to the east end of the building. An increasing number of significant leaks are intruding into building, and the corrugated metal roof base material, with its longitude channels, makes it nearly impossible to determine where leaks are entering. Additionally, recent roof inspections show open joints along the parapet walls, blisters throughout the roof, and compromised roof drains. These roofs have met and exceeded their 20-25 year life expectancies and are now in need of replacement.

Fire Station 1 Building

Similarly, the Fire Station 1 building was originally constructed in the 1960’s with additions in 1978 and separate Fitness Center added in 1997. The Fire Station 1 roof was replaced in 1998. Both buildings have roofs that that have met and slightly exceeded their life expectancies, and are starting to show signs of failure, including open joints and cracks along the parapet walls and leaks into the apparatus bay.
To prevent further damage to the roof and property inside these buildings, staff recommends that the entire roof of the Police Station, Fire Station 1 and Fitness Center be completely removed and replaced with materials consistent with those installed at other City buildings. Staff also recommends that both projects be bid and constructed at the same time for both economies of scale and ease in working with a single contractor.

Please recall that this work was approved by City Council during the FY 14/15 Strategic Planning budget adoption process as part of a $3.2 million list of high priority infrastructure repairs. Please also note, however, that the $200,000 budget allocated for the Police Department roof did not include the Dispatch wing, which is now part of this project. Likewise, the $250,000 budget allocated for the Fire Station 1 roof did not include the Fitness Center. Therefore, staff anticipates that additional funds will likely be needed once bids are received and opened.

Staff recommends that City Council adopt the plans and specifications and the attached resolution, and authorize the project for receipt of construction bids. The schedule for the project is estimated as follows:

Bid Opening – June 14, 2016
Award by City Council – July 19, 2016
Construction Start – September 5, 2016
Construction End – October 29, 2016
RESOLUTION NO. ___

A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE POLICE DEPARTMENT AND FIRE DEPARTMENT ROOF PROJECT, PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT.

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

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

A. The City Engineer prepared specifications and plans replacing the Police Department, Fire Department, and Fitness Center (building east of Fire Station 1) roofs (the “Project”). These plans are complete. Bidding for construction of the Project may begin;

B. The City Council wishes to obtain the immunities set forth in Government Code § 830.6 with regard to the plans and construction of the Project.

SECTION 2: Design Immunity; Authorization.

A. The design and plans for the Project are determined to be consistent with the City’s standards and are approved.

B. The design approval set forth in this Resolution occurred before actual work on the Project construction commenced.

C. The approval granted by this Resolution conforms with the City’s General Plan.

D. The City Engineer, or designee, is authorized to act on the City’s behalf in approving any alterations or modifications of the design and plans approved by this Resolution.

E. The approval and authorization granted by this Resolution is intended to avail the City of the immunities set forth in Government Code § 830.6.

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

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

SECTION 5: This Resolution will become effective immediately upon adoption.
PASSED AND ADOPTED this 17th day of May, 2016.

Suzanne Fuentes, Mayor

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

By:

David H. King, Assistant City Attorney
AGENDA DESCRIPTION:

Consideration and possible action to adopt a Resolution approving Plans and Specifications for the Fire Station 1 Seismic Retrofit Project, Project No. PW 15-23A (Fiscal Impact: $250,000.00.)

RECOMMENDED COUNCIL ACTION:

1. Adopt the attached Resolution approving Plans and Specifications for the Fire Station 1 Seismic Retrofit Project, Project No. PW 15-23A.
2. Authorize staff to advertise the project for receipt of construction bids.
3. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Resolution

FISCAL IMPACT: Included in Adopted Budget

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<thead>
<tr>
<th>Amount Budgeted:</th>
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<td>Additional Appropriation:</td>
<td>No</td>
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<tr>
<td>Account Number(s):</td>
<td>301-400-8201-8702 (Capital Improvement Fund)</td>
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ORIGINATED BY: Floriza Rivera, Principal Engineer
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

A large portion of Fire Station 1 was originally constructed in the 1960's with a major addition in 1978. Recent structural investigation within the building has revealed some issues that need to be addressed, including cracks along the northeast corner of the outside of the building as well as the need for seismic upgrades consistent with the most recent earthquake codes for first response structures. Please recall that this work was approved by City Council during the FY 14/15 Strategic Planning budget adoption process as part of a $3.2 million list of high priority infrastructure repairs.

On December 7, 2015, staff retained KPFF to complete a comprehensive structural analysis and to draft engineering documents that would ensure compliance with current seismic standards for the apparatus bay. The analysis and corresponding designs and specifications are now complete. Therefore, Staff recommends that City Council: 1) adopt the attached resolution approving the plans and specifications for the Fire Station 1 Seismic Retrofit Project, Project No. PW 15-23A, and 2) authorize staff to advertise the project for receipt of construction bids. Staff estimates the following timeline for the project:
<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
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<tr>
<td>May/June, 2016</td>
<td>Advertise and Award the Project</td>
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<tr>
<td>Late July, 2016</td>
<td>Start Construction</td>
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<tr>
<td>September, 2016</td>
<td>Complete Project</td>
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RESOLUTION NO. ___

A RESOLUTION APPROVING THE SPECIFICATIONS AND PLANS FOR THE FIRE STATION 1 SEISMIC RETROFIT PROJECT. PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT.

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

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

A. The City Engineer prepared specifications and plans for the Fire Station 1 Seismic Retrofit Project, Project No. PW 15-23A (the "Project"). The plans and specifications are complete. Bidding for construction of the Project may begin;

B. The City Council wishes to obtain the immunities set forth in Government Code § 830.6 with regard to the plans and construction of the Project.

SECTION 2: Design Immunity; Authorization.

A. The design and plans for the Project are determined to be consistent with the City's standards and are approved.

B. The design approval set forth in this Resolution occurred before actual work on the Project construction commenced.

C. The approval granted by this Resolution conforms with the City's General Plan.

D. The City Engineer, or designee, is authorized to act on the City's behalf in approving any alterations or modifications of the design and plans approved by this Resolution.

E. The approval and authorization granted by this Resolution is intended to avail the City of the immunities set forth in Government Code § 830.6.

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

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

SECTION 5: This Resolution will become effective immediately upon adoption.
PASSED AND ADOPTED this ___ day of ____________, 20__.

Suzanne Fuentes, Mayor

ATTEST:

_________________________
Tracy Weaver, City Clerk

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

By: _______________________
David H. King, Assistant City Attorney
AGENDA DESCRIPTION:

Consideration and possible action to adopt a Resolution approving Plans and Specifications for Playground Improvements at Recreation Park. Project PW14-10 (Fiscal Impact: $82,854.00 in grant funding)

RECOMMENDED COUNCIL ACTION:

1. Authorize the City Manager to adopt a Resolution approving Plans and Specifications for Playground Improvements at Recreation Park, Project PW 14-10.

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

ATTACHED SUPPORTING DOCUMENTS:

Resolution

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $82,854.00
Additional Appropriation: No
Account Number(s): 125-400-3614-6215 (LA County Grant Repairs & Maintenance)

ORIGINATED BY: Floriza Rivera, Principal Civil Engineer

REVIEWED BY: Stephanie Katsouleas, Public Works Director

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

The existing upper and lower playgrounds in Recreation Park, adjacent to the George E. Gordon Clubhouse, are widely used by the community. However, their surfaces have become worn and patches are evident in several areas. Thus, replacement of key areas is now necessary. Staff has developed plans and specifications to: 1) completely resurface the upper playground area (east of the Clubhouse), and 2) partially resurface the lower playground area under the swings. Depending on the bids received, alternative improvements are proposed to install shade structures for both playgrounds.

The project is expected to be completely funded by a Los Angeles County Parks Grant provided to El Segundo, with available funding of approximately $82,854.00. Staff recommends that City Council adopt the attached resolution approving plans and specifications and authorize the project for receipt of construction bids. Timing for installation of the new surfaces is expected to take place this summer and will be coordinated with the Recreation and Parks Department to minimize the impact on various user groups.
RESOLUTION NO. __

A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE RESURFACING OF THE UPPER PLAYGROUND AND LOWER PLAYGROUND AT RECREATION PARK. PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT.

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

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

A. The City Engineer prepared specifications and plans for the resurfacing of the upper playground at Recreation Park (the “Project”). These plans are complete. Construction of the Project may begin;

B. The City Council wishes to obtain the immunities set forth in Government Code § 830.6 with regard to the plans and construction of the Project.

SECTION 2: Design Immunity; Authorization.

A. The design and plans for the Project are determined to be consistent with the City’s standards and are approved.

B. The design approval set forth in this Resolution occurred before actual work on the Project construction commenced.

C. The approval granted by this Resolution conforms with the City’s General Plan.

D. The City Engineer, or designee, is authorized to act on the City’s behalf in approving any alterations or modifications of the design and plans approved by this Resolution.

E. The approval and authorization granted by this Resolution is intended to avail the City of the immunities set forth in Government Code § 830.6.

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

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

SECTION 5: This Resolution will become effective immediately upon adoption.
PASSED AND ADOPTED this ___ day of ______________, 20__.

________________________________________________________________________
Suzanne Fuentes, Mayor

ATTEST:

________________________________________________________________________
Tracy Weaver, City Clerk

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

By: ___________________________________________________________________
David H. King, Assistant City Attorney
AGENDA DESCRIPTION:

Consideration and possible action to adopt a Resolution approving Plans and Specifications for the Fire Station 1 Apparatus Bay Doors Replacement Project, Project No. PW 15-23B (Fiscal Impact: $170,000.00.)

RECOMMENDED COUNCIL ACTION:

1. Adopt attached Resolution approving Plans and Specifications for the Fire Station 1 Apparatus Bay Doors Replacement Project, Project No. PW 15-23B.

2. Authorize staff to advertise the project for receipt of construction bids.

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

ATTACHED SUPPORTING DOCUMENTS:

Resolution

FISCAL IMPACT: Included in Adopted Budget

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<th>Amount Budgeted:</th>
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<td>No</td>
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<td>Account Number(s):</td>
<td>301-400-8201-8702 (Capital Improvement Projects Fund)</td>
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ORIGINATED BY: Floriza Rivera, Principal Engineer

REVIEWED BY: Stephanie Katsouleas, Public Works Director

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

Fire Station 1 has three forward and two rear apparatus bay doors that opening via vertical telescoping. These blue doors were selected and installed decades ago. Over time, they have weathered poorly and now require more and more attention due to equipment degradation and failures. This, in turn, puts the emergency response vehicles at risk from being able to exit during a critical incident. Additionally, the telescoping function relies on cascading felt liners that have not hold up over repeated use, causing the paint on the doors to scrape off when the doors are raised and lowered. In consultation with the Fire Department, Public Works staff has prepared plans and specifications for new doors for the three forward facing doors that will open side to side rather than telescope. The doors selected will accommodate the existing openings without the need for additional structural modifications, although some equipment relocation will be required inside the apparatus bay (e.g., locker racks, adjustments to the exhaust supports). The particular design of these doors will allow for easy manual opening should future equipment or power failures occur and they do not have the negative issues typically associated with telescoping doors.

Please recall that this work was approved by City Council during the FY 14/15 Strategic Planning budget adoption process as part of a $3.2 million list of high priority infrastructure repairs. Staff recommends that City Council: 1) adopt the attached resolution approving the plans and
specifications for the Fire Station 1 Apparatus Bay Doors Replacement Project (Project No. PW 15-23B), and 2) authorize staff to advertise the project for receipt of construction bids. Staff estimates the following timeline for the project:

June, 2016  Advertise the Project
July, 2016  City Council Awards Project
September, 2016  Start Construction
October, 2016  Complete Project
RESOLUTION NO. __

A RESOLUTION APPROVING THE SPECIFICATIONS AND PLANS FOR THE FIRE STATION 1 APPARATUS BAY DOORS REPLACEMENT PROJECT, PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT.

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

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

A. The City Engineer prepared specifications and plans for the Fire Station 1 Apparatus Bay Doors Replacement Project, Project No. PW 15-23B (the "Project"). The plans and specifications are complete. Bidding for construction of the Project may begin;

B. The City Council wishes to obtain the immunities set forth in Government Code § 830.6 with regard to the plans and construction of the Project.

SECTION 2: Design Immunity; Authorization.

A. The design and plans for the Project are determined to be consistent with the City's standards and are approved.

B. The design approval set forth in this Resolution occurred before actual work on the Project construction commenced.

C. The approval granted by this Resolution conforms with the City's General Plan.

D. The City Engineer, or designee, is authorized to act on the City's behalf in approving any alterations or modifications of the design and plans approved by this Resolution.

E. The approval and authorization granted by this Resolution is intended to avail the City of the immunities set forth in Government Code § 830.6.

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

SECTION 4: The City Clerk is directed to certify the adoption of this Resolution.
SECTION 5: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ___ day of ______________, 20__.

__________________________
Suzanne Fuentes, Mayor

ATTEST:

__________________________
Tracy Weaver, City Clerk

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

By: _______________________
David H. King, Assistant City Attorney
AGENDA DESCRIPTION:
Consideration and possible action to award a standard Public Works Contract to Vasilij, Inc. for construction of Sewer Main Repairs at Indiana St., Pine Ave., Illinois St. and Mariposa Ave. and a Professional Services Agreement to AKM for inspection services. Project No. PW 16-01 (Fiscal Impact: $625,423.00.)

RECOMMENDED COUNCIL ACTION:
1. Authorize the City Manager to execute a standard Public Works Contract, in a form approved by the City Attorney, with Vasilij, Inc. in the amount of $442,923.30 for construction of sewer main improvements.
2. Authorize the City Manager to execute a Professional Services Agreement, in a form as approved by the City Attorney, with AKM Consulting Engineers for inspection services in the amount of $55,070.00.
3. Authorize an additional contingency of $127,249.70 for unforeseen conditions.
4. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Construction Inspection Services Scope of Work

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $2,000,000.00
Additional Appropriation: No
Account Number(s): 502-400-8204-8647 (Sewer Enterprise Fund)

ORIGINATED BY: Floriza Rivera, Principal Engineer
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
In 2010, Advanced Sewer Technologies (AST) conducted a video inspection and conditional assessment on the City’s sanitary sewer collection system’s pipes and manholes. Staff uses the AST report to serve as its guidance document for prioritizing the City’s highest sewer repair and replacement needs. Based on the report’s findings, this year’s priority repairs requiring open trench construction include the following locations:

1. Indiana St., between Holly Avenue and Mariposa Avenue
2. Pine Ave. between Indiana Street and Illinois Street
3. Illinois St., between Holly Avenue and Mariposa Avenue
4. The 600 and 700 blocks of Mariposa Avenue
On March 15, 2016, Council approved plans and specifications for the project and authorized staff to advertise the project for receipt of construction bids. On April 19, 2016, the City Clerk received and opened 8 bids, as follows:

1. Vasilij, Inc. $414,390.00
2. Mike Prlich & Sons $478,730.00
3. MNR Construction $504,600.00
4. Kordich Construction $507,664.00
5. GRFCO, Inc. $525,660.00
6. Ramona, Inc. $531,870.00
7. Palp, Inc. DBA Excel Paving Co. $539,730.00
8. Bali Construction $561,634.00
9. Paulus Engineering $598,699.00

The lowest responsible bidder is Vasilij, Inc. Staff checked the contractor’s references and license status and Vasilij, Inc. has satisfactorily completed similar projects for other public agencies and its license is in good standing. Please note that this work includes Type II slurry seal resurfacing once the project is complete.

Additionally, staff requested proposals for construction inspection services in order to provide detailed oversight as well as information sharing, outreach and construction schedule updates to affected businesses and residents. Staff received two proposals from qualified firms. Staff members reviewed each of the proposals and evaluated them in terms of project scope and understanding, proposed methodology to carry out the scope, and overall cost. AKM Consulting Engineers demonstrated the most comprehensive understanding of the City’s needs and the project scope, and has extensive expertise in providing construction inspection services for sewer system improvement projects.

