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.

MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MAY 15, 2018 – 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:

Interviews for Committees, Commissions and Boards and possible consideration and action by the City Council to make appointments to these Committees, Commissions and Boards.

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): -0- matters

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): -2- matters.


DISCUSSION OF PERSONNEL MATTERS (Gov’t Code §54957): -1- matters

  1. Public Employee Review
     Position: City Manager

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): -0-matters

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -0-matters
5pm Closed Session
Place Holder
Staff Report and Attachments to be delivered under separate cover

SPECIAL ORDER OF BUSINESS:
Interviews for Committees, Commissions and Boards and possible consideration and action by the City Council to make appointments to these Committees, Commissions and Boards.
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.

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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 15, 2018 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Rev. Dina Ferguson, St. Michael’s Episcopal Church

PLEDGE OF ALLEGIANCE – Presentation of Colors and Pledge of Allegiance, presented by Boy Scout Troop 267.
PRESENTATIONS

a) Presentation - Lieutenant Raymond Garcia of the ES Police Department regarding Candy Cane Lane Community Meeting.


ROLL CALL

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

CITY COUNCIL COMMENTS – (Related to Public Communications)

A. PROCEDURAL MOTIONS

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

Recommendation – Approval.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

E. CONSENT AGENDA

All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.
1. Warrant Numbers 3021008 through 3021187 and 9000371 through 9000410 on Register No. 15 in the total amount of $591,058.26 and Wire Transfers from 4/23/18 through 5/6/18 in the total amount of $1,507,960.72.
Recommendation – Approve Warrant Demand Register and authorize staff to release. Ratify Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

2. Special City Council Meeting Minutes of April 30, 2018 and Regular City Council Meeting Minutes of May 1, 2018.
Recommendation – 1) Approval

3. Consideration and possible action regarding revising the Park Maintenance Worker I/II examination plan to replace the written test component with a performance examination.
(Fiscal Impact: None. Included in the current budget)
Recommendation – 1) Remove the current written test and replace it with a performance examination; 2) Alternatively, discuss and take other possible action related to this item.

4. Consideration and possible action to amend a Professional Service Agreement with AKM Consulting Engineers for additional construction inspection and Engineering Support services for the Wastewater Pump Station #1 & #7 Modification, Project No. PW16-07.
(Fiscal Impact: None. Included in the current budget)
Recommendation – 1) Authorize the City Manager to amend the Professional Services Agreement with AKM Consulting Engineers in a form approved by the City Attorney for additional construction inspection and engineering support for an additional amount of $174,820 for the Pump Station #1 and #7 Modification Project, No. PW16-07; 2) Alternatively, discuss and take other possible action related to this item.

5. Consideration and possible action regarding a request for the allowance of a new restaurant to serve beer and wine, operate a beer-tasting room, and sell bottled beer for off-site consumption. The restaurant is located within the Downtown Specific Plan at 124-130 W. Grand Ave. EA 1217, AUP 18-01.
Applicant: Rob Croxall.
(Fiscal Impact: None)
Recommendation – 1) Receive and file this report without objecting to the issuance of an alcohol permit for the new restaurant at 124-130 W. Grand Ave; 2) Alternatively, discuss and take other possible action related to this item.
6. Consideration and possible action authorizing the City Manager to execute an amendment to the Professional Services Agreement with NCM Engineering Corp. for preliminary roadway and railroad design work for the Park Place Extension Project.
   (Fiscal Impact: $0 to General Fund; $63,866 to Measure R)
   Recommendation – 1) Authorize the City Manager to execute an amendment to the Professional Services Agreement with NCM Engineering Corp. in a form approved by the City Attorney in the amount of $63,866; 2) Alternatively, discuss and take other possible action related to this item.

7. Consideration and possible action to accept as complete the Lifeguard Waste Water Forcemain Bathroom Project, No. PW 15-14.
   (Fiscal Impact: $814,000.00)
   Recommendation – 1) Accept the work as complete; 2) Alternatively, discuss and take other possible action related to this item.

8. Consideration and possible action to award a standard Public Works Contract to Palp, Inc. dba Excel Paving Company, in a form approved by the City Attorney, for construction of the Main Street Bollards, Project No. PW 18-08.
   (Fiscal Impact: $152,000.00)
   Recommendation – 1) Authorize the City Manager to execute a standard Public Works Contract in a form approved by the City Attorney with Palp, Inc. dba Excel Paving Company in the amount of $138,200 and authorize an additional $13,800 for construction related contingencies; 2) Alternatively, discuss and take other possible action related to this item.

9. Consideration and possible action regarding a resolution authorizing application to the Director of Industrial Relations, State of California, For a Certificate of Consent to Self-Insure Workers’ Compensation Liabilities.
   (Fiscal Impact: None)
   Recommendation – 1) Approve Application for Certificate of Consent to Self-Insure Workers’ Compensation; 2) Adopt a resolution authorizing the City Manager to file an application to the Director of Industrial Relations, State of California, for a certificate of consent to self-insure workers’ compensation liabilities; 3) Alternatively, discuss and take other possible action related to this item.

F. NEW BUSINESS
10. Consideration and possible action related to Special Event Permit Applications for two separate non-golf events (Craft Beer & Music Festival and ESHS Cross Country Invitational Meet) to be held at The Lakes at El Segundo, including establishment of facility rental fees, permission to serve alcohol, and authorize closure of the golf course and driving range for a period of time.  
(Fiscal Impact: To Be Determined)  
Recommendation – 1) Approve the use of The Lakes Golf Course and Driving Range, and closure of the facility, for the Craft Beer & Music Festival, and establish a facility rental fee; 2) Approve the use of The Lakes Golf Course and Driving Range, and closure of the facility, for the El Segundo High School Cross Country Invitational Meet, and establish a facility rental fee; 3) Alternatively, discuss and take other possible action related to this item.

11. Consideration and possible action to waive all City fees supporting the 2018 Main Street Car Show as requested by El Segundo Police Officers' Association and the El Segundo Chamber of Commerce and allow the operation of a beer garden on public property during the event.  
(Fiscal Impact: approximately $6,150)  
Recommendation – 1) Review the request for fee waiver adjustment and make a determination on whether to revert to the originally approved 75% fee waiver as approved July 15, 2014, or increase fee waiver discount to 100% as was approved for 2016 and 2017 events; 2) Approve the request to operate a beer/wine garden; 3) Alternatively, discuss and take other possible action related to this item.

12. Consideration and possible action to allow use of city property as a central venue for the El Segundo Art Walk and allow the event to operate a beer/wine garden on public property during the three dates of the 2018 El Segundo Art Walk.  
(Fiscal Impact: None)  
Recommendation – 1) Grant permission to the El Segundo Art Walk organization to use of one of the proposed public location options as a central venue; 2) Approve the request to operate a beer/wine garden at the central venue on public property; 3) Alternatively, discuss and take other possible action related to this item.

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY
13. Consideration and possible action regarding Senate Bill 831 and AB 2939, two bills currently pending in the Legislature that, if approved, would significantly amend the scope of the current state law requirements regarding accessory dwelling units and the Single Family Residential zones, including allowing current garages to be converted to dwelling units without replacing the existing parking requirements, deleting lot coverage restrictions regarding structures, allowing unpermitted and substandard structures to be used as dwelling units, and deleting the requirements that one of the two units on the property be occupied by the owner of the property.

(Fiscal Impact: None)

Recommendation – 1) Receive and file report regarding Senate Bill 831 and Assembly Bill 2939 pertaining to accessory dwelling units; 2) Authorize the Mayor to send letters to Senator Bob Wieckowski and Assembly Member Phil Ting, respectively, in support or opposition to the new legislation; 3) Consider exploring the potential of converting the City from a general law to a charter City to possibly increase its right over local zoning issues; 4) Alternatively, discuss and take other possible action related to this item.

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Pimentel –

Council Member Nicol –

Council Member Brann –

Mayor Pro Tem Pirsztuk –

Mayor Boyles –
14. Consideration and possible action regarding the assignments of Council Members to various intergovernmental agencies, local agencies and subcommittees.
(Fiscal Impact: None)
Recommendation – 1) Approve and implement assignments; 2) Alternatively, discuss and take other possible action related to this item.

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

MEMORIALS –

CLOSED SESSION

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

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:

DATE: May 10, 2018
TIME: 10:00 AM

NAME: [Signature]
Presentation
Lieutenant Raymond Garcia of the ES Police Department regarding Candy Cane Lane Community Meeting.
Proclamation

WHEREAS, public works services are central to the health, safety, and general well-being of our citizens’ everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and facilities such as streets and highways, water utilities, sewers, storm drains, public buildings, and solid waste collection; and

WHEREAS, the quality and effectiveness of these systems and facilities, as well as their planning, design, construction and maintenance, are vitally dependent upon the efforts and skill of dedicated public works professionals; and

WHEREAS, the efficiency of said professionals who staff public works departments is materially influenced by the people’s attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, the Mayor and Members of the City Council do hereby proclaim the week of May 20-26, 2018 as “National Public Works Week” in the City of El Segundo and call upon the citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions that public works officials make every day to our health, safety, comfort, and quality of life.