The anticipated schedule is as follows:

Bid Award – May, 2016
Construction Start Date – July, 2016
Construction End Date – October, 2016

Therefore, staff recommends that City Council:

1. Award a standard Public Works Contract to Vasilij, Inc. in the amount of $442,923.30 for construction of Sewer Main Repairs at Indiana St., Pine Ave., Illinois St. and Mariposa Ave., Project No. PW 16-01.
2. Authorize an additional $113,481.70 for construction-related contingencies.
3. Award a professional services agreement to AKM Consulting Engineers to provide construction inspection services for the Sewer Main Repairs in the amount of $55,070 with an additional $13,768.00 for inspection-related contingencies.
April 14, 2016

City of El Segundo - Public Works Department
350 Main Street
El Segundo, CA 90245

Attention: Ms. Floriza Rivera, P.E. - Public Works Department

Subject: Proposal to Provide Construction Inspection Services for the City of El Segundo - Sewer Main Improvements on Illinois, Indiana, Mariposa, and Pine (PW16-01)

Dear Ms. Rivera:

AKM Consulting Engineers is pleased to submit this proposal to provide construction inspection services for the subject project in response to your request for proposal dated March 31, 2016, and Addendum 1 dated April 7, 2016. Based upon our review of the plans and specifications, our experience with similar work, our previous experience working with the City of El Segundo staff, and our knowledge of sewer design and construction, we have assembled a Project Team with extensive experience and expertise in sewer improvements. Our proposed Project Manager and Construction Inspector are full time AKM employees, who regularly work on projects similar to the Sewer Main Improvements on Illinois, Indiana, Mariposa, and Pine Project. They will provide the City of El Segundo with outstanding support, expertise, and advice over the duration of the proposed work.

The Project Team will be under the overall direction of Mr. Emin Kayiran, CPE, who will serve as the Project Manager. Mr. Emin Kayiran has over a decade of inspection and construction management experience and has served as a Construction Manager for numerous sewer replacement projects including the City of El Segundo’s Sewer Main Repair Project (PW 13-24).

The Construction Inspector will be Mr. Rory Harnischf, PE. Mr. Harnischf has significant experience in engineering design, construction, construction management and observation. He recently served in a similar capacity for the City of El Segundo during the construction of the Sewer Main Repair Project (PW 13-24).

AKM has read and agrees to execute the City-Consultant agreement. We do not propose any changes to the Agreement. AKM is willing to provide necessary proof of insurance stated in the agreement. Finally, AKM is able to obtain the required City of El Segundo business license. Included as an Appendix, is a copy of a Daily Report from a previous job, as requested in the RFP.

We appreciate the opportunity to submit our proposal and look forward to being of service to the City of El Segundo. Should you have any questions regarding the contents of our proposal or require any additional information, please do not hesitate to contact the undersigned.

Very truly yours,

AKM Consulting Engineers

Emin Kayiran
Section 1 - Scope of Services

Project Understanding

The Sewer Main Improvements on Mariposa, Illinois, Pine and Indiana Project will consist of the removal and replacement of 2,132 feet of existing 8-inch VCP, the removal of 250 feet of existing VCP sewer main and replacement with 10-inch VCP sewer main, concrete encasements removals, new concrete encasement of the new sewer main, asphalt concrete trench repairs, and Type II slurry seal.

The project will impact a residential (mostly multi-family) area. However it is noted that the project limits are adjacent to commercial and retail businesses and the proposed alignment on Mariposa is within close proximity to the Center Street Elementary School. Keeping residents, business owners, and the public apprised of the progress of the project will be critical during construction. The Construction Management Team must actively participate and partner with the City to keep the impacted public well informed while simultaneously ensuring that the project is constructed in strict accordance with the Contract Documents.

Approach

For the Project to be successful, detailed and timely attention must be given to the key issues unique to the project. Not addressing the key issues promptly could potentially derail an otherwise successful project. Our approach for successfully completing the Project involves promptly addressing the key project issues. Based on our understanding of the project requirements, our previous experience with similar projects for the City of El Segundo and review of all available project information, the proposed AKM Construction Management Team has identified the following key issues:

- Construction inconvenience to the public
- Construction completion time

Construction Inconvenience to the Businesses and Residents

The Project will present traffic control challenges. The site of the proposed work is located within improved streets which travel through a residential and commercial/retail area. Occupants of residential, buildings that front Illinois, Indiana and Mariposa Avenue will likely experience a reduced rate of both vehicular and pedestrian ingress and egress as a result of the traffic control and the construction work. The greater the inconvenience to the public, the more the public will become discontent with the project. It will therefore be a critical daily activity of the Construction Inspector to verify that the traffic control is implemented and mobilized in strict accordance with the approved traffic control plans and ensure that the access to the residential entrances are not impeded any longer than necessary. Any issues will be resolved immediately and if necessary with the City Public Works personnel so that work may proceed with minimal disruption. In addition, although the Contractor is required to mitigate construction nuisances, it will be the Construction Inspection Team's responsibility to enforce such mitigation measures. The potential exists for dust and fine debris to create unfavorable conditions for the nearby public. Minimizing the burden to the public during construction will be instrumental in achieving a successful project.

Construction Completion Time

In construction, time is always of the essence. Due to the potential impacts to the public and close proximity to residences and commercial and retail businesses, there is an even greater need for completing the work within the allotted contract duration. Additionally, the longer the project extends, the greater the burden is to the public, increasing complaints, and overall dissatisfaction. Projects
which overrun the schedule also tend to result in a higher overall cost when finally completed and could lead to Contractor delay claims.

What are evident in the paragraphs above are the interrelationships of the key project issues. A direct effect of one of the issues results in an unintended consequence to the others. As the City’s Construction Management Consultant, AKM will effectively, promptly, and proactively monitor and manage these issues for the entire duration of our services on the project. Our methodology for handling the above identified issues is described in the paragraphs below.

A Commitment to Documentation

AKM takes great pride in our project document control, believing that effectively managing project documents reduces our client’s risk, can help avoid and resolve project disputes, improves project lifecycles, and promotes contractor accountability. We will keep project documentation in strict accordance with the project requirements. Such diligence is a representation to involved parties, and utilities, that prudent project management and administration is being implemented. Project documents will be ready for review and/or audit anytime one is mandated or requested. Our commitment to documentation will also allow the Construction Inspector to verify that all required submittals, schedule updates, and red line drawings are being submitted in a timely manner by the Contractor so that construction progresses as planned.

Be Responsive

Capital improvement construction projects are a dynamic and ever evolving endeavor. Circumstances can change without warning and as previously mentioned, time is always of the essence. It is therefore a hallmark of AKM to be extremely responsive to the Contractor, City, permitting agencies, utilities, as well as any other project stakeholders. We are committed to the project day and night; the project does not end for us at 5:00 PM. AKM will diligently and expeditiously respond to project participants, transmit necessary information, and coordinate between various project participants when necessary. Our commitment to be as responsive as possible will aid in avoiding delays, as well as maintaining good project relationships with all involved parties.

Communicate Early and Often

AKM understands that it is part of a team that includes the Contractor, the City, permitting agencies, utility owners, as well as nearby businesses and residents sharing in the common goal of project completion on time and within budget. Communications will begin from the commencement of the project, during preconstruction activities, and continue through completion. Coordination and cooperation amongst project participants is best achieved when relationships founded on open communication are established. Such communications will allow AKM to most effectively deal with problems identified with the schedule, delays, utility conflicts, addressing public concerns related to construction and working with the utility agencies.

Diligently Pursue Project Completion

A lagging or drawn out project completion period can create a perception that an otherwise successful project is not successful. Project closeout within the schedule is of the utmost importance to AKM. We will diligently pursue all completion activities including collection of all final compliance paperwork from the Contractor, final payment quantities, completion of as-built record drawings, final guarantees, warranties, monument reestablishment records and final lien releases. Our diligence will help ensure that the project comes to an expeditious closure, that permit requirements are met and closed out within the time limits specified, that the project presents no further burden to the public and adjacent
businesses and residences, and that the proposed facilities turned over to the City for beneficial use are of the highest quality, and are properly tested to function as intended by the design.

**Scope of Work**

Our proposed scope of services and fee estimate are as follows:

**Task 1 - Preconstruction Activities**

A. Prior to beginning the project, the Construction Inspector will be completely familiar with the project plans, specifications, applicable City standards and the standards of other agencies having jurisdiction over the project as well as all other construction related documents. He will also become familiar with traffic control plans, the baseline construction schedule, construction sequence, and permit requirements. Any questions regarding interpretation, meaning or intent arising from the review shall be clarified with the City and/or the design engineer prior to commencement of the project.

B. AKM will schedule a pre-construction conference. The meeting will be attended by representatives of the City of El Segundo, AKM, the Contractor, and all other project stakeholders such as local authorities including police and fire departments, other affected utility/facility owner’s personnel, affected community members such as residents and the nearby business owners and any other regulatory agency having jurisdiction over the project. The meeting will review the project objectives, introduce key personnel for the City, AKM, Contractor and define their roles on the project, discuss the Contractor’s initial CPM Construction Schedule; review labor compliance requirements, progress payment procedures, and project record keeping; establish project lines of communication, appropriate project site conduct, and other project procedures; and discuss public relations concerns and procedures including required Public Notices. Potential utility and traffic safety problems shall be discussed. A written record of attendance and detailed meeting minutes of items discussed will be prepared and distributed to all attendees by AKM. AKM will distribute a draft copy of the pre-construction meeting minutes to the City for initial review and comment prior to distributing the draft minutes to the other attendees for comment. After incorporating all comments, AKM will distribute a final copy of the pre-construction meeting minutes.

C. AKM will develop a Construction Management Plan (CMP) which will identify specific construction administration procedures in consultation with the City, and memorialize these procedures. The purpose of the plan will be to identify project participant roles, establish procedures and lines of communication, and serve as a tool to measure the final success of the project at large. Creating a written commitment of how the project will be managed and coordinated among the various project participants will support the efficient management of the overall project. The plan will include the following elements:

- The CMP will establish the project structure identifying and defining the roles of key project team members for the City, AKM, and the Contractor. Contact information for all key team members will be provided. The CMP will also establish a project hierarchy of authority and procedures for communication between the project participants.

- The CMP will describe the document control procedures for and provide all forms that are to be used on the project, including RFI and submittal tracking logs, meeting minutes, daily inspection and special inspection forms tailored to the specific needs of each particular project. This will include required forms provided by other agencies if and when applicable.
The CMP will define project meeting procedures, agenda formats, documentation requirements for meetings, the type of meetings to be held, frequency of meetings, procedures for distributing meeting minutes and locations of meetings.

The CMP will define inspection procedures based on the specific nature of each construction project. Rejection and non-compliance procedures will also be defined. AKM will define performance tracking procedures to regularly track Contractor performance and report it to the City and the Contractor in order to ascertain the ongoing health of the project.

The CMP will define project closeout procedures.

D. The Construction Inspector will thoroughly review the traffic control plans prior to beginning the project. The traffic control plans will be the basis for verifying compliance when reviewing the Contractor’s traffic control measures and maintenance throughout the duration of the project. Any potential concerns with the traffic control plans will be brought to the attention of the City. At a minimum, the Construction Inspector will review the traffic control daily after it is mobilized to verify if is being maintained intact and as designed, and that traffic control devices have not been tampered with or disturbed from their intended positions.

**Task 2 - Construction Phase**

A. During the prosecution of the project, AKM will review the Contractor’s construction schedules beginning with the schedule submitted prior to mobilization, the “baseline” construction schedule. AKM will review the schedule for overall feasibility and feasibility of the duration of specific activities. AKM will verify that the schedules contain sufficient detail, contain a sufficient number of activities, and contain activities for major areas of the work to accurately control the schedule and identify problems or conflicts. AKM will review updated Contractor schedules any time the schedule is affected and at a minimum, each month basis. AKM will also verify that the schedule accurately reflects the actual time of completion for completed work and work in progress. The Contractor’s submittal and major equipment/material delivery schedules will be reviewed to verify that the schedule is reasonable and consistent with the overall construction schedule. AKM will notify the Contractor of errors and inaccuracies in the schedules for revisions. AKM will also identify upcoming construction issues through the review of the schedule and bring such issues to the attention of the City immediately. Project elements which may impact the local community will also be preemptively identified and addressed through a cooperative effort with the City and the Contractor if necessary.

B. In an effort to define and review existing construction issues, as well as coordinate project elements, AKM will schedule weekly construction progress meetings. Attendees will typically include key representatives from the City of El Segundo, AKM, the Contractor and other agencies having jurisdiction over the project. The Construction Inspector shall attend regularly scheduled construction progress meetings. We anticipate that the Project Manager will attend the meetings bi-weekly. The following are typical items that are addressed during meetings: Work completed during the previous 2 weeks, overall schedule review, submittal status, schedule of work for the next two weeks, future items requiring coordination, RFI status, as-built drawing maintenance, progress payments, contract change orders, materials and equipment delivered, site maintenance and safety, neighboring property owner comments and concerns, and Contractor performance relative to project schedule, cost, and frequency of non-compliance notices and/or corrective work. AKM may schedule special meetings with the Contractor in addition to the progress meetings in order to address issues resulting from Contractor’s deficiencies.
C. All requests for information or clarification of interpretations, meaning and intent of the project Contract Documents will be forwarded to City. When verbal requests are communicated to AKM in the field, AKM will notify the City representative of the request, and note the request in the daily report for record. If work cannot continue in a particular location until the RFI is resolved, AKM will coordinate with the Contractor and City representative to reschedule other construction activities to occur during the waiting period if possible. AKM will review all RFI’s and provide comments and recommendations for response and action to the City.

D. AKM will maintain a project submittal register to track each submittal and identify the date the submittal was received by AKM, the date it was transmitted to the City and the design engineer (if applicable) for review, the date the submittal comments are due back to the Contractor, the date the submittal was returned to the Contractor and the noted status of the submittal (for example: no exceptions taken, revise and resubmit, make corrections noted or submit specified items). The submittal register will also track each re-submittal as noted above when re-submittal for an item is required. AKM review all submittals and provide comments and recommendations to the City. AKM will distribute final comments back to the Contractor as well as the final submittals.

E. The Construction Inspector will review the completed work quantities on a monthly basis with the Contractor’s Field Superintendent and/or Project Manager at the project site. AKM will review the Contractor’s updated as-built drawings at this time. The Contractor will then submit a progress payment request on a form acceptable to the City to AKM for approval, including any and all required paperwork. AKM will review the payment request for accuracy and completeness and review any other required paperwork such as certified payroll reports, statements of compliance and updated progress schedules. If AKM discovers errors, the Contractor will be notified for corrections. Once the payment request and all required paperwork are correct, AKM will forward them to the City with a statement of AKM’s recommendation for payment.

F. Inspection of the work will be provided to ascertain that the work is done in accordance with the requirements of the Contract Documents, and permits.

A dated photographic log will be kept by the Construction Inspector during the prosecution of the project. Time stamped and dated photographs will be included in the daily report with descriptive captions of each photograph. All project photographs will be stored electronically on a DVD, saved with descriptive file names and date taken for easy identification. They will be submitted to the City weekly, or any other duration desired by the City.

H. AKM will verify that the Contractor has notified all affected utilities for the project. This will entail verifying that the Contractor has contacted Dig Alert and that all utilities have clearly marked the location of their facilities. AKM will not permit the Contractor to begin construction activities prior to all affected utilities being notified.

I. When the Construction Inspector determines the Contractor’s work in progress or completed work to be deficient and not in conformance with the contract requirements, or that the Contractor has refused to comply with the Contract, a non-compliance notice will be issued. The Contractor’s Field Superintendent will immediately be verbally notified of the non-compliance and the requirement for corrective action to be taken. AKM will follow up with a written notice, on a form acceptable to the City, sent to the Contractor’s address on record. The form will reference the date and time the non-compliance was determined, the name of the Field Superintendent who was notified, sections of the project specifications and/or pages of the plans that substantiate the non-compliance, a thorough description of the non-compliance, how the
work was determined to be non-compliant (inspection, testing, or other means), the estimated value of the non-complying work and if the work is defective and is to be repaired/corrected or if the work is rejected and must be removed and replaced with work complying with the plans, specifications and all applicable regulations. The form will be signed and dated by the Construction Inspector and sent to the Contractor via regular mail. An electronic PDF copy will also be immediately transmitted to the Contractor via email. The form will contain a signature block for the Contractor to sign, date and send back to AKM to acknowledge receipt.

J. AKM will coordinate with the City’s geotechnical consultant for geotechnical and field materials sampling and testing, including aggregate base, soil, fill material, asphalt concrete sampling and testing; soil, aggregate base, and asphalt compaction testing through a qualified subconsultant. The Construction Inspector will coordinate with the consultant to schedule materials testing and sampling as necessary during construction.

K. Daily reports will be created by the Construction Inspector for each day on the project. The daily report will contain a written summary of work completed and all construction activities occurring at the site. The summary will contain specific times and durations that work or events occurred. The daily report will also document weather conditions; drawing, specification and stationing references for work completed; traffic control measures taken by the Contractor; quantity of materials used; quantity of materials not used yet stored on site; equipment on site and whether the equipment was used; time that equipment was used on the project; and the names, labor classifications, and hours worked for all Contractor Employees including subcontractors. Detailed descriptions will be provided to document any conversations with the Contractor’s Field Superintendent or other Contractor Personnel, information given to the Contractor, non-compliance notices issued, any construction issues identified by the Contractor, and any visitors to the project site and their purpose for being there.

The Construction Inspector will make notations in the daily report regarding the safety measures employed by the Contractor; any safety concerns, violations, or deficiencies noticed; and action taken by the Contractor to correct them.

The daily report will also contain notations regarding potential conflicts that may result in a request by the Contractor for a contract change order. If no issue or conflict is discovered for a particular day, the Inspector will note that in the report.

Time noted and dated photographs of construction activities will be included in the daily report. Sketches, drawings, or details will be prepared by the Construction Inspector as necessary to explain and document daily construction activities, and will be included in the daily report.

Daily reports will be completed the same day the inspections were conducted to ensure the accuracy and completeness of the report. Signed copies of the report will be transmitted to the City weekly on a thumb drive or at any other frequency desired by the City.

The Construction Inspector will make daily observations at the project site to verify compliance with the City’s NPDES permits and requirements, SWPPP plans and all other local, state, and federal laws and regulations. When non-compliance is determined, the Contractor will be issued a non-compliance notice.

M. The Construction Inspector will continually monitor that the Contractor is keeping accurate record as-built drawings reflecting the actual locations, materials, quantities and dimensions of the work constructed including differences resulting from shop drawing revisions, and change order modifications. The Construction Inspector will also maintain a record set of as-built
drawings and immediately update the drawings as soon as any variances are known. At the conclusion of each project working month, or at another frequency desired by the City, the Construction Inspector will review the Contractor's as-built drawings to verify that all variations from the original contract drawings have been accurately recorded. Following completion of the project, the final as-built drawings will be reviewed and when determined to be complete, will be transmitted to the City for review and/or approval. AKM will provide final as-built drawings to the design engineer for production of mylars and final electronic documents.

N. During the course of the project AKM will interpret and enforce the requirements of the Contract Documents. The Construction Inspector will preemptively monitor for potential conflicts that may result in a contract change order. Daily notations of any conflicts observed or potential contract change orders will be made in the daily reports noting the time of a dispute, time of notification by the Contractor and of any action taken by the Inspector. Detailed accounts of any disputes with the Contractor relating to the project scope of work will also be documented in the daily report. AKM will immediately notify the City in writing when a conflict, dispute, design problem and/or potential contract change order arises. Contract change order proposals and/or claims will be received by the Construction Inspector and reviewed for merit and reasonableness of cost. The change order or claim will be forwarded to the City for review and comment. AKM will also prepare a written justification for the contract change order or recommendations for claim resolution including a schedule impact analysis, cost estimate, a detailed description of the extra work, background information surrounding the issue, resolution alternatives and recommendations for action by the City. AKM will maintain cost accounting records on authorized work performed under unit costs, actual cost for labor and materials, and other required basis for accounting records. AKM will not authorize any extra work or change order without conference with and prior written approval by the City.

Task 3 – Post Construction Phase

A. Once AKM determines the project has reached completion and are notified the same by the Contractor, the City will be notified and a final inspection/walk through will be recommended. It is anticipated that the final inspection/walk through will include City Engineering staff, City maintenance staff, the AKM Inspector and the design engineer.

B. Based on the findings and results of the final inspection/walk through, AKM will develop a punch list of work to be completed and/or corrected. When the punch list is submitted to the Contractor, AKM will obtain the Contractor's schedule for completing the punch list. AKM will conduct inspections based on the Contractor’s punch list completion schedule and verify that all items are complete.

C. During project closeout, AKM will obtain from the Contractor any and all required guarantees, certifications, affidavits, warranties, and other documents required by the project's Contract Documents. AKM will review the documents to verify that they are complete and accurate. AKM will notify the Contractor of incomplete or inaccurate documents and obtain revisions. Once complete, AKM will transmit all of the documentation described above to the City.

When AKM has ascertained that all work under contract has been completed and that the Contractor has fulfilled each and every aspect of the contract, AKM will review and recommend payment to the City of the Contractor’s final payment and release of retention funds.

Following the processing of the Contractor’s final payment, AKM will transmit all original project documents and electronic copies to the City.
Section 2 - Project Team

Project Team

AKM Consulting Engineers provides an in-house multi-disciplinary staff of professionals who are recognized specialists in their areas of expertise. The staff members have superb technical training and academic backgrounds. Furthermore, they regularly attend technical seminars to keep abreast of the professional developments in their fields.

AKM's proposed Project Team members have a long and distinguished track record in the performance of quality engineering services, especially with respect to construction inspection/management of sewer improvements. The Project Team is well qualified to undertake the work and provide superior technical services.

PROJECT MANAGER

Mr. Emin Kayiran, an AKM Senior Construction Manager who has over a decade of responsible experience in public works infrastructure construction management, will serve as the Project Manager. His experience covers client and project management, construction management, and field engineering services for wastewater, water, recycled, water, and stormwater improvements. He has participated in quality control, constructability review and value engineering teams for multi-disciplinary engineering projects. He recently served as a Construction Manager for the City of El Segundo's Sewer Main Repair Project (PW 13-24).

CONSTRUCTION MANAGER/FIELD ENGINEER

The key to successful completion of the work for the City of Cypress will be the Construction Manager/Field Engineer. He will be responsible for day-to-day communications with the Contractor, and in many ways, his effectiveness will dictate how efficiently the project is completed. The position requires a person who is knowledgeable of the project's plans and specifications; possesses excellent communications skills, is confident, and capable of exercising basic fairness when confronted with conflicts or differences of opinions, while still protecting the City's interests and those of the project. Mr. Rory Harnisch, PE has seven years of experience in public works infrastructure engineering and construction projects. He began his career working for a successful and established construction company prior to joining AKM. Mr. Harnisch has served as both a Project Engineer and Resident Engineer during the construction of large-scale capital improvement projects. Mr. Harnisch has gained an invaluable depth of experience working for both a Construction Contractor and now an Engineering Firm as a Resident Engineer representing public project owner interests. We also note that he recently served in a similar capacity for the City of El Segundo during the construction of the Sewer Main Repair Project (PW 13-24).
<table>
<thead>
<tr>
<th>Name</th>
<th>Area of Expertise</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EMIN KAYIRAN, CPII</strong></td>
<td>Mr. Emin Kayiran, CPII, who has been a Construction Manager and an Inspector with AKM for over a decade, has a broad background in construction management, inspection, and scheduling. Mr. Kayiran’s experience includes management and inspection of pipelines; street improvements including traffic striping; rehabilitation and slurry seal; pump and lift stations; treatment facilities; wells; reservoirs; concrete structures; protective coatings and linings; electrical, control and SCADA systems; management of hazardous materials removal; shoring systems; dewatering; and ground settlement monitoring. Additionally, Mr. Kayiran has provided shop drawing review, claims management, cost control, change order preparation, change order negotiation, startup testing and inspections, warrantee inspections, warrantee work coordination with contractors, utility coordination and constructability review services to municipal agencies.</td>
</tr>
<tr>
<td><strong>RORY HARNISCH, PE</strong></td>
<td>Mr. Harnisch has seven years of experience in public works infrastructure engineering and construction projects. He began his career working for a successful and established construction company prior to joining AKM. Mr. Harnisch has served as both a Project Engineer and Resident Engineer during the construction of large-scale capital improvement projects. Mr. Harnisch has gained an invaluable depth of experience working for both a Construction Contractor and now an Engineering Firm as a Resident Engineer representing public project owner interests.</td>
</tr>
</tbody>
</table>
Section 4 - Fee Proposal

Fee Proposal

Our cost estimate, submitted in separate sealed envelope as requested in the RFP, reflects the anticipated effort to complete the work based upon our understanding of the project and review of the project’s proposed scope of work for construction. The proposed services described in this proposal will be completed on a time and materials basis, not to exceed the total amount listed in the budget table. The estimated labor hours contained in the budget table were derived from the number of working days provided for construction by the project Contract Documents, as well as necessary preconstruction and post construction activities based on the overall scope of construction for this project. The fully loaded hourly rates are pursuant to the current AKM Rate Schedule which is also included in this Section.

Hourly Rates (Including Weekend Rates)

AKM CONSULTING ENGINEERS
HOURLY FEE SCHEDULE
April 2016

<table>
<thead>
<tr>
<th>Labor Classification</th>
<th>Hourly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Principal</td>
<td>$205.00</td>
</tr>
<tr>
<td>2. Principal Engineer</td>
<td>$195.00</td>
</tr>
<tr>
<td>3. Project Manager</td>
<td>$195.00</td>
</tr>
<tr>
<td>4. Project Engineer</td>
<td>$185.00</td>
</tr>
<tr>
<td>5. Resident Engineer</td>
<td>$175.00</td>
</tr>
<tr>
<td>6. Senior Engineer</td>
<td>$175.00</td>
</tr>
<tr>
<td>7. Associate Engineer</td>
<td>$135.00</td>
</tr>
<tr>
<td>8. Financial Analyst</td>
<td>$100.00</td>
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<td>9. Construction Manager</td>
<td>$130.00</td>
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<tr>
<td>10. Staff Engineer</td>
<td>$120.00</td>
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<tr>
<td>11. Resident Engineer/Inspector</td>
<td>$100.00</td>
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<tr>
<td>12. Assistant Engineer</td>
<td>$87.00</td>
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<tr>
<td>13. Senior Designer/Senior CADD Technician</td>
<td>$90.00</td>
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<td>14. Designer/CADD Technician</td>
<td>$85.00</td>
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<tr>
<td>15. Engineering Technician</td>
<td>$80.00</td>
</tr>
<tr>
<td>16. Engineering Aide</td>
<td>$55.00</td>
</tr>
<tr>
<td>17. Data or Word Processing</td>
<td>$66.00</td>
</tr>
<tr>
<td>18. Office Support</td>
<td>$55.00</td>
</tr>
</tbody>
</table>

Out of pocket expenses (blueprinting, reproduction and printing, delivery, etc.) will be invoiced at cost plus 10%. Subcontracted services will be marked up 10% in order to cover costs associated with administration, coordination and management of subcontractors. Mileage will be invoiced at $0.65/mile. This schedule of rates is in effect until December 31, 2016, at which time it may be adjusted.
EL SEGUNDO CITY COUNCIL  
MEETING DATE: May 17, 2016  
AGENDA STATEMENT  
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:
Consideration and possible action to accept as complete the Hilltop Park Playground Improvement and authorize the City Clerk to file a Notice of Completion with the Los Angeles County Recorder’s Office, (Project No. PW 16-05). (Fiscal Impact: $267,483.33)

RECOMMENDED COUNCIL ACTION:
1. Accept the work for the Hilltop Park Playground Project No. PW 16-05 as complete.
2. Authorize the City Clerk to file Notice of Completion in the County Recorder’s office.
3. Alternatively, discuss and take other possible actions related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Notice of Completion

FISCAL IMPACT: Included in Adopted Budget
Amount Budgeted: $287,687.80 ($243,000.00 City/$44,687.80 Grant)
Additional Appropriation: N/A
Account Number(s): 001-274-0000-1274 (Developer Impact Fee Fund)

ORIGINATED BY: John Gilmour, Senior Engineering Associate
REVIEWED BY: Stephanie Katsouleas, Public Works Director
Meredith Petit, Recreation and Parks Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
On November 17, 2015, City Council adopted the plans and specifications for Hilltop Park Playground Improvement (Project No. PW 16-05) and authorized staff to advertise the project for receipt of construction bids. On December 15, 2015, the City Council awarded a standard public works contract to the lowest responsible bidder, R.E. Schultz, for $161,725.00 and approved an additional $21,275.00 for construction-related contingencies.

Construction began on January 22, 2016 and was successfully completed by R.E. Schultz on March 28, 2016. A final inspection for R.E. Schultz’s work was performed and it was determined that the project was completed per the plans and specifications and to the satisfaction of the Public Works Department. Therefore, staff recommends that City Council accept the work performed by R.E. Schultz as complete and authorize the City Clerk to file a Notice of Completion with the County Recorder’s office.
Accounting Summary:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>$161,725.00</td>
<td>R.E. Schultz Contract Amount</td>
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<tr>
<td>+$0.00</td>
<td>Change Order and Construction Contingency Utilized</td>
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<td>+$59,393.73</td>
<td>Playground Equipment Purchase (City portion)</td>
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<tr>
<td>+$44,687.80</td>
<td>Playground Equipment Purchase (Grant portion)</td>
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<td>+$768.00</td>
<td>Advertising for Bids in Newspaper</td>
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<tr>
<td>+$908.60</td>
<td>AKM Inspection Fees</td>
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<tr>
<td><strong>$267,483.13</strong></td>
<td>Total Fiscal Impact</td>
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<table>
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<tr>
<th>Amount</th>
<th>Description</th>
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<tbody>
<tr>
<td>$287,687.80</td>
<td>Amount Budgeted for the project</td>
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<tr>
<td>-$267,483.13</td>
<td>Total Fiscal Impact</td>
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<tr>
<td><strong>$20,204.67</strong></td>
<td>Unspent Budgeted Amount Returned to the Development Impact Fee Fund</td>
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NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Hilltop Park Playground Improvement

Project No.: PW 16-05               Contract No. 4956

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of the interest stated below in the property hereinafter described.

2. The full name of the owner is: City of El Segundo

3. The full address of the owner is: City Hall, 350 Main Street, El Segundo, CA, 90245

4. The nature of the interest of the owner is: Public Facilities

5. A work of improvement on the property hereinafter described was field reviewed by the City Engineer on March 28, 2016. The work done was: Playground Improvement.

6. On May 17, 2016, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.

7. The name of the Contractor for such work of improvement was: R.E. Schultz

8. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: The playground area of Hilltop Park.