Mayor Drew Boyles
Mayor Pro Tem Carol Pirsztuk
Council Member Dr. Don Brann
Council Member Chris Pimentel
Council Member Scot Nicol
CITY OF EL SEGUNDO
WARRANTS TOTALS BY FUND

DATE OF APPROVAL: AS OF MAY 15, 2018
REGISTER # 15

3021009 - 3021187
9000371 - 9000410

GENERAL FUND 424,965.62
104 TRAFFIC SAFETY FUND -
108 STATE GAS TAX FUND -
108 ASSOCIATED RECREATION ACTIVITIES FUND -
108 ASSIST FORFURTIRE FUND 5,255.00
111 COMM. DEVEL. BLOCK GRANT -
112 PROP "A" TRANSPORTATION 937.50
114 PROP "C" TRANSPORTATION 180.00
115 AIR QUALITY INVESTMENT PROGRAM -
116 HOME SOUN D INSTALLATION FUND 90.00
117 HYPERSON MITIGATION FUND 55.76
118 TDA ARTICLE 3 - 6B 621 BIKEWAY FUND -
119 MTA GRANT -
121 FENA -
122 C.O.P.S. FUND -
123 L.A.W.A. FUND -
123 PSRA PROPERTY TAX PUBLIC SAFETY -
202 ASSESSMENT DISTRICT #73 -
301 CAPITAL IMPROVEMENT FUND 20,589.21
302 INFRASTRUCTURE REPLACEMENT FUND -
305 FACILITIES MAINTENANCE -
361 WATER UTILITY FUND 30,385.30
362 WASTEWATER FUND 5,044.35
501 GOLF COURSE FUND -
503 EQUIPMENT REPLACEMENT 32,027.17
506 LIABILITY INSURANCE 945.92
507 WORKERS COMP. RESERVE/INSURANCE 2,378.64
701 RETIRED EMP. INSURANCE -
702 EXPENDABLE TRUST FUND - DEVELOPER FEES 22,283.03
703 EXPENDABLE TRUST FUND - OTHER 1,000.00
705 OUTSIDE SERVICES TRUST 5,217.87

TOTAL WARRANTS $ 294,158.26

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/urgent 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: 5-7-18 DATE: 5-7-18

VOID CHECKS DUE TO ALIGNMENT: N/A
VOID CHECKS DUE TO INCORRECT CHECK DATE: N/A
VOID CHECKS DUE TO COMPUTER SOFTWARE ERROR: N/A

NOTES:
CITY OF EL SEGUNDO
PAYMENTS BY WIRE TRANSFER
4/23/18 THROUGH 5/6/18

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<th>Date</th>
<th>Payee</th>
<th>Amount</th>
<th>Description</th>
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<td>4/23/2018</td>
<td>IRS</td>
<td>230,683.51</td>
<td>Federal 941 Deposit</td>
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<td>4/23/2018</td>
<td>Employment Development</td>
<td>3,835.94</td>
<td>State SDI payment</td>
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<td>PARS</td>
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<td>Pension Trust Contribution</td>
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<td>Unum</td>
<td>175.50</td>
<td>Long Term Care Premium</td>
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<td>Manufacturers &amp; Traders</td>
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<td>457 payment Vantagepoint</td>
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<tr>
<td>5/4/2018</td>
<td>Manufacturers &amp; Traders</td>
<td>500.00</td>
<td>IRA payment Vantagepoint</td>
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<td>5/4/2018</td>
<td>Nationwide NRS EFT</td>
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<td>EFT 457 payment</td>
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<td>EFT Child support payment</td>
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<td>4/26/2018</td>
<td>Lane Donovan Golf Pte</td>
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<td>Payroll Transfer</td>
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<tr>
<td>4/16/18-4/22/18</td>
<td>Workers Comp Activity</td>
<td>26,309.24</td>
<td>SCRMA checks issued</td>
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<td>Workers Comp Activity</td>
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<td>4/16/18-4/22/18</td>
<td>Liability Trust - Claims</td>
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<td>Claim checks issued</td>
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<td>4/23/18-4/29/18</td>
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<tr>
<td>4/16/18-4/22/18</td>
<td>Retiree Health Insurance</td>
<td>0.00</td>
<td>Health Reimbursement checks issued</td>
</tr>
<tr>
<td>4/23/18-4/29/18</td>
<td>Retiree Health Insurance</td>
<td>0.00</td>
<td>Health Reimbursement checks issued</td>
</tr>
<tr>
<td>4/30/18-5/6/18</td>
<td>Retiree Health Insurance</td>
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<td>Health Reimbursement checks issued</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>1,507,960.72</strong></td>
<td></td>
</tr>
</tbody>
</table>

DATE OF RATIFICATION: 5/4/18
TOTAL PAYMENTS BY WIRE: 1,507,960.72

Certified as to the accuracy of the wire transfers by:

Deputy City Treasurer II
Date 5/4/18

Director of Finance
Date 5-7-18

City Manager
Date 5-7-18

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
REVISED SPECIAL MEETING OF THE EL SEGUNDO CITY COUNCIL
MONDAY, APRIL 30, 2018, 3:00P.M.

(Item No. 1 related to the Aquatics Center and Urho Saari Swim Stadium
has been removed from the Agenda.)
(Items No. 2, 3 and 4 will remain as previously posted)

3:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 3:00PM

PLEDGE OF ALLEGIANCE – Council Member Brann

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

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

A. UNFINISHED BUSINESS:

B. CONSENT AGENDA

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

2. Consideration and possible action to adopt a Resolution No. 5083 approving plans and
specifications for FY 17/18 Pavement Rehabilitation, Project No. PW 18-18, and authorize
staff to advertise the project for receipt of construction bids.
(Fiscal Impact: To Be Determined)

3. Consideration and possible action to waive the formal bidding requirements and authorize
the City Manager to execute a services agreement with Matrix Imaging, Inc. in the amount
of $122,960 to provide scanning, indexing, and conversion services to the Planning and
Building Safety and Police Departments.
(Fiscal Impact: $122,960.00)

4. Consideration and possible action regarding approval of an amendment to AdminSure Inc.
Amendment No. 5504A between AdminSure Inc. and the City of El Segundo (City) to add
services of third party administration (TPA) for the City's worker's compensation program.
(Fiscal Impact: $25,652.40)
MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Boyles approving Consent Agenda items 2, 3 and 4. MOTION PASSED BY UNANIMOUS VOICE VOTE 5/0

ADJOURNMENT 3:03pm

________________________________________
Mona F. Shilling
Deputy City Clerk II
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, MAY 1, 2018 – 5:00 PM

5:00 PM SESSION CANCELLED – NO ITEMS TO DISCUSS

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, MAY 1, 2018 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 7:01 PM

INVOCATION – Pastor Rob McKenna, The Bridge Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Boyles

Mayor Fuentes made a statement concerning the April 30, 2018 Special City Council Meeting.

PRESENTATIONS

a) Proclamation read by Mayor Fuentes, proclaiming City Clerk’s Week, May 6 – 12, 2018.

b) Presentation by Mayor Fuentes, in Recognition of the Election poll workers and Election night workers for their valuable services rendered to The City of El Segundo during the April 10, 2018 Municipal Election.

c) Presentation by, Scott Houston, West Basin Water District Representative, to Mayor Suzanne Fuentes and Council Member Mike Dugan.

d) Proclamation read by, Joe Lillio, Finance Director, on behalf of Tom Cody, President, of ICRMA to Council Member Mike Dugan.

e) Presentation by Sherri Kramer, Continental Development Corporation, on behalf of Richard Lundquist, President of CDC.

ROLL CALL

<table>
<thead>
<tr>
<th>Mayor Fuentes</th>
<th>Present</th>
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</thead>
<tbody>
<tr>
<td>Mayor Pro Tem Boyles</td>
<td>Present</td>
</tr>
<tr>
<td>Council Member Dugan</td>
<td>Present</td>
</tr>
<tr>
<td>Council Member Brann</td>
<td>Present</td>
</tr>
<tr>
<td>Council Member Pirsztuk</td>
<td>Present</td>
</tr>
</tbody>
</table>
PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) None

CITY COUNCIL COMMENTS – (Related to Public Communications)

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Dugan, SECONDED by Mayor Pro Tem Boyles 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 3020807 through 3021007 and 9000329 through 9000370 on Register No. 14 in the total amount of $890,185.54 and Wire Transfers from 04/09/18 through 04/22/18 in the total amount of $4,136,134.37. Ratified Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

2. Approve Regular City Council Meeting Minutes of April 17, 2018.

MOTION by Council Member Brann, SECONDED by Council Member Dugan, approving Consent Agenda items 1 and 2. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

G. REPORTS – CITY MANAGER – Presented outgoing Council Member Dugan and Mayor Fuentes with various items of recognition from neighboring municipalities and the City of El Segundo.
H. REPORTS – CITY ATTORNEY – Thanked Council Member Dugan and Mayor Fuentes for their years of service.