9. The street address of said property is: 301 Maryland St., El Segundo, CA 90245

Dated: ________________________________  
Stephanie Katsouleas  
Public Works Director

VERIFICATION

I, the undersigned, say: I am the Director of Public Works/City Engineer of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on _________________, 2016 at El Segundo, California. 90245

______________________________  
Stephanie Katsouleas  
Public Works Director
AGENDA DESCRIPTION:
Consideration and possible action regarding a request for a new tasting room offering related onsite sale and consumption of alcohol and offsite sale of alcohol (Type 74, 23 and 6 ABC Licenses) as an accessory use to a brewery and distillery (Rubens Distilling and Brewing) located at 909 E. El Segundo Boulevard. Applicant: Robert Rubens, on behalf of Hemilane Inc. (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:
1. Receive and file this report regarding the issuance of an alcohol license for the tasting room and related onsite and offsite sale of alcohol as an accessory use to a brewery and distillery at 909 E. El Segundo Boulevard; and/or
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Crime and Arrest Statistics
2. Police Reporting Districts Map

FISCAL IMPACT: None

<table>
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<tr>
<th>Amount Budgeted:</th>
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<tr>
<td>Additional Appropriation:</td>
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<tr>
<td>Account Number(s):</td>
<td>N/A</td>
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</table>

ORIGINATED BY: Paul Samaras, Acting 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 any requests for Department of ABC licenses to it for review. Based upon previous Council direction, staff is providing background information regarding this application.

In October 2015, the applicant applied for Environmental Assessment No. EA-1131, Administrative Determination No. AD 15-02, Administrative Use Permit No. AUP 15-01 and Parking Demand Study No. PDS 15-03, for a proposed tasting room as an accessory use to Rubens Distilling and Brewing, located at 909 E. El Segundo Boulevard. The application sought: a) a determination that a tasting room associated with a brewery or distillery in the Medium Manufacturing (MM) Zone is considered a permitted accessory use, subject to an administrative
use permit (AUP); b) an AUP for the operation of a tasting room at a brewery and distillery with related sales of alcohol for on-site and off-site consumption; and, c) a parking requirement for the proposed use at the project site. After receiving the application, Planning staff informed all City Departments of the pending AUP application and requested feedback, including any conditions, requirements, or concerns with the pending application.

On April 28, 2016, the Planning Commission, on a 4-0 vote (Chairman Baldino absent), adopted Resolution No. 2793, approving the application. The approval included operational conditions for the tasting room, and the AUP will be subject to further Planning Commission review in 6 months.

In addition to seeking an AUP from the City, the applicant also applied for Type 74 (Craft Distiller), Type 23 (Small Beer Manufacturer) and Type 6 (Still) licenses with the Department of Alcoholic Beverage Control (ABC). Under California law, once the Department of ABC receives an application for a license, the Department must notify the applicable local city council, law enforcement agency and planning department of the pending application with ABC (Bus. & Prof. Code § 23987). The local agency then has 30 days to review and, if applicable, protest the issuance of the license. On January 26, 2016, ABC notified the City of the application. Although the time period for the City to protest the issuance of the ABC license has lapsed, the City may enforce the AUP and its conditions and, as noted above, the AUP is subject to further Planning Commission review in 6 months.

II. Analysis

The City allows the distillery/brewery operation and production in Medium Manufacturing (MM) zones. Since the subject property is located within the MM zone, distillery operation/production is allowed by right, and no CUP or AUP is required. As a result, the Type 74 (Craft Distiller), Type 23 (Small Beer Manufacturer) and Type 6 (Still) licenses were processed by the Department of ABC and approved on March 10, 2016. However, since implementing the operation of a tasting room and the sales for offsite consumption required an AUP, the allowance for a tasting room and offsite sales were held in abeyance by the Department of ABC until the AUP was approved by the City’s Planning Commission.

On April 28, 2016, the Planning Commission approved the necessary entitlement applications to allow a tasting room as an accessory use in conjunction with Rubens Distilling and Brewing. The tasting room will measure 289 square feet in area, which includes seating areas, retail racks and merchandise display areas, and cashier/to-go areas for off-site sale; will provide seating for up to 15 patrons; and will be limited to only being used for sampling the alcoholic beverages that are produced and manufactured onsite in accordance with Department of ABC regulations, including limits on the quantity of alcohol served. The sale of beer and alcohol for offsite consumption is also allowed, but it is also limited to alcoholic beverages that are produced and manufactured onsite. The hours of operation for the tasting room and related offsite sales will be as follows:

  Monday: 4:30 p.m. to 9:00 p.m.
  Tuesday: 4:30 p.m. to 9:00 p.m.
  Wednesday: 4:30 p.m. to 9:00 p.m.
  Thursday: 4:30 p.m. to 10:00 p.m.
  Friday: 4:30 p.m. to 11:00 p.m.
  Saturday: Noon to 11:00 p.m.
  Sunday: Noon to 9:00 p.m.
According to the most recent Crime and Arrest statistics report prepared by the Police Department, the proposed restaurant is located in Reporting District (RD) 211. Based on the January 1, 2015 – March 31, 2016 reported data prepared by the Police Department, the area had a total of 41 Part I and Part II crimes in the 15-month period. In the first quarter of 2016, there have been a total of 7 Part I and Part II crimes in the area. “Part I crimes” include criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson; while “Part II crimes” include simple assault, curfew offenses and loitering, embezzlement, forgery and counterfeiting, disorderly conduct, driving under the influence, drug offenses, fraud, gambling, liquor offenses, offenses against the family, prostitution, public drunkenness, runaways, etc. The Police Department and the Planning and Building Safety Department do not object to the allowance for a tasting room and offsite sales associated with the Type 74 (Craft Distiller), Type 23 (Small Beer Manufacturer) and Type 6 (Still) ABC Licenses.

The project site is located in the Medium Manufacturing (MM) zone across from the Chevron refinery. The manufacturing of beer and alcohol by brewing and distilling is a permitted use, and a tasting room augments the operation by allowing patrons and potential vendors and distributors to taste samples of the beer and alcohol that is manufactured onsite. Further, an accessory tasting room is similar to other uses in the MM Zone that are subject to an AUP, such as onsite sale and consumption of alcohol at restaurants. Further, to minimize potential impacts related to parking, noise, and operations, appropriate conditions have been incorporated.

ABC’s license review is a distinct and separate process from the City’s, and requires mandatory findings that are regulated by ABC. ABC is responsible for running a complete background check on all alcohol license applicants, as well as conducting site inspections, before issuing any type of alcohol license. Notwithstanding ABC procedures, the AUP approved by the Planning Commission includes operational conditions, including conditions that the tasting room and offsite sale of alcoholic beverages comply with ABC regulations. City staff will monitor the operation of the tasting room and identify any potential problems or violations, and report back to the Planning Commission at a 6-month review. Depending on the nature of any problems or violations (if any) the Planning Commission could request additional reviews; modify conditions, add or delete conditions as the Commission deems necessary. The Director of Planning and Building Safety is authorized to enforce conditions listed in the AUP (ESMC §§ 15-22-4, 15-1-4).

III. Environmental Review

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The proposed project includes a determination, and approval and issuance of an AUP to allow a tasting room that is ancillary to the permitted alcohol manufacturing use and for the off-site sale of alcohol; and a Parking Demand Study to establish a parking requirement for the proposed use at the project site. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, the uses would occur within an existing approved building and exterior work will be limited to any signs proposed for the brewery/distillery operation. The project involves a negligible expansion of use because the tasting room is ancillary to the permitted alcohol manufacturing use. Further, the site has no value as habitat for endangered, rare, or threatened species. Lastly, existing utilities and public services to serve the project are adequate.
IV. Conclusion

Planning staff recommends that the Council receive and file this report relating to the issuance of new ABC Licenses for the associated tasting room at the distillery and brewery at 909 E. El Segundo Boulevard.

\chclusterFS\ch.elsegundo.org\dept\Planning & Building Safety\0 Planning - Old\PROJECTS (Planning)\1126-1150\EA-1131\City Council\2016-05-17\EA-1131_CC Staff Report_2016-05-17_v1.doc
EL SEGUNDO POLICE DEPARTMENT
CRIME STATISTICAL REPORT BY SELECTED LOCATION

CATEGORY: UCR PART I & II CRIMES (INCLUDED ALCOHOL RELATED OFFENSES)
REPORTED PERIOD: 01/01/2015 -- 03/31/2016
LOCATION: 909 E EL SEGUNDO BLVD (SELECTED AREA)

SOURCE DATA: RMS

NOTE: NO CRIME REPORTED AT SELECTED ADDRESS 909 E EL SEGUNDO BLVD.

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EL SEGUNDO PLANNING COMMISSION
AGENDA STATEMENT

MEETING DATE: April 28, 2016
AGENDA HEADING: Public Hearing

AGENDA DESCRIPTION:
Consideration and possible action regarding approval of Environmental Assessment No. EA-1131, Administrative Determination No. AD 15-02, Administrative Use Permit No. AUP 15-01 and Parking Demand Study No. PDS 15-03 for: a) a determination that a tasting room associated with a brewery or distillery in the Medium Manufacturing (MM) Zone is considered a permitted accessory use, subject to an administrative use permit (“AUP”); b) the operation of a tasting room at a brewery and distillery with related sales of alcohol for on-site and off-site consumption; and, c) a parking requirement for the proposed use at the project site (the “Project”). The Project site is located at 909 E. El Segundo Boulevard, in the MM Zone (the “Site”).
(Applicant: Robert Rubens, on behalf of Hemilane Inc.)

RECOMMENDED PLANNING COMMISSION ACTION: It is recommended that the Planning Commission, a) open the public hearing and take public testimony on the project; b) close the public hearing and consider the evidence; and, c) adopt Resolution No. 2793 approving Environmental Assessment No. EA-1131, Administrative Determination No. AD 15-02, Administrative Use Permit No. AUP 15-01 and Parking Demand Study No. PDS 15-03.

ATTACHED SUPPORTING DOCUMENTS:
1. Administrative Determination No. AD 15-02
2. Draft Planning Commission Resolution No. 2793
   A. Conditions of Approval
4. Plans

ORIGINATED BY: Eduardo Schonborn, AICP, Contract Senior Planner
REVIEWED BY: Paul Samaras, Acting Planning Manager
APPROVED BY: Sam Lee, Director of Planning and Building Safety

I. INTRODUCTION

The proposed project is a request for (1) a determination that a tasting room associated with a brewery or distillery in the Medium Manufacturing (MM) zone is a permitted accessory use subject to an Administrative Use Permit (AUP), (2) approval of an AUP to allow the operation of a tasting room with related sales of alcohol for on-site and off-site consumption, and (3) a parking requirement for the proposed use at the project site. The subject site is located at 909 E. El Segundo Boulevard, in the MM zone (the “Property”).
II. BACKGROUND AND DISCUSSION

Background

In 2015, the applicant obtained the necessary permits to remodel an existing tenant space at 909 East El Segundo Boulevard for operation of a brewery and distillery, which is a permitted manufacturing use in the MM Zone. The remodel of the tenant space is nearing completion, and the brewery and distillery will soon be in operation as Rubens Distilling and Brewing. In association with the brewery and distillery, the applicant desired to include a tasting room. Tasting rooms are not listed as a permitted use, nor as a permitted accessory use in the MM Zone. However, ESMC § 15-6D-3.G allows the Director of Planning and Building Safety (or Planning Commission) to make a determination regarding uses not listed in the Code, but are similar to other permitted uses or similar to other accessory uses. As a result, on October 1, 2015, the applicant submitted applications for an Administrative Determination and Administrative Use Permit, requesting a determination that tasting rooms in conjunction with a brewery or distillery are a permitted accessory use subject to approval of an AUP.

In addition to the determination and AUP requests, the applicant submitted a parking demand study for the proposed project since the City’s Municipal Code does not have a parking standard specifically for tasting rooms. Thus, the proposed parking demand study establishes a parking requirement specifically for the proposed use at the project site.

Project Site and Vicinity

The subject property is an 18,870 square-foot parcel located at the northwest corner of El Segundo Boulevard and Bungalow Drive, and is zoned Medium Manufacturing (MM). The property is improved with a 12,000 square-foot, one-story building, and a 10-space parking lot along the rear. Howie’s Doggie Day Care currently occupies 6,000 square feet of the building, and the remaining square 6,000 feet of the building is occupied by the brewery and distillery. In May 2005, the Planning Commission approved a conditional use permit for Howie’s Doggie Day Care, an indoor and outdoor dog daycare facility with overnight boarding. According to the conditions of approval, Howie’s operates from 7:00 am to 6:00 pm, Monday through Friday, and by appointment on Saturday and Sunday. No modifications to the dog daycare facility are proposed by the tasting room proposal.

The subject site is surrounded by a variety of light industrial and manufacturing uses. The surrounding land uses are summarized in the following table:
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**Discussion**

As indicated above, the brewery/distillery is a permitted manufacturing use at the site (ESMC § 15-6D-2.F). In association with the brewery and distillery, the applicant proposes a tasting room so that customers and potential vendors can taste the alcohol that is produced onsite and related accessory retail sales of alcohol for off-site consumption. The proposed hours of operation for the distillery and brewery are from 7:00 a.m. to 3:00 p.m., and would not overlap with tasting room hours. The hours of operation for the tasting room are proposed as follows:

- Monday: 4:30 p.m. to 9:00 p.m.
- Tuesday: 4:30 p.m. to 9:00 p.m.
- Wednesday: 4:30 p.m. to 9:00 p.m.
- Thursday: 4:30 p.m. to 10:00 p.m.
- Friday: 4:30 p.m. to 11:00 p.m.
- Saturday: Noon to 11:00 p.m.
- Sunday: Noon to 9:00 p.m.

The distillery-brewery has one employee onsite. The tasting room would have one employee, three tables with three seats each, and six bar stools, resulting in a maximum seating for 15 patrons. The tasting room's usable floor area would be 289 square feet and includes retail racks to display merchandise such as shirts, hats, glasses and other apparel, and related cashier area for offsite sales. No food sales are associated with the proposed tasting room, as the intent of the tasting room is to offer beer and also small sample size portions of distilled spirits to customers and potential vendors, distributors and clients. Department of Alcoholic Beverages Control (ABC) rules allow the applicant to vend six, ¼-ounce servings of spirits per person per day. The applicant will also have off-site sales of beer in re-fillable units (known as “growlers”) to retail customers for consumption offsite. Beer and distilled spirits will also be distributed to local restaurants and retail outlets. Off-site sales of liquor will occur through a distributor.

The Applicant has applied for Type 74 (Craft Distiller), Type 23 (Small Beer Manufacturer) and Type 6 (Still) licenses with the Department of Alcoholic Beverage Control (ABC). These licenses have been approved by ABC; however, implementing the
operation of the tasting room and sales for off-site consumption requires approval of an AUP by the City of El Segundo.

III. ANALYSIS

**Zoning consistency**

The following table contains the development standards for the Medium Manufacturing (MM) Zone, as specified in Chapter 15-6D of the City’s Municipal Code.