I. REPORTS – CURRENT CITY COUNCIL MEMBERS

Mayor Pro Tem Boyles - Thanked Council Member Dugan and Mayor Fuentes for their service.

Council Member Brann - Thanked Council Member Dugan and Mayor Fuentes for their service

Council Member Pirsztuk - Thanked Council Member Dugan and Mayor Fuentes for their service

Council Member Dugan – Closing remarks; grateful for his time served on the Council and ready to enjoy retirement.

Mayor Fuentes- Closing remarks; thankful for her time on the Council.

J. REPORTS – CITY CLERK

3. Consideration and possible action adopting a proposed resolution declaring the results of the General Municipal Election held on April 10, 2018.  
   (Fiscal Impact: None)

Tracy Weaver, City Clerk, read and introduced the item.

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 5082

A RESOLUTION DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD APRIL 10, 2018

MOTION by Mayor Pro Tem Boyles, SECONDED by Council Member Pirsztuk approving Resolution No. 5082. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

4. Consideration and possible action regarding the administering of the Oath of Office to the Council Members Elect.  
   (Fiscal Impact: None)

Tracy Weaver, City Clerk introduced the item.

Tracy Weaver, City Clerk administered the Oath of Office and presented a Certificate of Election to Council Members Elect Scot Nicol and Chris Pimentel.
5. Consideration and possible action regarding election of Mayor and Mayor Pro Tem by seated Council Members.  
   (Fiscal Impact: None)

Tracy Weaver, City Clerk, read and introduced the item.

Council Member Pirsztuk nominated Mayor Pro Tem Boyles for Mayor

MOTION by Council Member Pirsztuk, SECONDED by Council Member Nicol electing Mayor Pro Tem Boyles to Mayor. MOTION PASSED BY VOICE VOTE. 4/1 Yes; Boyles Pirsztuk Nicol Pimentel No: Brann

Council Member Nicol nominated Council Member Pirsztuk for Mayor Pro Tem

MOTION by Council Member Nicol, SECONDED by Mayor Boyles electing Council Member Pirsztuk to Mayor Pro Tem. MOTION PASSED BY VOICE VOTE. 4/1 Yes; Boyles Pirsztuk Nicol Pimentel No: Brann

K. REPORTS – CITY TREASURER – Not Present

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total)  
Mike Robbins, resident, congratulated the newly elected Council Members.
Ron Swanson, resident, congratulated the newly elected Council Members and Mayor Boyles and Mayor Pro Tem Pirsztuk.
Chad Zedenik, friend of Mayor Boyles, congratulated Drew on becoming Mayor.

MEMORIALS – None

ADJOURNMENT at 8:02 PM

__________________________________________
Tracy Weaver, City Clerk
EL SEGUNDO CITY COUNCIL
AGENDA STATEMENT

AGENDA DESCRIPTION:
Consideration and possible action regarding revising the Park Maintenance Worker I/II examination plan to replace the written test component with a performance examination. (Fiscal Impact: None. Included in the current budget).

RECOMMENDED COUNCIL ACTION:
1. Remove the current written test and replace it with a performance examination.
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Current Class Specification for Park Maintenance Worker I/II.
2. Recent Job Bulletin for Park Maintenance Worker I/II recruitment.

FISCAL IMPACT: None

STRATEGIC PLAN:

Goal 3A El Segundo is a City employer of choice and consistently hires for the future

Objective 2 The City provides a competitive environment and nimble hiring/onboarding process for its employees.

ORIGINATED BY: Leslie Campbell, Human Resources Analyst
REVIEWED BY: Joe Lillio, Director of Finance
Meredith Petit, Director of Recreation and Parks
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
In anticipation of a recruitment, testing and selection process to fill two current vacancies for Park Maintenance Worker I/II in the Recreation and Parks Department, staff has determined the need to revise the testing process to more accurately reflect the position’s duties, responsibilities, and requirements. A review of the written test used in past recruitments revealed that the questions were not consistent with the actual duties listed in the job bulletin, and therefore, has the potential to screen out qualified candidates. To ensure the best qualified applicants are considered for the position, it was determined that a performance-based test would more accurately reflect the duties of the position by demonstrating the candidate’s practical experience. The performance examination would be rendered by an external panel of raters, and would consist of various performance related tasks including demonstrating proper safety protocol, handling of equipment, and plant identification. If the proposed changes are approved, it is anticipated that recruiting efforts will begin as soon as possible and the positions will be filled prior to the end of the current fiscal year.
Park Maintenance Worker I

Bargaining Unit: City Employees Association

Class Code: 0785

SALARY RANGE

$1,568.90 - $1,907.00 Biweekly
$3,399.28 - $4,131.84 Monthly
$40,791.36 - $49,582.08 Annually

DEFINITION:

Under direct supervision, performs a variety of unskilled and semi-skilled tasks in the construction, maintenance, and upkeep of City parks, grounds, athletic fields, trees and other park related facilities.

ESSENTIAL JOB 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:

Uses power tools and equipment and hand tools to perform limited aspects of park facility and grounds installation, maintenance and repair such as lawns, flower beds, trees, irrigation systems, walkways, parking areas, debris and trash removal.

Assists in landscape maintenance duties including planting, pruning, mowing edging, digging, watering, repairing sprinklers, fertilizing and applying pesticides and weed abatement.
Assists in the maintenance of athletic fields and playground equipment; assists in setting up, breaking down and general maintenance for City sponsored events and/or recreational activities; sweeps, cleans, and stocks rest rooms with supplies, cleans courts, walks, appliances and other recreational equipment and facilities.

QUALIFICATIONS:

Knowledge, Skills and Other Characteristics:

Knowledge of the basic methods, materials and equipment used in grounds maintenance.

Knowledge of the basic operation, maintenance and repair of tools and equipment used in grounds maintenance and caretaking.

Knowledge of hazards and applicable safety precautions for equipment operation.

Knowledge of basic equipment capabilities, limitations, and safe operating characteristics.

Knowledge of OSHA safety standards related to assigned tasks and equipment operation and maintenance.

Skill performing unskilled and semi-skilled landscape construction and maintenance tasks.

Skill in operation, maintenance, and repair of equipment used in grounds maintenance and caretaking.

Skill in establishing and maintaining effective working relationships with other department staff, other City employees and the public.

Working Conditions:

Regularly exposed to weather conditions.

Regularly required to lift and/or carry heavy objects up to 50 pounds.

Licensing/Certification Requirements:
A valid California Driver's license at a level appropriate to the equipment operated.

Minimum Qualifications:

Graduation from high school or GED and some grounds and facility maintenance experience, or an equivalent combination of education and experience.
Park Maintenance Worker II

Bargaining Unit: City Employees Association

Class Code: 0794

SALARY RANGE

$1,731.77 - $2,104.98 Biweekly
$3,752.17 - $4,560.79 Monthly
$45,026.04 - $54,729.48 Annually

DEFINITION:

Under general supervision, performs a variety of semi-skilled and skilled tasks in the construction, maintenance and upkeep of City parks, grounds, athletic fields, trees and other park related facilities.

ESSENTIAL JOB 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:

Uses power tools and equipment and hand tools to perform all aspects of park facility and grounds installation, maintenance, and repair such as lawns, flower beds, shrubs and hedges, trees, irrigation systems, walkways, parking areas, debris and trash removal; applies fertilizers, pesticides and herbicides.
Maintains athletic fields and playground equipment; assists in setting up, breaking down and general maintenance for City sponsored events and/or recreational activities; sets out cones, signs or barricades and participates in traffic control at the work site.

Sweeps, cleans, and stocks rest rooms with supplies; cleans courts, walks, appliances and other recreational equipment and facilities; performs various building maintenance and repair tasks including minor plumbing repairs; prepares interior and exterior surfaces for painting.

Assists in the training of less experienced workers.

**QUALIFICATIONS:**

**Knowledge, Skills and Other Characteristics:**

Knowledge of the methods, materials and equipment used in grounds maintenance, pest control, construction, maintenance and repair of parks, trees, facilities and irrigation systems. Knowledge of the operation, maintenance, and repair of tools and equipment used in grounds maintenance and caretaking.

Knowledge of hazards and applicable safety precautions for equipment operation. Knowledge of equipment capabilities, limitations, and safe operating characteristics.

Knowledge of OSHA safety standards related to assigned tasks and equipment operation and maintenance.

Skill performing semi-skilled and skilled landscape construction and maintenance tasks. Skill in operation, maintenance, and repair of equipment used in grounds maintenance and caretaking.

Skill utilizing public relations techniques responding to inquiries and complaints. Skill in establishing and maintaining effective working relationships with other department staff, other City employees and the public.

**Working Conditions:**

Regularly exposed to weather conditions.

Regularly required to lift and/or carry heavy objects up to 50 pounds.

**Licensing/Certification Requirements:**

A valid California Driver's license at a level appropriate to the equipment operated.
Minimum Qualifications:

Graduation from high school or GED and two (2) years of grounds maintenance experience, or an equivalent combination of education and experience.
CITY OF EL SEGUNDO invites applications for the position of:

Park Maintenance Worker I/II

**SALARY:** $1,523.21 - $2,043.66 Biweekly
$3,300.28 - $4,427.94 Monthly
$39,603.36 - $53,135.28 Annually

**OPENING DATE:** 05/10/17

**CLOSING DATE:** 05/24/17 08:30 AM

**DESCRIPTION:**
The City of El Segundo has a vacancy in the Parks Division of the Recreation and Parks Department for a Park Maintenance Worker I/II. The Park Maintenance Worker I/II is a full-time position represented by the City Employees' Association (CEA)*. The work schedule for this position will be Monday through Thursday 6:00 a.m. to 4:30 p.m. The eligibility list will be established for Parks Maintenance Worker I/II and appointment may be made at either level depending upon the qualifications of the successful candidate(s). In addition to the stated salary, the City provides the following benefits package: CalPERS retirement (2% @ 60 for "classic" members and 2% @ 62 for "new" CalPERS members); $1,096.36/month for medical insurance*; $135 for dental/optical; $30,000 life insurance policy. *The City Employees' Association is currently in negotiations with the City. Salary, benefits and other terms and conditions of employment may be subject to change.

This is an open competitive recruitment process. Applicants must submit a City employment application (online), including answers to all supplemental questions. Only online applications will be accepted for this recruitment process. Applications will be accepted beginning Wednesday, May 24, 2017 at 8:00am and will be accepted until a sufficient number of qualified applications are received (approximately 30 applications). The application filing may close at any time, but should 30 applications not be received, application filing will close after Thursday, May 25, 2017 at 5:00 p.m. Only online applications will be accepted. Interested applicants are encouraged to prepare their application materials and responses to the supplemental questions ahead of time so they may apply during this application window. In order to prepare your online application, you may visit www.governmentjobs.com, open an account (if you don't already have one) and create an application.

All properly submitted applications and supplemental questionnaires will be reviewed. Answers to supplemental questions are required and will be used to determine qualifications related to the position. Those applicants demonstrating the most relevant job-related qualifications will be invited to the testing process. The testing process will consist of a written exam (Pass/Fail) and a structured oral interview (weighted 100% for eligible list placement). The **written exam** is tentatively
scheduled for Thursday, June 22, 2017. The oral exam date is to be determined. The testing and interview date(s) are to be determined. Candidates who pass all components of the selection process will be placed on an eligibility list in ranked order. Eligibility lists are normally valid for one year. The eligibility list established for this recruitment will be used to fill the current vacancies and any future vacancies that arise during the life of the eligibility list.

This position may be required to occasionally work weekends and evenings (based on the needs of the department) and is subject to emergency call backs and scheduled overtime.

Successful completion of a one-year probationary period is required to obtain permanent status in this position.

**Definition:** Under direct supervision, performs a variety of unskilled and semi-skilled tasks in the construction, maintenance, and upkeep of City parks, grounds, athletic fields, trees and other park related facilities.

**ESSENTIAL JOB 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:**

**Park Maintenance Worker I:**
Uses power tools and equipment and hand tools to perform limited aspects of park facility and grounds installation, maintenance and repair such as lawns, flower beds, trees, irrigation systems, walkways, parking areas, debris and trash removal.

Assists in landscape maintenance duties including planting, pruning, mowing edging, digging, watering, repairing sprinklers, fertilizing and applying pesticides and weed abatement.

**Park Maintenance Worker II:**
Uses power tools and equipment and hand tools to perform all aspects of park facility and grounds installation, maintenance, and repair such as lawns, flower beds, shrubs and hedges, trees, irrigation systems, walkways, parking areas, debris and trash removal; applies fertilizers, pesticides and herbicides.

Maintains athletic fields and playground equipment; assists in setting up, breaking down and general maintenance for City sponsored events and/or recreational activities; sets out cones, signs or barricades and participates in traffic control at the work site.
Sweeps, cleans, and stocks rest rooms with supplies; cleans courts, walks, appliances and other recreational equipment and facilities; performs various building maintenance and repair tasks including minor plumbing repairs; prepares interior and exterior surfaces for painting.

Assists in the training of less experienced workers.

**QUALIFICATIONS:**

**Minimum Qualifications:**

Level I: Graduation from high school or GED and some grounds and facility maintenance experience, or an equivalent combination of education and experience.

Level II: Graduation from high school or GED and two (2) years of grounds maintenance experience, or an equivalent combination of education and experience.

**Licensing/Certification Requirements:**

A valid California Driver’s license at a level appropriate to the equipment operated.

**Knowledge, Skills and Other Characteristics:**

Knowledge of the methods, materials and equipment used in grounds maintenance, pest control, construction, maintenance and repair of parks, trees, facilities and irrigation systems.

Knowledge of the operation, maintenance, and repair of tools and equipment used in grounds maintenance and caretaking.

Knowledge of hazards and applicable safety precautions for equipment operation.

Knowledge of equipment capabilities, limitations, and safe operating characteristics.

Knowledge of OSHA safety standards related to assigned tasks and equipment operation and maintenance.

Skill performing semi-skilled and skilled landscape construction and maintenance tasks.

Skill in operation, maintenance, and repair of equipment used in grounds maintenance and caretaking.

Skill utilizing public relations techniques responding to inquiries and complaints.

Skill in establishing and maintaining effective working relationships with other department staff, other City employees and the public.

**Working Conditions:**

Regularly exposed to weather conditions.

Regularly required to lift and/or carry heavy objects up to 50 pounds.
**Park Maintenance Worker I/II Supplemental Questionnaire**

* 1. The following supplemental questions will be used to evaluate your qualifications for the position for which you are applying. Based upon the application materials and responses to the supplemental questionnaire, the best qualified candidates will be invited to participate in the selection process. Resumes are encouraged but will NOT be used in lieu of the application or supplemental questions. Please read each question carefully and provide a thorough and complete response, detailing your experience. Do NOT state "see resume" or "see application" to respond to any of the following questions. You will not have an opportunity to provide additional information if your application is not selected to proceed in the recruitment process, so you should be sure to detail ALL relevant work experience within your application and supplemental questionnaire. Do you understand and agree to the foregoing?

  - Yes  
  - No

* 2. Do you have a high school diploma, GED certificate, or equivalent?

  - Yes  
  - No

* 3. Please describe your paid work experience related to groundskeeping and parks maintenance.

* Required Question
AGENDA DESCRIPTION:

Consideration and possible action to amend a Professional Service Agreement with AKM Consulting Engineers for additional construction inspection and Engineering Support services for the Pump Station #1 & #7 Modification, Project No. PW16-07. (Fiscal Impact: None. Included in the current budget.)

RECOMMENDED COUNCIL ACTION:

1. Authorize the City Manager to amend the Professional Services Agreement with AKM Consulting Engineers in a form approved by the City Attorney for additional construction inspection and engineering support for an additional amount of $174,820 for the Pump Station #1 and #7 Modification Project, No. PW16-07; or,

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

ATTACHED SUPPORTING DOCUMENTS:

None.

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $4,200,000
Additional Appropriation: No.
Account Number(s): 502-400-8204-8650 (Sewer Pump Station #1)
502-400-8204-8647 (Sewer Main)

STRATEGIC PLAN:

Goal: 4 Develop Quality Infrastructure & Technology
Objective: (a) El Segundo’s physical infrastructure supports an appealing, safe, and effective City

ORIGINATED BY: Lifan Xu, City Engineer
REVIEWED BY: Ken Berkman, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

On October 4, 2016, City Council awarded a Professional Services Agreement to AKM Consulting Engineers (AKM) for construction inspection and engineering support services in the amount of $354,480 for the Pump Station #1 and #7 Modification Project, No. PW16-07, and approved an additional $35,000 for related contingencies. The project is currently under construction and is within budget; however, unforeseen conditions encountered in the field have resulted in the need for additional design, geotechnical inspection, and materials testing services from AKM.
One of the primary issues is the fact that a majority of the City’s 10-inch sewer force main was constructed along a 7’x6’ LA County storm drain that was encased in concrete, which required additional work by the Contractor and thus additional inspection and compaction testing by AKM. Additionally, the wet well construction area was impacted by loose soil and other field conditions. These field issues subsequently caused the Contractor to submit additional requests for information (RFI’s) to the designer (also AKM) to resolve construction issues than were originally anticipated. Finally, four (4) additional months of inspection is needed, as the completion date was pushed back from May to September of this year.

Engineering staff and AKM estimate that an additional $139,820 is needed on top of the previously-approved $35,000 contingency, for a total contractual request of $174,820. There is sufficient funding within the original project budget to fund these additional construction inspection and engineering support costs. No additional appropriation is needed.