<table>
<thead>
<tr>
<th>Medium Manufacturing (MM) Zone</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Uses</td>
<td>Manufacturing and distribution of alcoholic beverages (In compliance)</td>
</tr>
<tr>
<td>Off site sale of alcohol</td>
<td>Off site sale of alcohol manufactured on the premises</td>
</tr>
<tr>
<td>Onsite consumption of alcohol at restaurants and delicatessens</td>
<td>Tasting room as an accessory use to the primary permitted use (subject to AD approval)</td>
</tr>
<tr>
<td>Other similar uses approved by the Director</td>
<td></td>
</tr>
<tr>
<td>Lot Area</td>
<td>Minimum 11,200 square feet</td>
</tr>
<tr>
<td></td>
<td>18,870 square feet. (Existing, complies)</td>
</tr>
<tr>
<td>Building Height</td>
<td>Maximum 35 feet</td>
</tr>
<tr>
<td></td>
<td>Approx. 14-feet existing and no additions proposed. (Existing, complies)</td>
</tr>
<tr>
<td>Building Size</td>
<td>Max size 11,322 square feet (based on 0.6 FAR)</td>
</tr>
<tr>
<td></td>
<td>12,000 square feet existing. No new floor area proposed. (legal non-conforming)</td>
</tr>
<tr>
<td>Setbacks</td>
<td>Front: 5’ to 10’</td>
</tr>
<tr>
<td></td>
<td>Side: None</td>
</tr>
<tr>
<td></td>
<td>Rear: None</td>
</tr>
<tr>
<td></td>
<td>No additions proposed, and no change to existing setbacks (Existing, complies)</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Seven percent (7%) of the lot area must be landscaped.</td>
</tr>
<tr>
<td></td>
<td>No new landscaping proposed or required. (legal non-conforming)</td>
</tr>
<tr>
<td>Parking</td>
<td>Per ESMC § 15-15-6, or as otherwise determined through a parking demand study</td>
</tr>
<tr>
<td></td>
<td>Existing parking at the rear to be restriped to accommodate 9 spaces, which will be shared with the adjacent tenant. Parking demand study submitted indicating that the existing parking is sufficient.</td>
</tr>
</tbody>
</table>
Parking Demand Study

ESMC Section 15-15-6 contains a table with various uses and the number of required onsite parking spaces for each use. The same section also states that “for uses not listed the required number of spaces will be determined by...a parking demand study.” Since the proposed tasting room use is not listed in the Code, the applicant submitted a parking demand study (attached) in accordance with the City’s Municipal Code.

The parking demand study addressed the combined parking needs of the distilling and brewing operation (including the associated tasting room) and the adjoining dog daycare facility (i.e., Howie’s). Specifically, the parking demand study took into account the existing and proposed hours of operation; the distillery/brewery having 1 employee onsite; the tasting room having 1 employee, 3 tables with 3 seats each, and 6 bar stools; and a usable floor area of the entire tasting room of 289 square feet, which includes the seating area for up to 15 patrons, retail racks and merchandise display areas, and cashier/to-go areas for off-site sales. Lastly, the study took into account other aspects of the distillery/brewery operation, such as parking for pickups and deliveries would occur before 4:00pm on weekdays and would last a maximum of 30 minutes each; anticipated a maximum number of pickups and deliveries to be two per day; and that deliveries would usually take place at or inside the loading door along the eastern side of the building facing Bungalow Drive.

The following table provides a breakdown of the hours of operation of the various uses on site.

<table>
<thead>
<tr>
<th></th>
<th>Howie’s Doggie Daycare</th>
<th>Distillery/Brewery</th>
<th>Tasting Room</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday</td>
<td>7am – 6pm</td>
<td>7am – 4pm</td>
<td>4:30 – 9pm</td>
</tr>
<tr>
<td>Tuesday</td>
<td>7am – 6pm</td>
<td>7am – 4pm</td>
<td>4:30 – 9pm</td>
</tr>
<tr>
<td>Wednesday</td>
<td>7am – 6pm</td>
<td>7am – 4pm</td>
<td>4:30 – 9pm</td>
</tr>
<tr>
<td>Thursday</td>
<td>7am – 6pm</td>
<td>7am – 4pm</td>
<td>4:30 – 10pm</td>
</tr>
<tr>
<td>Friday</td>
<td>7am – 6pm</td>
<td>7am – 4pm</td>
<td>4:30 – 11pm</td>
</tr>
<tr>
<td>Saturday</td>
<td>By appointment</td>
<td>Closed</td>
<td>Noon – 11pm</td>
</tr>
<tr>
<td>Sunday</td>
<td>By appointment</td>
<td>Closed</td>
<td>Noon – 9pm</td>
</tr>
</tbody>
</table>

As indicated above, the adjacent dog daycare operates 7:00 am to 6:00 pm, Monday through Friday, and by appointment on weekends, which was established by their CUP. The distillery/brewery would operate from 7:00 am to 4:00 pm, Monday through Friday; while the tasting room would operate after 4:30pm throughout the week, and on weekends. Due to the type of operation, the distillery/brewery would not generate customers; thus, the
existing parking onsite is sufficient to accommodate the parking needs of the dog daycare use. There is a 1.5 hour period (between 4:30pm and 6:00pm) when the dog daycare and tasting room uses would be open to customers simultaneously. However, according to the parking demand study, the parking demand would not exceed the availability onsite because the peak demand for the tasting room would occur after 6:30pm when the dog daycare use has closed. At its peak, the tasting room would result in a parking demand for 8 spaces. Although there are currently 10 spaces onsite, one parking space must be restriped to accommodate an ADA-accessible space, resulting in a remaining total of nine spaces available onsite. Lastly, the pickup and deliveries for the distillery/brewery would occur before 4:00pm on weekdays, which would not affect the peak parking demand after 6:30 PM on weekdays.

In summary, the parking demand study concludes that based upon the size of the tasting room, the number of patrons, the hours of operation for each of the various uses, and the varying peak demands, the parking provided onsite is sufficient to accommodate the various uses. Further, appropriate conditions have been included in the draft resolution of approval to minimize potential impacts and conflicts, such as monitoring parking and requiring a 6-month review of the operation.

**Administrative Determination**

The tasting room is proposed to be accessory to the primary manufacturing use (i.e., brewery and distillery), offering beer and small sample size portions of alcohol that is brewed and distilled onsite, to customers and potential vendors, distributors and clients. ESMC §§ 15-6D-2 through 15-6D-5 establish uses and developments permitted in the MM Zone. The purpose of the MM Zone is to “provide a transitional land use area between the high intensity aircraft/aerospace office uses east of Sepulveda Boulevard and the small single parcel industrial businesses of the westerly portion of the Smoky Hollow area...[and] for the continuation and development of medium sized light industrial, manufacturing, and limited office activities.” (ESMC §15-6D-1). Thus, to implement this purpose, the aforementioned Chapters specify various uses allowed by right, by an AUP, and by a CUP. ESMC §§ 15-6D-2 through 15-6D-5, however, do not specify tasting rooms associated with a brewery or distillery as allowed primary or accessory uses. Thus, when a use is not specifically listed as either a permitted use or conditional use under a particular zone, upon request a determination must be made whether the use is sufficiently similar to a listed use in the particular zone to justify a finding that it should be deemed either a permitted use, a conditional use or that an administrative use permit is necessary.

Pursuant to ESMC § 15-22-2, before permitting or classifying an unlisted use, it must first be determined that the following conditions exist:

1. **The proposed use is consistent with the purpose of the Zoning Code;**
2. **The proposed use and its operation are compatible with the uses allowed in the zone;**
3. **The proposed use is similar to one or more uses in the zone.**
Staff believes that these Administrative Determination findings can be made for a tasting room associated with a brewery, distillery or other similar alcohol manufacturing use in the Medium Manufacturing (MM) Zone, is a permitted accessory use subject to approval of an Administrative Use Permit, provided that:

- The tasting room is located entirely within the building;
- The area of the tasting room does not occupy more than 5 percent of the tenant space, or not more than 500 square feet, whichever is less;
- The tasting room is only for sampling of the alcoholic beverages that are produced and manufactured on-site in accordance with ABC regulations;
- Only alcoholic beverages that are manufactured on-site are served and/or consumed; and,
- Parking must be provided as determined by Staff based on a parking demand study prepared by a licensed traffic engineer.

The required Administrative Determination Findings and the facts in support of said findings, are outlined in the attached Resolution. Administrative Determination No. 15-02, which memorializes this determination is attached for the Planning Commission’s review.

**Administrative Use Permit**

In accordance with the approval of the Administrative Determination (AD No. 15-02), the proposed tasting room use requires approval of an Administrative Use Permit (AUP). Further, the offsite sale of alcohol also requires approval of an AUP. In considering an AUP application, ESMC § 15-22-5.A requires the Planning Commission to make the following five findings in reference to the property and uses under consideration:

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

2. **The proposed use is consistent and compatible with the purpose of the zone in which the site is located.**

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

4. **Potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, traffic and hazards have been recognized and compensated for.**

5. **In addition to the four findings listed above, before an alcohol-related administrative use permit may be granted, it shall also be found that the State Department of Alcohol Beverage Control has issued or will issue a license to sell alcohol to the applicant.**
Staff believes that the required Administrative Use Permit Findings can be made based upon the facts in support of said findings, which are outlined in the attached Resolution. Based on these findings, Staff is recommending approval of the Administrative Use Permit, subject to the conditions of approval listed in Exhibit A of attached Resolution No. 2793. The Planning Commission may consider and impose additional conditions which it deems necessary, if it demonstrates a reasonable relationship between the condition it desires to impose and the project’s impact.

IV. INTER-DEPARTMENTAL COMMENTS

The project application and plans were circulated to all City departments. The Police Department initially had concerns with the parking onsite. However, as indicated above, a parking demand study was prepared and submitted to the City, which concluded that the parking provided onsite is sufficient to accommodate the various uses. Thus, no further comments or objections were received.

V. ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The proposed project includes a determination, and approval and issuance of an AUP to allow a tasting room that is ancillary to the permitted alcohol manufacturing use and for the off-site sale of alcohol; and a Parking Demand Study to establish a parking requirement for the proposed use at the project site. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, the uses would occur within an existing approved building and exterior work will be limited to any signs proposed for the brewery/distillery operation. The project involves a negligible expansion of use because the tasting room is ancillary to the permitted alcohol manufacturing use. Further, the site has no value as habitat for endangered, rare, or threatened species. Lastly, existing utilities and public services to serve the project are adequate.

VI. RECOMMENDATION

Planning staff recommends that the Planning Commission, a) open the public hearing and take public testimony on the project; b) close the public hearing and consider the evidence; and, c) adopt Resolution No. 2793 approving Environmental Assessment No. EA-1131, Administrative Determination No. AD 15-02, Administrative Use Permit No. AUP 15-01, and Parking Demand Study No. PDS 15-03.
ADMINISTRATIVE DETERMINATION

(pursuant to ESMC §15-22-2)

SUBJECT: Alcohol Tasting Rooms in the Medium Manufacturing (MM) Zone (AD 15-02)

SECTION #: § 15-6D-4 (Accessory Uses Subject to Administrative Use Permit in the MM Zone)

An “alcohol tasting room” is defined as an area located within the premises of a brewery’s, winery’s or distillery’s production facilities, at which customers may sample the brewery’s, winery’s or distillery’s products. Pursuant to ESMC §15-22-2, an alcohol tasting room associated with a brewery, distillery or other similar alcohol manufacturing use in the Medium Manufacturing (MM) Zone, is deemed to be an accessory use subject to an Administrative Use Permit, provided:

- The tasting room is located entirely within the building;
- The area of the tasting room does not occupy more than 5 percent of the floor area of the brewery, winery or distillery, or not more than 500 square feet, whichever is less;
- The tasting room is used only for the sampling of the alcoholic beverages that are produced and manufactured on-site in accordance with California Department of Alcoholic Beverage Control regulations;
- Only alcoholic beverages that are manufactured on-site are served and/or consumed; and,
- The required number of parking spaces associated with the tasting room are provided, as determined by the Director of Planning and Building Safety based on a parking demand study prepared by a licensed traffic engineer.

DATE: April 28, 2016
Approved by: Planning Commission
RESOLUTION NO. 2793

A RESOLUTION APPROVING ENVIRONMENTAL ASSESSMENT NO. EA-1131, ADMINISTRATIVE DETERMINATION NO. 15-02, ADMINISTRATIVE USE PERMIT NO. 15-01 AND PARKING DEMAND STUDY NO. 15-03 FOR A DETERMINATION THAT A TASTING ROOM ASSOCIATED WITH A BREWERY OR DISTILLERY IN THE MEDIUM MANUFACTURING (MM) ZONE IS AN ACCESSORY USE SUBJECT TO APPROVAL OF AN ADMINISTRATIVE USE PERMIT; FOR OPERATION OF A 289 SQUARE-FOOT TASTING ROOM AT A BREWERY AND DISTILLERY; FOR RELATED SALES OF ALCOHOL FOR ON-SITE AND OFF-SITE CONSUMPTION; AND A PARKING DEMAND STUDY ESTABLISHING A PARKING REQUIREMENT FOR THE PROPOSED USE AT THE PROJECT SITE, IN CONJUNCTION WITH RUBENS DISTILLING AND BREWING, LOCATED AT 909 E. EL SEGUNDO BOULEVARD.

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

SECTION 1: The Commission finds and declares that:

A. On October 1, 2015, Robert Rubens II filed an application for Environmental Assessment No. EA-1131, Administrative Determination No. 15-02, and Administrative Use Permit ("AUP") No. 15-01, requesting a determination that a tasting room associated with a brewery or distillery is an accessory use subject to approval of an AUP, and subsequently allow the operation of a tasting room at a brewery and distillery, along with related sales of alcohol for on-site and off-site consumption in conjunction with Rubens Distilling and Brewing, located at 909 E. El Segundo Boulevard;

B. The application 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");

C. 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);

D. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before this Commission for April 28, 2016;
E. On April 28, 2016, the Commission held a public hearing to receive public testimony and other evidence regarding the application including, without limitation, information provided to the Commission by Robert Rubens II; and,

F. The Commission considered the information provided by City staff, public testimony, and Robert Rubens II. This Resolution, and its findings, are made, in part, based upon the evidence presented to the Commission at its April 28, 2016 public hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

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

A. The subject site is located in the Medium Manufacturing (MM) Zone, at 909 E. El Segundo Boulevard. The subject property is an 18,870 square foot parcel located at the northwest corner of El Segundo Boulevard and Bungalow Drive.

B. The property is improved with a 12,000 square foot, one-story building, and a 10-space parking lot along the rear. Howie’s Doggie Daycare currently occupies 6,000 square feet of the building, and the remaining 6,000 square feet of the building is occupied by Rubens Brewing and Distilling.

C. The subject site is bounded on the south by El Segundo Boulevard, on the east by Bungalow Drive, on the west by a private parcel developed with a manufacturing building, and on the north by a private parcel occupied Wyle Lab.

D. The proposed project includes providing for a tasting room within Rubens Brewing and Distilling, to allow the sampling (onsite consumption) and offsite sale of alcoholic beverages that are manufactured and produced onsite. The tasting room would be limited to 289 square feet, inclusive of areas for retail racks to display merchandise such as shirts, hats, glasses and other apparel, and related cashier area for offsite sales.

E. A parking demand study, prepared by a registered engineer, was prepared and submitted in accordance with ESMC § 15-15-6. The parking demand study addressed the combined parking needs of the distilling and brewing operation (including the associated tasting room) and the adjoining dog daycare facility (i.e., Howie’s). Specifically, the parking demand study took into account the existing and proposed hours of operation; the distillery/brewery having 1 employee onsite; the tasting room having 1 employee, 3 tables with 3 seats each, and 6 bar stools; and a usable floor area of the entire tasting room of 289 square feet, which includes the seating area for up to 15 patrons, retail racks and merchandise display areas, and cashier/to-go areas for off-site sales. Lastly, the study took into account other aspects of the distillery/brewery operation, such as parking for pickups and deliveries would occur before 4:00pm on weekdays and would last a
maximum of 30 minutes each; anticipated a maximum number of pickups and deliveries to be two per day; and that deliveries would usually take place at or inside the loading door along the eastern side of the building facing Bungalow Drive.

SECTION 3: Environmental Assessment. The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The project includes a determination and approval and issuance of an AUP to allow a tasting room that is ancillary to the permitted alcohol manufacturing use and for the sale of alcohol for offsite consumption; and a Parking Demand Study to establish a parking requirement for the proposed use at the project site. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, the uses would occur within an existing approved building and exterior work will be limited to any signs proposed for the brewery/distillery operation. Further, the site has no value as habitat for endangered, rare, or threatened species. Lastly, existing utilities and public services to serve the project are adequate.