Therefore, staff respectively recommends City Council authorize the City Manager to amend the Professional Services Agreement with AKM in a form approved by the City Attorney for additional construction inspection and engineering support in an amount of $174,820.
AGENDA DESCRIPTION:
Consideration and possible action regarding a request for the allowance of a new restaurant to serve beer and wine, operate a beer-tasting room, and sell bottled beer for off-site consumption. The restaurant is located within the Downtown Specific Plan at 124-130 W. Grand Ave. EA 1217, AUP 18-01. Applicant: Rob Croxall. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Receive and file this report without objecting to the issuance of an alcohol permit for the new restaurant at 124-130 W. Grand Ave; 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) for January- June 2017
2. Police Reporting Districts Map
3. Administrative Use Permit approval letter and conditions, dated April 5, 2018
4. Planning Commission Staff Report, dated April 12, 2018

FISCAL IMPACT: None

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

STRATEGIC PLAN: N/A

ORIGINATED BY: Gregg McClain, Planning Manager
REVIEWED BY: Sam Lee, Planning and Building Safety Director
APPROVED BY: Greg Carpenter, City Manager

On April 5, 2018, the Director of Planning and Building Safety approved an Administrative Use Permit application with conditions of approval which allows the sale of beer and wine at the new restaurant, Slice & Pint, located at 124-130 W. Grand Ave. Planning Commission Received and Filed the Director’s decision on April 12, 2018. Pursuant to City Council direction from 1995, this matter is brought to the Council’s attention at this time.

Analysis

According to the most recent Crime and Arrest statistics report prepared by the Police Department, the proposed restaurant is located in Reporting District (RD) 112. Based on the January – June 2017 data reported by the Police Department, the district had a total of 31 Part I & II crimes and 10 felony/misdemeanor arrests. This rate is 141% higher than the City’s average. The Police
Department and the Planning and Building Safety Department do not object to the issuance of the alcohol permit for the new restaurant.

The restaurant is roughly 3,000 square feet with 1,000 of it devoted to indoor dining. The applicant’s requested hours of operation are 11:00 am to 11:00 pm.

The project site is located in Downtown Specific Plan. Restaurants are permitted in the DSP in accordance with section V-C-2(a)(ii). On-site and off-site sale of alcohol at a restaurant requires an Administrative Use Permit in accordance with the Municipal Code. As noted above, this permit was approved by the Director of Planning and Building Safety and confirmed by the Planning Commission.

The ABC license review process is separate from the City’s AUP process. 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. The City reviews compatibility issues.

**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).

**Conclusion**

Staff recommends that the Council receive and file this report without objecting to the issuance of a new alcohol permit for the site, or alternatively discuss and take another action related to this item.
### REPORTED PERIOD: JANUARY – JUNE, 2017

#### PART I & II CRIMES AND ARRESTS BY REPORTING DISTRICT (RD)

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<th>PART I &amp; II CRIMES</th>
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**Totals:** 699 210 999

**Number of Reporting Districts = 52**
**Average # of Part I & II Crimes per Reporting District = 13**
**Average # of Felony/Misdemeanor Part I & II Crime Arrests per Reporting District = 4**
**Average # of Crimes and Arrests per Reporting District = 17**

(Results from 01/01/2017 through 06/30/2017)

**High Crime Area per B&P Code Section 23958.4 = >20%**
HIGH CRIME AREA MAP
April 5, 2018

Mr. Rob Croxall
El Segundo Brewery
140 Main St.
El Segundo, CA 90245

RE: Environmental Assessment 1217: Administrative Use Permit 18-01

Address: 124-130 W. Grand Ave. El Segundo, CA 90245

Dear Mr. Croxall:

Your request for an Administrative Use Permit for the on-site sale and consumption of beer and wine at 124-130 W. Grand Ave. is APPROVED in accordance with the Downtown Specific Plan and subject to the conditions of approval in the attached Exhibit A. The associated environmental determination and findings supporting the decision are described in Exhibit B.

This determination is scheduled to be received and filed by the Planning Commission at the April 12, 2017, meeting.

Should you have any questions, please contact Russell Toler, Contract Planning Technician at (310) 524-2371.

Sincerely,

[Signature]

Gregg McClain, acting Director
Department of Planning and Building Safety

www.elsegundo.org
www.elsegundobusiness.com
Exhibit A
CONDITIONS OF APPROVAL

1. The hours of operation to sell alcohol for on-site consumption is limited to between 11:00am and 11:00 pm every day. 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. 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.

4. The applicant must obtain and maintain all licenses required by the Alcoholic Beverage Control Act (Business & Professions Code Section 23300).

5. The applicant must comply with all regulations of the Alcoholic Beverage Control Act and the regulations promulgated by the Alcoholic Beverage Control Board including the regulations set forth in 4 Cal. Code of Regs. §§55, et seq.

6. All employees tasked to sell alcoholic beverages must provide evidence that they have either:
   a. Obtained an ABC-issued certificate for completion of the LEAD (Leadership and Education in Alcohol and Drugs) program; or,
   b. Completed an accepted equivalent training offered by the ABC, district office to ensure proper distribution of beer, wine, and distilled spirits to adults of legal age.
   c. If a prospective employee designated to sell alcoholic beverages does not have LEAD or equivalent training, then, the applicant must, within 15 days of this decision, confirm with the Planning and Building Safety Department that a date is scheduled with the local ABC district office to complete the LEAD course.
   d. Within 30 days of taking LEAD or equivalent course, employees or their employer must deliver each required certificate showing completion to the Police Department.

7. The restaurant operations must comply with ESMC Chapter 7-2 regulating noise and vibration.
8. The licensee must have readily identifiable personnel to monitor and control the behavior of customers inside the building premises. Staff must monitor activity immediately adjacent to the property under the establishment's control to ensure the areas are generally free of nuisances.

9. If complaints are received regarding excessive noise, or other nuisances associated with the sale of beer and wine, the City may, in its discretion, take action to review the Administrative Use Permit and add conditions or revoke the permit.

10. There must be no exterior advertising of any kind or type indicating the availability of specific alcoholic beverage products.

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

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

13. The Applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney fees), injuries, or liability, arising from the City's approval of Environmental Assessment 1217 or Administrative Use Permit 18-01. 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 1217 or Administrative Use Permit 18-01, 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.

14. Rob Croxall must acknowledge receipt and acceptance of the project conditions by executing the acknowledgement below.

These Conditions are binding upon Rob Croxall and all successors and assigns to the property at 124-130 W. Grand Ave. until superseded by Approval Letter or rescinded.

______________________________
Rob Croxall, Applicant
Exhibit B
Environmental Determination and Required Findings

Environmental Assessment 1217:

After considering the above facts and findings, the Director finds this 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).

Administrative Use Permit 18-01:

The following are the facts in support of each finding for this decision:

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.

1. The project is compatible with the particular site because it is situated in a downtown environment that includes offices, retail, service uses, and other restaurants nearby. The nearest residentially-zoned property is over 200 feet away.

Finding 2: The proposed use is consistent and compatible with the purpose of the Zone in which the site is located.

1. The zone of the property is Downtown Specific Plan: Richmond Street District. The purpose of this zone includes the provision of a pedestrian-oriented environment, and the preservation of its “old town” character. A beer-and-wineserving restaurant is a business type that has strong potential to attract and generate pedestrian activity. Further, the restaurant will occupy the space of an existing historic building, with minimal modifications to the exterior.

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.

1. The proposed hours of operation to serve alcohol is between 11:00am and 11:00pm every day. The nearest residentially-zoned property is over 200 feet away.

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.
1. The consumption of beer and wine will not create any new impacts that would not be normally associated with the operation of a restaurant, which is a permitted use.

2. Condition 5 of this letter mandates that operations comply with ESMC Section 7-2-1 regulating noise and vibration. No live music, entertainment, or dancing has been proposed.

Finding 5: The State Department of Alcoholic Beverage Control has issued or will issue a license to sell beer and wine to the Applicant.

1. The Applicant currently operates El Segundo Brewery at 140 Main St. under a Type 23 license from the ABC (Small Beer Manufacturer). This license authorizes the same privileges as Type 1 (Beer Manufacturer), which allows the on- and off-site sale of beer, and the on-site sale of beer and wine at a bona fide eating place, and beer tastings. Assembly Bill 2010, which was approved by Governor Brown in 2014, allows a beer manufacturer operating under a Type 23 license to duplicate their license to up to six locations with retail privileges, of which two may be bona fide eating establishments. The application under review is for El Segundo Brewery's second and last permitted bona fide eating establishment to operate under the existing Type 23 license.
AGENDA DESCRIPTION:
Consideration and possible action regarding approval of Environmental Assessment 1217: Administrative Use Permit 18-01 for a new restaurant to serve beer and wine, operate a beer-tasting room, and sell bottled beer for off-site consumption. The bar and dining areas will occupy roughly 2,000 square feet; the remaining 1,000 square feet will be dedicated to kitchen, storage and office spaces. 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).

Address: 124-130 W. Grand Ave.

Applicant: Rob Croxall

RECOMMENDED PLANNING COMMISSION ACTION: Receive and file

ATTACHED SUPPORTING DOCUMENTS: Approval letter dated April 5, 2018

ORIGINATED BY: Russell Toler, Contract Planning Technician

REVIEWED BY: Gregg McClain, Planning Manager

APPROVED BY: Sam Lee, Director of Planning and Building Safety

On April 5, 2018, the acting Director granted approval for the on-site and off-site sale of alcohol at a new restaurant. The approval includes conditions that protect the City and surrounding users from potentially negative impacts associated with alcohol consumption. The conditions, findings of approval, and environmental assessment are provided in the attached approval letter. As such, staff believes that the project is appropriate for the location and will not operate in a way that will create unwanted impacts, and so recommends that the Commission receive and file this report.
AGENDA DESCRIPTION:
Consideration and possible action authorizing the City Manager to execute an amendment to the Professional Services Agreement with NCM Engineering Corp. for preliminary roadway and railroad design work for the Park Place Extension Project. (Fiscal Impact: $0 to General Fund; $63,866 to Measure R)

RECOMMENDED COUNCIL ACTION:
1. Authorize the City Manager to execute an amendment to the Professional Services Agreement with NCM Engineering Corp. in a form approved by the City Attorney in the amount of $63,866;
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
NCM Engineering Corp. Scope of Services for Amendment 4438D

FISCAL IMPACT: Included in Adopted Budget
Amount Budgeted: $350,000 [Measure R]
Additional Appropriation: No
Account Number(s): 301-400-8203-6679

ORIGINATED BY: Ken Berkman, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
In 2008, the City secured a federal earmark of $750,000 to initiate design concepts and evaluate the possible extension of Park Place between Nash Street and Sepulveda Blvd. On March 20, 2013 the Federal Highway Administration (FHWA) approved the encumbrance and the California Department of Transportation (Caltrans) issued a Notice to Proceed (E-76) for preliminary engineering work for extending Park Place. The total available funds for the project include the earmark ($750,000 less Caltrans’ $15,000 administration fee) plus the 20% match requirement ($150,000), for a total of $885,000. The match funds are being provided by Federal Realty Investment Trust (Street Retail, Inc.) through a separate reimbursement agreement with the City. There is also $350,000 in Measure R funding available for this phase of the project.

A Request for Proposals (RFP) for the preliminary roadway and railroad design work for the Park Place Extension Project (Project) was released in Spring 2013; NCM was selected to provide the preliminary design services, and has successfully provided those services in advancement of the Project since that time.
In concert with the development of the Environmental Impact Report (EIR), the initial scope of work included:

1. Evaluating three preliminary design alternatives (one above grade crossing and two below grade crossings;
2. Compiling data on the feasibility of each design alternative based on, among other things, on the railroads’ willingness to relocation (railroad alignment studies), topographical site limitations, geotechnical considerations, structural feasibility, utility relocation, right-of-way considerations, environmental considerations and cost.
3. Progressing through conceptual design and probably cost estimates for the one preferred alternative. The conceptual design will include:
   a. Initial site assessment
   b. Roadway plans
   c. Traffic and signal lighting plans
   d. Rail plans
   e. Grading plans
   f. Drainage plans
   g. Utility relocation plans
   h. Structural plans
   i. Right of way requirements

Since the award of the contract, there have been three (3) amendments. The first one was procedural in nature to include Federal Contact Requirements, the second was to extend the agreement to September 30, 2015. The third was approved by Council to extend the agreement to February 28, 2018 and provide an additional $49,146.00 to allow NCM to continue working on the Project in concert with the EIR phase, providing critical right-of-way analysis and coordination with the railroads and utilities, and ultimately draft agreements with those key stakeholders.

Staff has requested additional services of NCM to ensure the EIR phase is completed successfully. There are several reasons for this additional need:

1. Caltrans delays in processing the EIR and their new annotation of the standard EIR format extended the schedule;
2. Additional coordination and preliminary engineering (design and right-of-way analysis) is required due to stakeholder meetings, input and infrastructure requests (primarily UPRR, BNSF, and Chevron); and,
3. Anticipated comments from the public review phase of the DEIR and EIR that will require engineering design responses.

Staff respectfully recommends Council authorize the City Manager to execute an amendment to the Professional Services Agreement with NCM Engineering Corp. for preliminary roadway and railroad design work for the Park Place Extension Project in an amount of $63,866, and retroactively extend the Agreement to December 31, 2018.
SCOPE OF SERVICES PM SUPPORT
AMENDMENT 4438D

PROJECT MANAGEMENT SUPPORT DURING ENVIRONMENTAL DOCUMENT PHASE

1.0 Revise Roadway, Right of Way Requirements and Bridge Structures Plans and Type Selection Report per Union Pacific Railroad's request for separate bridges over Park Place

Currently, the planning level plans and reports for Alternative 1 show UPRR track and BNSF track sharing a single two track bridge over Park Place. The NCM team will revise the planning level roadway, structures plans and the type selection memo from a currently planned single two track bridge to two single track bridges per Union Pacific RR comments.

✓ Revise roadway plans and right of way requirements exhibits
✓ Revise bridge plans and edit type selection memo

Task 1.0 Deliverables:
✓ Revised Plans and Type Selection Memo

1.1 Revise Railroad Planning Layouts per Union Pacific Railroad's request for separate bridges over Park Place

Wilson and Company has attempted to obtain MOU's with railroads, but the companies declined to commit without substantial design and funding being completed. Instead Wilson has obtained comment letters from Chevron and BNSF. UPRR has requested that they not share a single bridge with BNSF over Park Place. Wilson will revise planning level railroad track alignments to separate the UPRR and BNSF tracks over Park Place to accommodate two bridges. Wilson and Company will complete coordination with UP comment letter with goal to receive a letter supporting alternatives including Alternative 1 (BNSF and UPRR side by side over Park Place). Wilson will provide the City with draft C&M agreements for both UPRR and BNSF. The Railroads will not comment or negotiate C&M agreements until design is substantially complete.

✓ Revise railroad track plans
✓ Coordinate with UPRR

✓ Provide draft C&M agreements

Task 1.1 Deliverables:
✓ Revised Railroad Alignment Plans

1.2 Utility Relocation Coordination

No additional work identified.

1.3 Right of Way Cost Estimates

OPC will revising the row cost strategy (in addition to incorporating stakeholder input re contribution of lands from landowners as part of any development agreement). Deliverable is a revised ROW cost estimate incorporating a comprehensive valuation strategy based on input from stakeholders, the following will be necessary:

✓ Team (NCM / OPC) workshop to identify potential ROW savings measures
✓ OPC will hold a workshop with stakeholders to establish a land value to be used for the ROW cost estimate, OPC will draft a memo summarizing the decisions made during workshop to be distributed
✓ Revise cost estimate based on updated ROW takes and input from workshop.

Task 1.3 Deliverables:
✓ Revised Preliminary Project Right of Way Strategy Costs

1.4 Additional Coordination Support Services

Team will provide additional coordination and support services to the City as needed to respond to additional comments received by stakeholders and public comment through environmental approval.

✓ City may draw on any team members to respond to needed additional tasks.

Task 1.4 Deliverables:
✓ As Determined by Public Works Director
**NCM Engineering Corp.**  
**COST PROPOSAL**  
Project: Park Place Extension Project Management Support

| Client:    | City of El Segundo  
350 Main Street  
El Segundo, CA 90245  
ATTN: Ken Berkman, PE  
Public Works Director |
|------------|--------------------------------------------------|
| Consultant:| NCM Engineering Corp  
22362 Gilberto  
Suite 125  
Rancho Santa Margarita, CA 92688  
ATTN: William Nascimento, PE, SE |
| Element:   | Project Management Support |
| Project No.| ElSegundo |
| Prepared by:| WN |
| Date:      | April 19, 2018 |

**Proposed Services:**  
Please see attached scope of services.

---

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Other Direct Costs (Billed at actual cost with receipts)

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5. Special Deliveries  
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**Total Amount**  
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**TASKS / SUBTASKS**

**Engineering Services**

1. **Coordination**
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   - Stakeholder and public comments response: 40 40 80 $15,277

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## NCM Engineering Corp.

**COST PROPOSAL**

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*Exhibit__*
AGENDA DESCRIPTION:
Consideration and possible action to accept as complete the Lifeguard Waste Water Forcemain Bathroom Project, No. PW 15-14. (Fiscal Impact: $814,000.00)

RECOMMENDED COUNCIL ACTION:
1. Accept the work as complete.
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
None

FISCAL IMPACT: Included in Adopted Budget
Amount Budgeted: $909,216.00
Additional Appropriation: No
Account Number(s): 502-400-8204-8635 (Lifeguard Forcemain & Pump Station)

STRATEGIC PLAN:
Goal: 4 Develop Quality Infrastructure and Technology
Objective: (a) El Segundo’s physical infrastructure supports an appealing, safe, and effective City

ORIGINATED BY: Lifan Xu, City Engineer
REVIEWED BY: Ken Berkman, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
El Segundo’s Lifeguard Station and Beach Bathroom was originally envisioned by Councilmember Jim Boulgarides in the early 2000’s as a facility that would serve not only as a public restroom but also provide storage and office space for the Los Angeles County Lifeguards Division. After much planning and coordination with the Lifeguards, the joint-use facility opened in the summer of 2013.