SECTION 4: General Plan Findings. The proposed project conforms to the City’s General Plan as follows:

A. The General Plan land use designation for the property is Smoky Hollow Mixed-Use. This designation permits primarily light industrial uses including light manufacturing, research and development, warehousing, and office uses. The alcohol brewery/distillery is a manufacturing use that is consistent with the land use designation, and the proposed tasting room and off site sale of alcohol are ancillary to the primary permitted use.

B. The underlying zoning for the site is Medium Manufacturing (MM), where the purpose said zoning is to "provide a transitional land use area between the high intensity aircraft/aerospace office uses east of Sepulveda Boulevard and the small single parcel industrial businesses of the westerly portion of the Smoky Hollow area...[and] for the continuation and development of medium sized light industrial, manufacturing, and limited office activities." (ESMC §15-6D-1). The tasting room and off-site sale of alcohol expands the development of a permitted alcohol manufacturing activity that is economically viable and provides a stable tax base with appropriate conditions to minimize negative impacts in the City.

C. The proposed use is consistent with Land Use Element Goal LU4 in that it provides a stable tax base for the city through new commercial uses. The proposed tasting room and offsite sale of alcohol are innovative ways to augment the brewery/distillery (manufacturing) operation by allowing patrons, and potential vendors and distributors, to taste samples of the beer and alcohol that are manufactured on site and to purchase the alcohol for consumption offsite.
D. The proposed use is consistent with Land Use Element Objective LU4-4 in that it adds to the mixture of uses, which has the potential to maximize economic benefit and reduce traffic impacts.

E. The land uses in the immediate vicinity include a combination of industrial, manufacturing, and warehousing uses. The primary use of the site, which is manufacturing of beer and alcohol is compatible with other land uses in the vicinity, and it will be augmented and enhanced by including an ancillary tasting room and providing for the offsite sale of the beer and alcohol that is manufactured onsite. Thus, the proposed project will be compatible with the surrounding uses.

SECTION 5: Administrative Determination Findings. After considering the above facts, the Commission finds as follows:

A. The proposed use is consistent with the purpose of the Zoning Code, which states that "A precise land use plan for the City is...established to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources." (ESMC § 15-1-1). The tasting rooms is an ancillary use that provides for the economic and social advantages since it would be allowed in connection with a permitted primary manufacturing use in the MM Zone. Further, by requiring an AUP for a tasting room that is ancillary to a brewery or distillery, specific conditions can be imposed to serve the public health, safety and general welfare.

B. The proposed uses and their operation are compatible with the uses allowed in the MM Zone in that the ancillary tasting room use is compatible with the uses allowed in the MM zone. The manufacturing of beer and alcohol by brewing and distilling is a permitted use, and a tasting room augments the manufacturing operation by allowing patrons, and potential vendors and distributors, to taste samples of the beer and alcohol that is manufactured on site. Further, other uses allowed in the MM zone include off-site sale of alcohol and on-site sale and consumption of alcohol at restaurants, drive-through restaurants and delicatessens through an AUP; accessory cafes, retail sales and open storage; and general office, manufacturing and light industrial. Thus, the tasting room is a compatible ancillary use to the primary use of the site.

C. An ancillary tasting room is similar to other uses in the MM zone subject to an AUP, such as on-site sale and consumption of alcohol at restaurants, drive-through restaurants and delicatessens (ESMC § 15-6D-4). The tasting room provides for onsite consumption of alcohol by allowing patrons, vendors and distributors to sample the alcoholic beverages produced onsite. Although no food would be served in a tasting room (as is the case for restaurants), the overall size of the tasting room (including retail areas) would be limited 5 percent of the tenant space, or not more than 500 square feet, whichever is less; would be required to be located entirely within the building;
the tasting room would be used for sampling of the alcoholic beverages that are produced and manufactured on-site in accordance with ABC regulations; and the alcohol served would be limited to alcoholic beverages manufactured onsite. These restrictions ensure that a tasting room functions as an accessory use, ancillary to the primary permitted use of the site.

SECTION 6: Administrative Use Permit Findings. After considering the above facts, the Commission finds as follows:

A. There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located for the following reasons:
   1. The tasting room operates as an accessory use, ancillary to the brewery and distillery, for on-site consumption (sampling) of beer and alcohol that is manufactured (i.e., brewed and distilled) onsite.
   2. The General Plan Land Use designation for the site is Smoky Hollow Mixed-Use, which permits primarily light industrial uses including light manufacturing, research and development, warehousing, and office uses.
   3. The subject property is zoned Medium Manufacturing (MM), and the tasting room is consistent with the provisions established by Administrative Determination No. 15-02, which permits a tasting room as an accessory use when associated with an alcohol manufacturing use in the MM Zone, with approval of an AUP.
   4. The offsite sales operate as an accessory use in conjunction with a brewery and distillery for offsite consumption.
   5. The subject property is located in an area comprised of manufacturing and industrial uses, and there are no residential uses in the immediate vicinity.
   6. Lastly, as set forth in Section 2, a parking demand study has found the onsite parking can accommodate the proposed use and the existing Howie’s Dogging Daycare that currently occupies the abutting tenant space onsite, due to differing peak hour demands and hours of operations.

B. The proposed uses are consistent and compatible with the purpose of the MM Zone, which is to “provide a transitional land use area between the high intensity aircraft/aerospace office uses east of Sepulveda Boulevard and the small single parcel industrial businesses of the westerly portion of the Smoky Hollow area...[and] for the continuation and development of medium sized light industrial, manufacturing, and limited office activities” (ESMC §15-6D-1), for the following reasons:
   1. The tasting room and off site sale of alcohol expands the development of a permitted alcohol manufacturing activity on the subject site.
   2. The tasting room and off site sales uses are methods to augment the brewery/distillery (manufacturing) operation by allowing patrons, and potential vendors and distributors, to taste samples of the beer and
alcohol that is manufactured on site and to purchase the alcohol for consumption offsite.

3. The tasting room and off site sale of alcohol expands the development of a permitted alcohol manufacturing activity that is economically viable and provides a stable tax base with appropriate conditions to minimize negative impacts in the City.

4. The uses enhance the permitted manufacturing use, and furthers Land Use Element Goal LU4, providing a stable tax base for the city through new commercial uses. The proposed uses augment the brewery/distillery (manufacturing) operation by allowing patrons, and potential vendors and distributors, to taste samples of the beer and alcohol that is manufactured on site and to purchase the alcohol for consumption offsite.

5. The uses are consistent with Land Use Element Objective LU4-4 in that it adds to the mixture of uses, which has the potential to maximize economic benefit and reduce traffic impacts.

6. The land uses in the immediate vicinity include a combination of industrial, manufacturing, and warehousing uses. The primary use of the site, which is manufacturing of beer and alcohol is compatible with other land uses in the vicinity. Further, the primary use is augmented and enhanced by including an ancillary tasting room as an accessory use, and by providing for the offsite sale of the beer and alcohol that is manufactured onsite.

C. The proposed location and uses, and the conditions under which the uses would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, for the following reasons:

1. The ancillary tasting room will be entirely located within the building.

2. The hours of operation are such that the peak hour demand does not coincide with the peak hour demand of the abutting tenant, which mitigates onsite parking impacts.

3. Appropriate conditions have been included that prohibit live entertainment, limit the occupancy to 15 patrons/Seats, and require a six-month review of the permit so appropriate conditions can be added if there are unanticipated impacts.

D. Potential impacts that could be generated by the proposed tasting room and offsite sale, such as noise, smoke, dust, fumes, vibration, odors, traffic and hazards have been recognized and compensated for.

1. The tasting room and off site sale of alcohol are accessory uses to the permitted manufacturing use of the site.

2. Due to the uses, size, location and hours, impacts such as noise, smoke, dust fumes, vibration, odors, traffic and hazards are not likely or anticipated.

3. Potential parking impacts were recognized and a parking demand study was prepared, which concluded that the parking available onsite is sufficient to accommodate the tasting room use in conjunction with the
brewery/distillery, and the existing Howie's Doggie Daycare. The study accounted for the hours of operation and the different peak hour demands for each use onsite. Lastly, implementation of conditions minimizes potential impacts resulting from the operation of the tasting room and the off-site sale of alcohol.

E. The State Department of Alcoholic Beverage Control has issued a license to sell alcohol to the applicant. The Applicant has applied for Type 74 (Craft Distiller), Type 23 (Small Beer Manufacturer) and Type 6 (Still) licenses with the Department of Alcoholic Beverages Control (ABC). Said licenses have been approved by ABC, although implementation of the tasting room and sales for offsite consumption are only allowed with the approval of this AUP by the City of El Segundo.

SECTION 7: Approval. Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Environmental Assessment No. EA-1131, Administrative Determination No. 15-02 and Administrative Use Permit No. 15-01, and Parking Demand Study No. 15-03.

SECTION 8: This Resolution will remain effective unless superseded by a subsequent resolution.

SECTION 9: The Commission Secretary is directed to mail a copy of this Resolution to Robert Rubens II and to any other person requesting a copy.

SECTION 10: 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 11: Except as provided in Section 10, this Resolution is the Commission's final decision and will become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 28th day of April, 2016.

_____________________________________
Ryan Baldino, Chair
City of El Segundo Planning Commission

ATTEST:

_____________________________________
Sam Lee, Secretary
APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By:
David King, Assistant City Attorney

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
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</table>
PLANNING COMMISSION RESOLUTION NO. 2793

Exhibit A

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Robert Rubens II, on behalf of Hemllane Inc., agrees to comply with the following provisions as conditions for the City of El Segundo’s approval of Environmental Assessment No. EA-1131, Administrative Determination No. 15-02, Administrative Use Permit No. 15-01, and Parking Demand Study No. 15-03 ("Project Conditions"): 

**Zoning Conditions**

1. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission on April 28, 2016, and on file. Before the City issues a building permit for the tasting room, the applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Department. Any subsequent modification must be referred to the Planning and Building Safety Director for a determination regarding the need for Planning Commission review and approval of the proposed modification.

2. This approval allows for a tasting room as an ancillary use to the brewery/distillery. Further, this approval also allows for the off-site sale of beer and alcohol.

3. The usable floor area of the entire tasting room is limited to 289 square feet, which includes the seating area, retail racks and merchandise display areas, and cashier/to-go areas for off-site sale.

4. No more than 15 seats are permitted in the tasting room. No more than 15 customers are permitted to be conducting tastings in the tasting room at any one given time.

5. The tasting room must be wholly contained within the building. No consumption of alcoholic beverages is allowed outside the building. Further, all sampling of alcoholic beverages by customers shall occur within the tasting room only.

6. The tasting room is limited to only being used for sampling of the alcoholic beverages that are produced and manufactured on-site in accordance with ABC regulations, including limits on the quantity of alcohol served.

7. Only alcoholic beverages that are produced and manufactured on-site may be served to and/or consumed by patrons of the tasting room. Further, the off-site sale of beer and alcohol is limited to the sale of beer and alcohol that is produced and manufactured on-site. Lastly, customers that purchase beer or alcohol in re-fillable units (known as "growlers") will not be permitted to consume the beer or alcohol onsite.
8. No admission fee shall be collected to enter the tasting room.

9. The distillery/brewery is limited to four (4) employees onsite during its operation between 7:00 a.m. to 4:00 p.m., Monday thru Friday. Further, shipping and deliveries for the distillery/brewery is limited to the aforementioned hours.

10. Based on Parking Demand Study No. 15-03, the tasting room is limited to one (1) employee onsite during the hours of operation. Notwithstanding the foregoing, pursuant to Planning Commission review under Municipal Code Section 15-15-6, the applicant may employ and utilize up to two (2) additional employees at the tasting room (for a maximum total of three (3) employees at the tasting room), on the condition that the additional employees are not permitted to drive to work at the tasting room (which would increase the use’s required parking). The applicant has advised the City that the additional employees will walk, bike, or utilize public transportation or ridesharing to travel to the tasting room, and accordingly, no additional parking is currently required, either onsite or offsite. Applicant has further advised the City that the applicant has entered into a Parking Agreement with Advanced Technical Corp. for the provision of eight off-site parking spaces at 1111 E. El Segundo Blvd., between the hours of 4:00 p.m. to 12:00 a.m. Monday through Friday, and 11:00 a.m. to 12:00 a.m., Saturday and Sunday, and has provided a copy of such agreement to the City. Nonetheless, in the event that additional, off-site parking is required for the use, such off-site parking will be subject to ESMC Chapter 15. This condition is expressly subject to review by the Planning Commission pursuant to Condition No. 18.

The hours of operation for the tasting room are limited to the following:
- Monday: 4:30 p.m. to 9:00 p.m.
- Tuesday: 4:30 p.m. to 9:00 p.m.
- Wednesday: 4:30 p.m. to 9:00 p.m.
- Thursday: 4:30 p.m. to 10:00 p.m.
- Friday: 4:30 p.m. to 11:00 p.m.
- Saturday: Noon to 11:00 p.m.
- Sunday: Noon to 9:00 p.m.

11. No live entertainment or disc jockey is permitted. Only pre-recorded background music may be provided; such background music must not exceed the noise and vibration requirements of ESMC Section 7-2-1.

12. A minimum of nine parking spaces must be maintained along the rear property line as depicted in the site plan reviewed and approved by the Planning Commission on April 28, 2016.

13. The property owner/applicant shall not permit any loitering on the subject site.

14. The owner/applicant shall comply with and strictly adhere to all conditions of any permit issued by the Alcoholic Beverage Control ("ABC") to the applicant, and with any applicable regulations of ABC.
15. On a monthly basis during the initial 6-month operation of the tasting room, commencing 30 days after building permit final for the tasting room, the property owner/applicant must submit to the Director of Planning and Building Safety a report attesting that the tasting room is operating in compliance with the conditions of approval stated herein. The report must include, but is not limited to, daily logs specifying the maximum number of parking spaces occupied at any given time, daily logs specifying the number of patrons that visit the tasting room, and information on how customers arrived to and/or departed from the site (i.e., drove, carpooled, public transportation, taxi, or other private transportation such as Uber or Lift).

16. This validity of this permit is based upon the continued use of the onsite brewery/distillery operation. The tasting room and sale of alcoholic beverages of consumption offsite operations shall cease if the brewery/distillery closes.

17. No parking of vehicles and no loading/unloading is permitted along the front of the building, between El Segundo Boulevard and the building.

18. This permit shall be reviewed by the Planning Commission six (6) months from the date the certificate of final occupancy is issued by the Building Safety Division for the tasting room, to review the applicant’s compliance with the conditions of approval. At that time, the Planning Commission may add to, delete, or modify the conditions of approval as deemed necessary and appropriate. Notice of said review hearing shall be published and provided to owners of property within a 300’ radius, to persons requesting notice, and to the property owner in accordance with ESMC Section 15-27-5.

**Building Safety Conditions**

19. The applicant shall obtain a building permit for the tasting room.

**Fire Department Conditions**

20. The applicant must comply with applicable California Fire Code requirements and El Segundo Fire Department regulations.

**Police Department Conditions**

21. Subject to the approval of the Police Department and Director of Planning and Building Safety, appropriate directional signage shall be installed that limits ingress to the site via El Segundo Boulevard and egress from the site to Bungalow Drive. Directional signage includes, but is not limited to, stenciling directional arrows, “Exit Only” or “No Right Turn” signs at appropriate locations onsite.

**Miscellaneous Conditions**
22. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the El Segundo Municipal Code shall apply.

23. Failure to comply with and adhere to all of these conditions of approval may be cause to revoke the approval of the project by the Planning Commission, pursuant to the provisions of the El Segundo Municipal Code.

24. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City Department, the stricter standard shall apply.

25. The applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. EA-1131, Administrative Determination No. 15-02, Administrative Use Permit No. 15-01 and/or Parking Demand Study No. 15-03. 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-1131, Administrative Determination No. 15-02, Administrative Use Permit No. 15-01 and/or Parking Demand Study No. 15-03, 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, Robert Rubens II, on behalf of Hemilane, Inc., certifies that he has read, understood, and agrees to the Project Conditions listed in this document.

Robert Rubens
Hemilane, Inc.

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}
March 10, 2016

Mr. Rob Rubens
Rubens Distilling and Brewing
909 East El Segundo Boulevard
El Segundo, CA 90245

Dear Mr. Rubens:

The firm of Kunzman Associates is pleased to submit this letter report. The letter report addresses the anticipated parking needs of the proposed Rubens Distilling & Brewing at 909 East El Segundo Boulevard, El Segundo, CA 90245. Hours of operation for the distillery and brewery are generally beginning at 7 a.m. and ending at 3 p.m. and do not overlap with tasting room hours; hours of operation for the tasting room are proposed as follows:

- Monday: 4:30 p.m. to 9 p.m.
- Tuesday: 4:30 p.m. to 9 p.m.
- Wednesday: 4:30 p.m. to 9 p.m.
- Thursday: 4:30 p.m. to 10 p.m.
- Friday: 4:30 p.m. to 11 p.m.
- Saturday: 12 p.m. to 11 p.m.
- Sunday: 12 p.m. to 9 p.m.

The letter report also addresses the anticipated parking needs of Howie’s Doggie Daycare at 909 East El Segundo Boulevard, El Segundo, CA 90245. Hours of operation for the daycare are as follows:

- Monday-Friday: 7 a.m. to 6 p.m.
- Saturday-Sunday: By appointment only

William Kunzman's qualifications are contained in the attached Curriculum Vitae.

A copy of the site plan is attached to this report.

**CONCLUSION**

The maximum parking demand for both uses operating simultaneously, including tasting room, is expected to be 8 parked vehicles. With 8 available parking spaces to Rubens after 6 p.m., the parking supply is adequate even during peak demand points in time.
PARKING DEMAND STUDY

The tasting room is an ancillary use to the distillery and brewery operation. Parking is estimated for both distillery-brewery employees, and for the tasting room operation.

The distillery-brewery has 1 employee onsite. The tasting room has 1 employee, 3 tables with 3 seats each, and 6 bar stools. The tasting room's usable floor area is 289 square feet and includes retail racks and to-go areas (off site sales).

The parking needs are estimated for weekdays before 6:30 PM, weekdays after 6:30 PM, and weekends / holidays.

Table 1 contains the estimated parking demand for both businesses.

The estimated peak parking demand for the tasting room is 8 parking spaces and will occur weekday evenings and on weekends / holidays, outside of the Howie's hours of operations.

Parking for pickups and deliveries will be before 4 PM on weekdays, and will be a maximum of 30 minutes each. The maximum number of pickups and deliveries is expected to be two per day, with most days having one. The pickup and deliveries will occur before 4 PM, and will not affect the peak parking demand after 6:30 PM weekdays. These deliveries will usually take place at or inside the loading door on Bungalow Drive, further not affecting parking.

When evaluating the parking supply for the tasting room, one should consider the popularity of ride share programs such as Uber and Lyft, which reduce the required demand. For purposes of conservatism, we have not included this reduction in Table 1; however, when considered, it would reduce the parking requirement by up to 20%.

PARKING SUPPLY

There are 10 on-site parking spaces (9 in the rear, 1 on the west side of the building).

The 9 on-site spaces are all available during the peak hours of operation.

Due to the nature of Howie's business and with Howie's being closed by 6 p.m. during weekdays (even with a one-hour grace period), appointment only pick-ups and drop-offs do not last more than 15 minutes and will not affect peak parking demands. Further, these occur outside of Rubens' peak hours.
It has been a pleasure preparing this informational report for you. If there are any questions, or if we can be of further assistance, please do not hesitate to call.

Respectfully submitted,

KUNZMAN ASSOCIATES

William Kunzman, P.E.
Principal
Professional Registration
Expiration Date 3-31-2016
Curriculum Vitae of

WILLIAM KUNZMAN, TRAFFIC ENGINEER

1111 Town & Country Road, Suite 34
Orange, CA 92865
(714) 973-8383
FAX (714) 973-8321

William Kunzman, P.E. has worked professionally in traffic engineering and transportation planning since 1968 in both the public and private sectors. He is an Expert Witness in Traffic Engineering involving highway accidents.

TECHNICAL EXPERTISE

Traffic engineer expert regarding motor vehicle accidents (automobile, truck, bus, pedestrian, bicycle, motorcycle).

Knowledge of governmental agency procedures, design, geometrics, signs, traffic controls, parking, and maintenance.

EDUCATION / CLASS INSTRUCTION

Undergraduate Work: Bachelor of Science (Degree in Engineering) (1967), University of California at Los Angeles, School of Engineering (September, 1963 to June, 1967)

Post Graduate Work: One Year (10 courses) Certificate in Traffic Engineering (1968), Yale University, Bureau of Highway Traffic (September, 1967 to June, 1968)


Guest Lecturer: University of California at Irvine (1975)

Class Instructor: California State University at Fullerton (1976)

University of California at Irvine Department of Policy, Planning and Design Professional Report mentor (2003)


REGISTRATION

Registered Professional Traffic Engineer in the State of California, TED056 since 1975.

WORK EXPERIENCE

1. County of Los Angeles, Assistant Traffic Engineer (1967)

2. Wilbur Smith and Associates, Assistant Traffic Engineer (1968)


4. County of Riverside, Assistant Traffic Engineer (1972 - 1973)


8. Self Employment (1978 to Present)

William Kunzman, P. E.
HONORS AND AWARDS
1. Received fellowship and living stipend to attend Yale University from the Insurance Institute for Highway Safety, 1967-1968
2. Elected Class President of Yale University Bureau of Highway Traffic, 1967
3. Recipient of the 1978 Institute of Transportation Engineers Past President's Award
4. Recipient of the 1979 Institute of Transportation Engineers, Southern California Section, Young Traffic Engineer of the Year Award

PROFESSIONAL PUBLICATIONS
5. "Another Look at Signalized Intersection Capacity", ITE Journal, August, 1978. This article was submitted in competition for the 1978 Institute of Transportation Engineers Past President's Award and won the award. This is the most prestigious award granted by the Institute of Transportation Engineers to persons 35 years old or younger.

PROFESSIONAL MEMBERSHIPS
1. Institute of Transportation Engineers - ITE (joined in 1967)
2. American Society of Civil Engineers - ASCE (joined in 1971)
3. Yale University Bureau of Highway Traffic Alumni Association (joined in 1972)
4. Institute of Transportation Engineers Expert Witness Council
5. Transportation and Development Institute of the American Society of Civil Engineers
6. Forensic Expert Witness Association - FEWA
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*Incidental use and will not affect parking
### Illustrative Peak Parking Demand:

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Parking Demand Met? **YES**

### WEEKENDS:

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</table>

Parking Demand Met? **YES**
PARKING AGREEMENT BETWEEN
HOWIE'S DOGGIE DAY CARE & RUBENS DISTILLING AND BREWING

I. This Parking Agreement dated November 18, 2015 has been entered into by Tony Morales, Managing Member of Howie's LLC of 909 E. El Segundo Blvd., El Segundo, CA 90245 and Robert Rubens of Hemilane Inc. D/B/A Rubens Distilling and Brewing of 909 E. El Segundo Blvd., 90245. Both Howie's LLC and Rubens Distilling and Brewing are tenants of Michael Katz, LLC at 909 E. El Segundo Blvd., El Segundo, CA 90245.

II. Howie’s LLC agrees to allow Rubens Distilling and Brewing personnel and customers to occupy up to 4 parking stalls (as indicated in Exhibit A) allocated to Howie’s LLC in the lease agreement between Michael Katz, LLC and Howie’s LLC. The times and days of the week Howie's LLC will allow such parking is stipulated in Section III below.

III. Mon - Fri: 6:15 p.m. to 12:00 a.m.
Sat, Sun: 12:00 p.m. to 12:00 a.m.

IV. The term of this agreement is effective January 1, 2016 and will remain valid until December 31, 2017. If either Howie’s LLC or Rubens Distilling and Brewing ceases operations prior to December 31, 2017, no further obligations are in effect, and this agreement becomes null and void at time of business closure. If the businesses do not cease to exist, they may renew or extend this agreement under separate cover.

V. Rubens Distilling and Brewing will pay an amount of Seven Hundred Fifty U.S. Dollars ($750) to Howie’s LLC per annum, starting on January 1, 2016, so long as this agreement remains in effect.

VI. Both parties assert they have proper authority to make the above decisions on behalf of his/her respective company.

VII. Both parties agree to not hold one another or their respective companies, responsible for damages or injuries as a result of parking in the designated parking spots that Howie's LLC has agreed to in item II of this agreement with Rubens Distilling & Brewing.

VIII. Exhibit A attached to this Parking Agreement.

Tony Morales
Managing Member, Howie's LLC

Robert Rubens
President, Hemilane Inc.

Date

11-18-15

Date

11-18-15
A=4 tenant stalls
B=4 leased stalls
C=1st neighbor stall
D=2nd neighbor stall
EL SEGUNDO CITY COUNCIL

AGENDA STATEMENT

AGENDA DESCRIPTION:
Consideration and possible action regarding 1) Approval of a class specification and 2) adoption of a resolution for the implementation of a job classification and salary change. (Fiscal Impact: none)

RECOMMENDED COUNCIL ACTION:
1. Approve the proposed Class Specification;
2. Adopt the Resolution establishing the Basic Monthly Salary Range for the job classification of Finance Manager;
3. Approve the Examination Plan; and
4. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
2. Resolution establishing the Basic Monthly Salary Range for Finance Manager.

FISCAL IMPACT: None

Amount Budgeted: Included in Adopted Budget
Additional Appropriation: N/A
Account Number(s): N/A

ORIGINATED BY: Joseph Lillio, Director of Finance
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
To attract top talent in the current competitive job market, staff is requesting City Council to approve a job title change from Fiscal Services Manager to Finance Manager. The class specification is also being revised to update the essential job functions, required knowledge, higher level skillset, and position requirements. The proposed new Class Specification will more accurately reflect the nature and level of duties and responsibilities deemed necessary. It will help during the recruitment process since the job title of Finance Manager and all that it entails is more widely known and established in the world of Finance. The Finance Manager title will attract the appropriate talent that is best suited and a better match for the job description. Based on staff research, the current basic salary range for the Fiscal Services Manager is considered as a competitive salary range for a Finance Manager in today’s job market and will remain as is.
Adoption of the a Resolution establishing a Basic Monthly Salary Range and approval of a Class Specification and Examination Plans for the new classification is necessary in order to implement the change, if-and-when approved.

The proposed new title of Finance Manager will continue to be part of the Management/Confidential group. For the remainder of FY15-16, the Finance Manager’s basic salary range will remain identical to that of the Fiscal Services Manager with funding already included in the adopted budget.

The Finance Manager will report to the Director of Finance and will have supervisory responsibility for General Accounting, Purchasing, Payroll, and audit function.

A. Examination Plan

Finance Manager

-Structured technical and career preparation interview: Open competitive or promotional
Weighted 100%

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

For departments other than Police and Fire (Public Safety), the plan may consist of any one or a combination of the following techniques;

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

Definition: Under general direction, assists in the development, management, operation and evaluation of fiscal affairs and operations for the City; plans, manages and coordinates staff and activities involved in general accounting, purchasing, payroll, risk management, budget development, audits, and related functions.

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

Characteristic Duties and Responsibilities:

Assists in the planning, direction and coordination of activities and services within the Finance Department; participates in the development of policy and procedures; recommends and participates in the development of departmental goals, objectives and policies; assists in the administration of contracts for department services and ensures services are provided according to contract provisions.

Plans, manages and coordinates the day to day activities, services and staff involved in the Department's accounting, purchasing, payroll and risk management functions; performs advanced-level professional financial and risk management program/service delivery for the City. This includes but is not limited to overseeing the work of various general accounting functions: accounts payable functions; purchasing functions; reviews and approves various financial transfers; reviews and approves journal vouchers and budget adjustments; conducts budget account analyses; produces and distributes selected financial statements, financial summaries and management reports; prepares and monitors annual budgets for assigned divisions.

Assists in the implementation and administration of fiscal management programs including budget monitoring, forecasting, collection/disbursement of revenues, internal and external audits and preparation of the City's annual budget; prepares financial reports according to federal and state rules, regulations and laws, City policies and procedures, and generally accepted accounting principles.

Prepares financial, statistical, budgetary and analytical studies and reports; prepares detailed financial statements; verifies fund balances; prepares revenue projections, audits revenues, expenditures and grants.

In collaboration with the Director of Finance, provides leadership, program development, administration and coordination of fiscal operations and services; serves as liaison with the community, professional groups and other external contacts and resources on behalf of the City.

Coordinates fiscal operations activities with activities of other programs, departments or staff to ensure program delivery according to appropriate budgets, policies, procedures and specifications.
Resolves discrepancies or procedural problems and responds to program administration and/or program delivery questions ensuring necessary follow-up occurs; controls program records for operational and budget accountability; confers with and advises staff and program participants by providing advice, problem solving assistance, answers to questions and interpretation of program goals and policy.

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

**Knowledge, Skills and Other Characteristics:**

Knowledge of fiscal operations and generally accepted accounting principles and practices.
Knowledge of automated business computing systems.
Knowledge of the principles and practices of effective leadership, management and supervision.
Knowledge of project management principles and practices.
Knowledge of Department accounting, purchasing, payroll, budget development, federal and state program audits, annual financial statement audit and risk management functions.

Skill in program development, implementation and evaluation.
Skill in preparing complex financial and statistical reports.
Skill in managing, developing, motivating and evaluating professional and support staff.
Skill in managing special projects, activities and programs.
Skill in performing advanced-level professional financial and risk management program/service delivery for the City.
Skill in assessing objectives and operational requirements to develop and implement appropriate operational policies and procedures.
Skill in the use of personal computers and office and financial related software.
Skill in conducting research and preparing clear, concise and comprehensive reports.
Skill in understanding and applying complex regulations, procedures and guidelines.
Skill in communicating effectively orally and in writing.
Skill in working under pressure, handling significant problems and tasks that arise simultaneously and/or unexpectedly.
Skill in establishing and maintaining effective working relationships with staff, other City employees, and the public.

**Qualifications:**

Bachelor's degree in Accounting, Business Administration, Economics, Finance or a directly related field; and five (5) years of progressively responsible government accounting experience including two (2) years of management and supervisory experience; or an equivalent combination of education and experience.

Certified Public Accountant (CPA), Certified Public Finance Officer (CPFO), or Master's degree in Accounting, Business Administration, Economics, Finance, Public Administration or a directly related field is preferred.
FINANCE MANAGER

**Definition:** Under general direction, assists in the development, management, operation and evaluation of fiscal affairs and operations for the City; plans, manages and coordinates staff and activities involved in general accounting, purchasing, payroll, risk management, budget development, audits and related functions.

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

**Characteristic Duties and Responsibilities:**

Assists in the planning, direction and coordination of activities and services within the Finance Department; participates in the development of policy and procedures; recommends and participates in the development of departmental goals, objectives and policies; assists in the administration of contracts for department services and ensures services are provided according to contract provisions.

Plans, manages and coordinates the day to day activities, services and staff involved in the Department’s accounting, purchasing, payroll and risk management functions; performs advanced-level professional financial and risk management program/service delivery for the City. This includes but is not limited to overseeing the work of various general accounting functions; accounts payable functions; purchasing functions; reviews and approves various financial transfers; reviews and approves journal vouchers and budget adjustments; conducts budget account analyses; produces and distributes selected financial statements, financial summaries and management reports; prepares and monitors annual budgets for assigned divisions.