However, due to its remote location relative to an existing public sewer, it was understood that the facility would need to operate on a septic tank system until a connection to a public sewer could be made. In preparation for the future connection, the holding tank was sized to eventually house a pump station and force main mechanical equipment. Since its opening, the facility has relied on weekly sewer pumping services to transport and dispose the wastewater generated at the facility, at a cost of approximately $10,000/year.
The only cost-effective and viable option for connecting the facility to a municipal sewer system was to construct a force main across Chevron's property (adjacent to the bike path) to a connection point within NRG's wastewater system. NRG’s system discharges into Los Angeles County's sewer system at 45th Street in Manhattan Beach.

On October 18, 2016, City Council authorized the City Manager to enter into an easement and reimbursement agreement with Chevron for the construction of the lifeguard force main in the amount of $826,560, and approved an additional $82,656 for construction-related contingencies. Chevron conducted the bidding process but had to re-bid the project after the low bidder ARB, Inc. failed to respond to its bid. Chevron awarded the contract to low bidder Schultz Industrial Services, Inc. for $819,747 in a re-bid.

Construction began on October 9, 2017, and was completed by the contractor on December 21, 2017. The project was completed under budget with a final construction cost of $814,000. Per the agreement, Chevron is also entitled to be reimbursed $40,000 for project administration staff time. However, Chevron has chosen to waive this cost in the historic collaborative spirit with the City. Chevron staff have been very helpful throughout the planning and construction phases over the past few years and put forth a concerted effort to complete the project with the City.

Staff respectfully recommends City Council accept as complete the Lifeguard Waste Water Force Main Bathroom Project, No. PW15-14. The design for the lifeguard pump station is underway, and the plans and specifications are slated to be presented to Council for adoption and authorization to advertise for construction bids this Fall.
AGENDA DESCRIPTION:
Consideration and possible action to award a standard Public Works Contract to Palp, Inc. dba Excel Paving Company, in a form approved by the City Attorney, for construction of the Main Street Bollards, Project No. PW 18-08. (Fiscal Impact: $152,000)

RECOMMENDED COUNCIL ACTION:
1. Authorize the City Manager to execute a standard Public Works Contract in a form approved by the City Attorney with Palp, Inc. dba Excel Paving Company in the amount of $138,200 and authorize an additional $13,800 for construction related contingencies.
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
None.

FISCAL IMPACT: Included in Adopted FY 2017-18 Budget

Amount Budgeted: $70,000
Additional Appropriation: No.
Account Number(s): $70,000 from 301-400-8203-8908 (Retractable Bollards-Main St)
$58,000 transferring from 301-400-8201-8513 (Police Roof Replacement) to 301-400-8203-8908 (Retractable Bollards-Main St)
$24,000 from 001-400-2601-6281 (Emergency Facility Maintenance)

STRATEGIC PLAN:
Goal: 2 Support Community Safety and Preparedness
Objective: (a) The City has a proactive approach to public safety, preparedness and crime that is outcome focused.

Goal: 4 Develop Quality Infrastructure & Technology
Objective: (a) El Segundo's physical infrastructure supports an appealing, safe, and effective City

ORIGINATED BY: Orlando Rodriguez, Senior Civil Engineer
REVIEWED BY: Ken Berkman, Public Works Director
APPROVED BY: Greg Carpenter, City Manager
BACKGROUND AND DISCUSSION:

The El Segundo Farmer’s Market is held every Thursday on Main Street between Holly and Grand Avenues from 3:00pm to 7:00pm. At 1:00pm, Recreation & Parks Department staff begin the process of closing Main Street to traffic, adjusting the traffic signals to flashing red, and allowing vendors to set up their booths. The current method being used by City staff to block oncoming traffic to the Farmer’s Market area consists of setting up wooden barricades and parking City vehicles at Main Street’s intersections with Grand and Holly Avenues.

When the project was originally conceived and proposed a few years ago, the purpose of the bollards was to protect pedestrians in the Farmer’s Market from vehicles accidently breaching the wood barricades. The original budget for construction of that project was $70,000, which was its approved project budget this fiscal year as well.

Over the past several years the world has witnessed terror attacks in the form of large trucks being used at higher speeds. With this understanding, the Police Department recommended that the bollards have the ability to prevent such acts, and the project plans and specifications were modified to increase the size of the trench foundations. The resulting project consists of the installation of the foundations, embedment sleeves with locks, and removable 6-inch-diameter stainless steel bollards.

On March 6, 2018, Council approved the plans and specifications for the project and authorized staff to advertise for construction bids. On March 27, 2018, the City Clerk received and opened two bids, as follows:

1. Palp, Inc. dba Excel Paving Company $158,200.00
2. MWLODYD Inc. $179,500.00

The lowest responsive and responsible bidder is Palp, Inc. dba Excel Paving Company (Excel). Staff checked the Contractor’s references and license status and determined that they have satisfactorily completed similar projects for other public agencies and their license is in good standing.

Given the over-budget bid, staff cooperatively identified with Excel that changing the bollard material from stainless steel to carbon steel would result in a cost savings of approximately $20,000. The stainless steel bollards were originally selected for their appearance, but the carbon steel bollards will have a uniform bright yellow powder coat finish to provide a uniform, visible look, and according the manufacturer, afford the City the same strength properties as the stainless steel.

To make up the remaining construction cost shortfall, staff recommends using the Police and Fire Roof Replacement Project, which was recently completed $58,000 under budget, and Public Works’ Emergency Facilities Maintenance account, whose expenditures to date provide adequate funding for the remaining balance ($24,000).

Staff respectfully recommends City Council authorize the City Manager to execute a standard Public Works Contract in a form approved by the City Attorney with Palp, Inc. dba Excel Paving Company in the amount of $138,200 and authorize an additional $13,800 for construction related contingencies. With Council’s approval, construction is estimated to occur in July and August.
AGENDA DESCRIPTION:

Consideration and possible action regarding a resolution authorizing application to the Director of Industrial Relations, State of California, For a Certificate of Consent to Self-Insure Workers' Compensation Liabilities (Fiscal Impact: none)

RECOMMENDED COUNCIL ACTION:

1. Approve Application for Certificate of Consent to Self-Insure Workers' Compensation.
2. Adopt a resolution authorizing the City Manager to file an application to the Director of Industrial Relations, State of California, for a certificate of consent to self-insure workers' compensation liabilities.
3. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Application (OSIP Form A-2), seeking individual self-insured status with OSIP
2. City Council Resolution Seeking Self-Insured Status - Certificate of Consent to Self-Insure Workers' Compensation

FISCAL IMPACT: None

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STRATEGIC PLAN:

Goal: 5(b) Champion Economic Development and Fiscal Sustainability:

El Segundo approaches its work in a financially disciplined and responsible way

Objective: 2 The City will maintain a stable, efficient, and transparent financial environment

ORIGINATED BY: Joseph Lillio, Director of Finance

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

ICRMA's workers' compensation program was created February 1, 2003. The City of El Segundo (the "City") is a founding member. At inception, ICRMA was granted self-insured status as a JPA
on behalf of its members by the Department of Industrial Relation’s ("DIR") Office of Self-Insurance Plans ("OSIP"). The consequent program structure established a Master Group Certificate of Consent to Self-Insure for the JPA (Group 5023), with each member agency obtaining an affiliate certificate (the City holding Certificate 5023-002). Prior to joining the ICRMA workers’ compensation program, El Segundo had its own individual Certificate of Consent to Self-Insure its workers’ compensation liabilities (Certificate 7160).

ICRMA, rather than directly paying claims on behalf of its members in the workers’ compensation program, reimburses members once a claim exceeds the member retained limit. When this type of financial reimbursement arrangement exists, each program participant typically carries its own individual Certificate of Consent to Self-Insure (and the JPA does not carry one).

Since ICRMA reimburses its members, it technically does not meet one of the required elements to function as a self-insured program. OSIP and ICRMA have determined that the risk financing mechanism adopted 15 years ago by ICRMA should have had a different organizational structure than the one originally put in place.

To be clear, ICRMA is not dismantling the workers’ compensation reimbursement program it currently administers; instead it is restructuring it, consistent with OSIP regulatory requirements. This action will not change the ICRMA’s workers’ compensation coverage (which provides statutory coverage limits), nor ICRMA’s responsibilities as established in the program agreement. ICRMA's coverage and all of the provisions of the Memorandum of Coverage (MOC) will remain in effect, just as they are, today. The claims reimbursement financing mechanism will continue, unfettered, for claims exceeding the member retained limit (currently $350,000 for the City), just as it has in the past. One notable change is that the annual DIR assessment calculation and billing process will be individualized for each member city. Previously, this obligation was “socialized” among all members based on proportional amounts of annual payroll each member (and former member) brought to the group; in the future the City’s annual DIR assessments will be based strictly upon the indemnity payments made on behalf of current and former El Segundo employees.

After consultation with OSIP, ICRMA is in agreement that it needs to restructure the program on or before June 30, 2018. ICRMA has confirmed that the most appropriate way to restructure the program is as follows:

1. Each workers’ compensation program member shall complete and execute an application (OSIP Form A-2, attached), seeking individual self-insured status with OSIP. The application should be executed by a city staff member designated by Council.