Assists in the implementation and administration of fiscal management programs including budget monitoring, forecasting, collection/disbursement of revenues, internal and external audits and preparation of the City’s annual budget; prepares financial reports according to federal and state rules, regulations and laws, City policies and procedures, and generally accepted accounting principles.

Prepares financial, statistical, budgetary and analytical studies and reports; prepares detailed financial statements; verifies fund balances; prepares revenue projections, audits revenues, expenditures and grants.

In collaboration with the Director of Finance, provides leadership, program development, administration and coordination of fiscal operations and services; serves as liaison with the community, professional groups and other external contacts and resources on behalf of the City.

Coordinates fiscal operations activities with activities of other programs, departments or staff to ensure program delivery according to appropriate budgets, policies, procedures and specifications.
Resolves discrepancies or procedural problems and responds to program administration and/or program delivery questions ensuring necessary follow-up occurs; controls program records for operational and budget accountability; confers with and advises staff and program participants by providing advice, problem solving assistance, answers to questions and interpretation of program goals and policy.

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

**Knowledge, Skills and Other Characteristics:**

Knowledge of fiscal operations and generally accepted accounting principles and practices.
Knowledge of automated business computing systems.
Knowledge of the principles and practices of effective leadership, management and supervision.
Knowledge of project management principles and practices.
Knowledge of Department accounting, purchasing, payroll, budget development, federal and state program audits, annual financial statement audit and risk management functions.

Skill in program development, implementation and evaluation.
Skill in preparing complex financial and statistical reports.
Skill in managing, developing, motivating and evaluating professional and support staff.
Skill in managing special projects, activities and programs.
Skill in performing advanced-level professional financial and risk management program/service delivery for the City.
Skill in assessing objectives and operational requirements to develop and implement appropriate operational policies and procedures.
Skill in the use of personal computers and office and financial related software.
Skill in conducting research and preparing clear, concise and comprehensive reports.
Skill in understanding and applying complex regulations, procedures and guidelines.
Skill in communicating effectively orally and in writing.
Skill in working under pressure, handling significant problems and tasks that arise simultaneously and/or unexpectedly.
Skill in establishing and maintaining effective working relationships with staff, other City employees, and the public.

**Qualifications:**

Bachelor’s degree in Accounting, Business Administration, Economics, Finance or a directly related field; and five (5) years of progressively responsible government accounting experience including two (2) years of management and supervisory experience; or an equivalent combination of education and experience.

Certified Public Accountant (CPA), Certified Public Finance Officer (CPFO), or Master’s degree in Accounting, Business Administration, Economics, Finance, Public Administration or a directly related field is preferred.
RESOLUTION NO. _______

A RESOLUTION ESTABLISHING A BASIC MONTHLY SALARY RANGE FOR THE JOB CLASSIFICATION OF FINANCE MANAGER.

Be it resolved by the Council of the City of El Segundo as follows:

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

<table>
<thead>
<tr>
<th></th>
<th>Step A</th>
<th>Step B</th>
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Section 2: The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the City’s original resolutions, and make a minute of this adoption of the Resolution in the City Council’s records and the minutes of this meeting.

Section 3: This Resolution will become effective immediately upon adoption and

PASSED AND ADOPTED this 17th day of May, 2016.

_____________________________________
Suzanne Fuentes, Mayor, City of El Segundo

ATTEST:

_____________________________________
Tracy Weaver, City Clerk, City of El Segundo
CERTIFICATION

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 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 17th day of May, 2016, and the same was so passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
NOT PARTICIPATING:

WITNESS MY HAND THE OFFICIAL SEAL OF SAID CITY this 17th day of May, 2016.

Tracy Weaver, City Clerk
of the City of El Segundo,
California
(SEAL)

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

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

Consideration and possible action regarding sponsorship of the Downtown El Segundo Car Show, (Fiscal Impact: Approximately $1,069 in additional fee waivers)

RECOMMENDED COUNCIL ACTION:

1. Review and approve the request to co-sponsor the Downtown El Segundo Car Show along with the El Segundo Chamber of Commerce and the Automobile Driving Museum; and/or,
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Letter from the President and Executive Director of the El Segundo Chamber of Commerce requesting City sponsorship of the Downtown El Segundo Car Show.
2. 2015 invoice #15-128 from the Recreation and Parks Department to the El Segundo Police Officers' Association for City fees related to the 2015 Main Street Car Show.

FISCAL IMPACT:

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

PREPARED BY: Barbara Voss, Economic Development Manager
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND & DISCUSSION:

Over the past eighteen years, the El Segundo Police Officers' Association (ESPOA) has sponsored the Main Street Car Show in downtown El Segundo. This popular event is a favorite among El Segundo residents, and brings visitors from throughout the region to City's downtown district. In addition to classic and specialty cars, the show features live music and vendors, and provides increased sales for the shops and restaurants in the downtown area.

This year, the ESPOA elected to temporarily suspend hosting the car show. After the announcement, the El Segundo Chamber of Commerce received several calls from businesses and residents requesting the Chamber's assistance with producing a similar event, and offered volunteer assistance and sponsorship. The Chamber, along with the Automobile Drive Museum, has graciously offered to step in on a one time basis to host a car show until the ESPOA resumes the role of hosting in future years. This will provide the community with continuity in upholding the annual car show tradition.

The Chamber has agreed to partner with the Automobile Driving Museum to facilitate the Downtown El Segundo Car Show on Saturday, August 20th, 2016. Since this is an unforeseen expense for the Chamber, the cost of the event was not included in the annual budget, and it is unknown whether or not the revenues generated from the event will exceed the expenses. The Chamber respectfully requests that
the City co-sponsor this event in the form of event fee waivers and necessary staff support (Attachment #1). Fees include equipment rentals (show mobile, barricades, etc.), banner permits, amplified sound permits, and related staff time. In 2015, the City fees associated with the Main Street Car Show were $4,038.72. The City granted a 75% fee waiver, reducing the fee by $3,029.04 (Attachment #2).

Staff recommends that the City Council co-sponsor the Downtown El Segundo Car Show, and that the full fee, estimated to be $4,038.72, be waived this year to support the event.
May 9, 2016

Greg Carpenter
City Manager
City of El Segundo
350 Main Street
El Segundo, CA 90245

Dear Greg:

The El Segundo Police Officers' Association has produced the much loved Main Street Car Show in Downtown El Segundo for many years. The ESPOA announced earlier that they are unable to host this event in 2016. The Chamber received several calls from local businesses and residents asking if we could help in producing a similar type of event this summer to assure continuity until the ESPOA would resume their Main Street Car Show in the future.

The Chamber has agreed to join together with the Automobile Driving Museum in bringing the Downtown El Segundo Car Show to our community on Saturday, August 20, 2016. This event will bring hundreds of both residents and visitors to Downtown El Segundo thus ensuring a robust day for our shops and restaurants as well as a wonderful day for families and car show enthusiasts.

We respectfully request the City of El Segundo to co-sponsor this important event for our community thus waiving the fees for equipment (showmobile, barricades, etc), sound permit/banner permit as well as staff time. We appreciate your consideration in joining together with the El Segundo Chamber of Commerce and the Automobile Driving Museum to create another memorable experience for our community and a successful day for our businesses.

Warm regards,

Elyse Beardsley
President 2015/2016

Marsha Hansen
CEO/Executive Director
City of El Segundo
Recreation & Parks Department
Tax I.D. # 95-6000706
401 Sheldon Street
El Segundo, CA 90245
Phone 310-524-2882

TO:
ESPOA
Attn: Chris Cameron
348 Main Street
El Segundo, CA 90245

COMMENTS OR SPECIAL INSTRUCTIONS:

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Make all checks payable to City of El Segundo and mail to:
City of El Segundo
Attn: Jackie Day
401 Sheldon St.
El Segundo, CA. 90245
For questions concerning this invoice, contact:
Jackie Day, Administrative Specialist, (310) 524-2881, jday@elsegundo.org

CITY STAFF ONLY: Please use ITEM # 1451 (GL# 702-300-5101-5414)
AGENDA DESCRIPTION:

Discussion regarding the Police Department’s new patrol staffing model (Fiscal Impact: Unknown)

RECOMMENDED COUNCIL ACTION:

1) Receive and file the Police Department’s new staffing model

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT: Loss of potential Asset Forfeiture and reimbursement funding from special assignments.

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

ORIGINATED BY: Mitch Tavera, Chief of Police
REVIEWED BY:
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

From December 2015 to April 2016, the Police Department has had five police officers (one sergeant and four officers) leave the department. In order to continue to staff the Uniformed Patrol Division in an appropriate manner, the Department has re-organized:

External assignments and certain internal assignments have been suspended and re-directed to the Field Operations Bureau in order to focus on patrol activities.

The Chief of Police will discuss recruitment efforts, rising crime rates, community concerns regarding public safety and future staffing plans.
AGENDA DESCRIPTION:
City Council Review and Discussion of Upcoming Strategic Planning Process

RECOMMENDED COUNCIL ACTION:
1. Receive and file the proposed calendar of activities related to the 2016-17 Strategic Planning efforts;
2. Provide input as desired for background information, topical information, or general areas of interest to include as part of the City’s Strategic Planning activities; and
3. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. N/A.

FISCAL IMPACT: None

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<td>Account Number(s):</td>
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ORIGINATED BY: Joseph Lillio, Director of Finance
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

The purpose of strategic planning is to anticipate the future, envision what the organization must become in order to operate effectively, and make plans for moving the organization from what it is to what it needs to become for future success. The strategic plan identifies strategic issues, establishes broad goals, and establish priorities.

The City of El Segundo ("City") utilizes the strategic planning process to determine the appropriate goals and objectives that will further the mission of the City in the near, mid and long term planning horizons. Through this process, prioritization of objectives and initiatives are developed that are then reflected in a measurable work plan supported by the City’s allocation of resources through the adopted budget.

Strategic planning, in recent years has focused on solving more immediate issues. The goals and objectives are incorporated into the annual budget and the strategic plans of all of the operating departments. This year’s process will provide an opportunity for Council to review progress on existing goals and provide any course correction necessary. Also, the Council will be able to identify additional strategic issues for discussion at the Strategic Planning Workshop.
The first strategic planning session should occur in mid-June. Staff recommends the use of a strategic planning facilitator to ensure the most efficient use of resources and effective outcome for the strategic planning process. The agenda will deal first with the current goals and move on to strategic issues throughout the day. City staff will provide background and support information for each of the items and focus the discussion on the areas, which may require additional City Council direction.

While it is anticipated that the proposed schedule should accommodate the activities necessary to effectively complete the Strategic Planning process, the schedule is flexible in providing sufficient time for additional workshops, meetings or discussions should they be necessary.

**Draft Agenda for mid-June Strategic Planning Session #1**

- Review, discuss and possible modification of the City’s Vision Statement, Mission Statement and defining core values facilitated by professional strategic consulting firm
- Financial Information (overview of city’s current year budget trend and preliminary FY 2016-17)
- Review of Current Strategic Plan as well as any pertinent documents from last year’s process
- Review of critical issues and any challenges and incorporate the results of planning activities from the May 16th City Manager and Department Head Strategic Planning Retreat
- Explore the goals of individual council members as well as the group as a whole
- Identify short and long-term goals for the City
- Prioritize those goals
- Conclude

Staff requests that City Council review and comment on the proposed outline for strategic planning.

The second strategic planning session is tentatively scheduled for the latter part of July. The objective of this second planning session is for Council to affirm the strategic plan and the development of the strategic direction over the next one to three years to guide their decision making, assist staff with building realistic and achievable action plans that reflect and advance Council’s direction, and to incorporate the strategic plan into the budget process.
AGENDA DESCRIPTION:

Consideration and possible action regarding the assignments of Council Members to various intergovernmental agencies, local agencies and subcommittees.

RECOMMENDED COUNCIL ACTION:

1. Approve and implement assignments;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

A table listing proposed Council appointments to intergovernmental agencies, local agencies and subcommittees.

FISCAL IMPACT:

Amount Budgeted:
Additional Appropriation:
Account Number(s):

ORIGINATED BY: Mayor Suzanne Fuentes
REVIEWED BY:
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

After the seating of every newly elected Council Member, the Mayor considers appointments to serve on various intergovernmental agencies, local agencies and subcommittees.
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<thead>
<tr>
<th>AGENCY / COMMITTEE</th>
<th>DELEGATE</th>
<th>ALTERNATE</th>
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</thead>
<tbody>
<tr>
<td>City Selection Committee</td>
<td>Suzanne Fuentes</td>
<td>By Proxy</td>
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<tr>
<td>Hyperion Citizens Forum</td>
<td>Mike Dugan</td>
<td>Carol Pirsztuk</td>
</tr>
<tr>
<td>Independent Cities Association</td>
<td>Don Brann</td>
<td>Mike Dugan</td>
</tr>
<tr>
<td>Independent Cities Risk Management Authority *</td>
<td>Mike Dugan</td>
<td>Staff</td>
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<tr>
<td>League of California Cities</td>
<td>Don Brann</td>
<td>Carol Pirsztuk</td>
</tr>
<tr>
<td>Los Angeles County Sanitation District 5 &amp; SBC</td>
<td>Suzanne Fuentes</td>
<td>Don Brann</td>
</tr>
<tr>
<td>Reach Out Against Drugs (ROAD)</td>
<td>Carol Pirsztuk</td>
<td>Mike Dugan</td>
</tr>
<tr>
<td>Senior Citizen Housing Corporation Board (Park Vista)</td>
<td>Drew Boyles</td>
<td>Mike Dugan</td>
</tr>
<tr>
<td>South Bay Cities Council of Governments (COG)</td>
<td>Suzanne Fuentes</td>
<td>Don Brann</td>
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<td>South Bay Youth Project</td>
<td>Don Brann</td>
<td>Carol Pirsztuk</td>
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<td>Mike Dugan</td>
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<td>West Basin Water Association</td>
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<td>Contract Cities Association</td>
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<td>Blue Ribbon Bicycle Advisory Board</td>
<td>Don Brann</td>
<td>Mike Dugan</td>
</tr>
<tr>
<td>* Resolution must be changed for Council delegate to vote.</td>
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**STANDING COMMITTEES**

<table>
<thead>
<tr>
<th>DELEGATE</th>
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</thead>
<tbody>
<tr>
<td>Suzanne Fuentes</td>
<td>Drew Boyles</td>
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<tr>
<td>Mike Dugan</td>
<td>Carol Pirsztuk</td>
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**OTHER APPOINTMENTS WITH DIFFERENT OR NO TERMS**

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Carl Jacobson</td>
<td>Suzanne Fuentes</td>
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<td>expires 12/16</td>
<td>effective 1/17</td>
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<tr>
<td>Dick Croxall</td>
<td>No Term</td>
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<tr>
<td>Carl Jacobson</td>
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<td>LAX Roundtable</td>
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<td>Cenntennial Celebration Committee</td>
<td>Suzanne Fuentes</td>
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<td>Don Brann</td>
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<tr>
<td>Aquatics Center Subcommittee</td>
<td>Suzanne Fuentes</td>
</tr>
</tbody>
</table>

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**STANDING COMMITTEES**

City / School Affairs Subcommittee
Disaster Council **
Golf Course Subcommittee
Technology Subcommitte
Investment Advisory Committee

**OTHER APPOINTMENTS WITH DIFFERENT OR NO TERMS**

Los Angeles County West Vector Control District (2-year terms)
LAX Area Advisory Committee
LAX Roundtable
Cenntennial Celebration Committee
Aquatics Center Subcommittee