2. Each workers’ compensation program member will also have its City Council consider adopting a resolution (attached) declaring its intention to become a self-insurer and seek its own Certificate of Consent to Self-Insure from OSIP. In order to take effect, on prior to June 30, 2018, the City needs to adopt the resolution by the end of May. Upon adoption, the City Clerk shall affix the City Seal to the Resolution certifying and attesting to the efficacy of this action.
3. ICRMA has agreed to proactively lead and coordinate the submission process. City staff has been asked to bring both the application and certified resolution to a Special ICRMA Board Meeting scheduled on May 29th. Once all necessary documentation is gathered, ICRMA will deliver it as a complete package to OSIP for expedited processing. Ultimately, this will result in OSIP assigning each ICRMA workers’ compensation program member with its own individual Certificate of Consent to Self-Insure.

4. ICRMA staff will also coordinate the combination and transfer of all of the city’s prior Certificates of Consent records, including the certificate we maintained prior to joining ICRMA (7160) as well as the affiliate certificate we had through ICRMA’s master group certificate from 2003 to the present date (5023-002). This important step will serve to consolidate all of El Segundo’s previous records into our new OSIP certificate number and will greatly ease and simplify all future reporting and DIR Assessment billing activities. Another important step that OSIP will take is to communicate with our workers’ compensation claims administrator, Adminsurance, to confirm all claims reporting strictly complies with OSIP guidelines.

5. Once all ICRMA workers’ compensation program members have taken these steps and each member has secured its own individual Certificate of Consent to Self-Insure, administratively the existing master Certificate of Consent for ICRMA will be unwound and revoked by OSIP.

It is in City’s and the ICRMA’s membership’s collective interest for these steps to be taken, immediately; ICRMA will then be in a position to file a final report on behalf of Group 5023 that shows as of June 30th, 2018 no members remaining under the master JPA Certificate of Consent.
APPLICATION FOR CERTIFICATE OF CONSENT
TO SELF-INSURE AS A PUBLIC AGENCY EMPLOYER SELF-INSURER
All questions must be answered. If not applicable, enter “N/A”.

To the Director of the Department of Industrial Relations: The public agency employer identified below submits the following information to obtain a Certificate of Consent to Self-Insure the payment of workers’ compensation under California Labor Code Section 3700.

LEGAL NAME OF APPLICANT (Show exactly as on Charter or other official documents):
City of El Segundo

Address: 350 Main Street

City: El Segundo State: CA Zip + 4: 90245 3813

Federal Tax ID # of Group: 95-6000706

CONTACT - Who Should Correspondence Regarding This Applicant Be Addressed To:
Name: Joseph Lillio Title: Director of Finance

Company Name: City of El Segundo

Address: 350 Main Street

City: El Segundo State: CA Zip + 4: 90245 3813

Phone: (310) 524-2318 E-Mail: jillio@elsegundo.org

TYPE OF PUBLIC ENTITY (Check one):
☐ City and/or County ☐ School District ☐ Police and/or Fire District ☐ Hospital District
☐ Joint Powers Authority ☐ Other (describe):

TYPE OF APPLICATION (Check one):
☐ New Application ☐ Reapplicant (Merger/Unification) ☐ Reapplicant (Name Change)
☐ Other (describe):

Date Self-Insurance Program will begin: 06/30/2018
CURRENT WORKERS' COMPENSATION PROGRAM

☐ Currently Insured with State Fund  Policy # ___________________________ Expiration Date: ___________________________

☑ Currently Self Insured, Certificate # 5023-002

☐ Other (describe): ____________________________________________________________

CLAIMS ADMINISTRATION

Who will be administering your agency’s workers’ compensation claims? (Check one)

☐ JPA will administer

☑ Third Party Administrator, TPA Certificate # 092

☐ Public entity will self-administer ☐ Insurance Carrier will administer

Name of Third Party Administrator:

Name: Nerissa Burnside________________________________ Title: Workers' Compensation Director

Company Name: AdminSure Inc.

Address: 3380 Shelby Street

City: Ontario State: CA Zip + 4: 91764

Phone: (909) 396-5814 E-Mail: Services@AdminSure.com

# of claims reporting locations to be used to handle Agency's claims: 1

Does applicant currently have a California Certificate of Consent to Self-Insure? ☑ Yes ☐ No

If yes, what is the current Certificate Number: 5023-002

Total Number of Affiliate's California employees to be covered by Group: ________________________

AGENCY EMPLOYER

Current # of Agency Employees: 299   # of Public Safety Employees (police/fire): 97

If school District, # of certificated employees: __________________________

Will all Agency employees be covered by this self-insurance plan? ☑ Yes ☐ No

If 'No', explain who is not covered and how workers’ compensation coverage will be provided to the excluded employees:

________________________________________

________________________________________

59
JOINT POWERS AUTHORITY

Will applicant be a member of a JPA for workers' compensation?

☐ Yes  ☑ No  (If 'yes', complete the following)

Effective date of JPA Membership: ____________________  JPA Certificate #: ____________________

Name of JPA: __________________________________________________________

AGENCY SAFETY PROGRAM

Does the Agency have a written Injury and Illness Prevention Program (IIPP)?  ☑ Yes  ☐ No

Individual responsible for Agency workplace safety and IIPP program:

Name: Joseph Lillio  Title: Director of Finance

Company Name: City of El Segundo

Address: 350 Main Street

City: El Segundo  State: CA  Zip + 4: 90245-3813

Phone: (310) 524-2318  E-Mail: jillio@elsegundo.org

SUPPLEMENTAL COVERAGE

1.) Will your program be supplemented by any insurance or pooled coverage under a STANDARD
    workers' compensation insurance policy?  ☑ Yes  ☐ No  (If 'Yes', complete the following):

Name of Excess Pool/Carrier: ________________________________________________

Policy #: ____________________  Effective Date of Coverage: ____________________

2.) Will your program be supplemented by any insurance or pooled coverage under a SPECIFIC
    EXCESS workers' compensation insurance policy?  ☑ Yes  ☐ No  (If 'Yes', complete the following):

Name of Excess Pool/Carrier: Safety National Casualty Corp. (through group purchase by ICRMA)

Policy #: SP4057158  Effective Date of Coverage: 07/01/2017

Retention Limits: Self-insured Retention is $2m/occurrence; Limits are Statutory for WC and $2m (max $2m) for Employer's Liability

3.) Will your program be supplemented by any insurance or pooled coverage under an AGGREGATE
    EXCESS (stop loss) specific excess workers' compensation insurance policy?  ☐ Yes  ☑ No
    (If 'Yes', complete the following):

Name of Excess Pool/Carrier: ________________________________________________

Policy #: ____________________  Effective Date of Coverage: ____________________

Retention Limits: ________________________________________________________
RESOLUTION FROM GOVERNING BOARD

Attach a properly executed Governing Board Resolution. See attached sample resolution on page 5.

CERTIFICATION

The undersigned on behalf of the applicant hereby applies for a Certificate of Consent to Self-Insure the payment of workers' compensation liabilities pursuant to Labor Code Section 3700. The above information is submitted for the purpose of procuring said Certificate from the Director of Industrial Relations, State of California. If the Certificate is issued, the applicant agrees to comply with applicable California statutes and regulations pertaining to the payment of compensation that may become due to the applicant's employees covered by the Certificate.

X

SIGNED: Authorized Official / Representative

Greg Carpenter

Printed Name

City Manager

Title

City of El Segundo

Agency Name

DATE: 05/01/2018
RESOLUTION NO. ______

A RESOLUTION AUTHORIZING APPLICATION TO THE DIRECTOR OF INDUSTRIAL RELATIONS, STATE OF CALIFORNIA FOR A CERTIFICATE OF CONSENT TO SELF-INSURE WORKERS' COMPENSATION LIABILITIES

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

SECTION 1: The City Council finds and declares that:

A. RESOLVED, that the above named public agency is authorized and empowered to make application to the Director of Industrial Relations, State of California, for a Certificate of Consent to Self-Insure workers' compensation liabilities and representatives of Agency are authorized to execute any and all documents required for such application.

SECTION 2: Adoption:

A. At a meeting of the City Council of the City of El Segundo, a Municipal Corporation organized and existing under the laws of the State of California, held on the 15th day of May, 2018, the following resolution was adopted:

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

CITY OF EL SEGUNDO

Greg Carpenter, City Manager

IN WITNESS WHEREOF: I HAVE SIGNED AND AFFIXED THE AGENCY SEAL.
ATTEST:

Tracy Weaver, City Clerk

APPROVED AS TO FORM:

By: Mark D. Hensley, City Attorney
AGENDA DESCRIPTION:
Consideration and possible action related to Special Event Permit Applications for two separate non-golf events (Craft Beer & Music Festival and ESHS Cross Country Invitational Meet) to be held at The Lakes at El Segundo, including establishment of facility rental fees, permission to serve alcohol, and authorize closure of the golf course and driving range for a period of time. (Fiscal Impact: To be determined)

RECOMMENDED COUNCIL ACTION:
1. Approve the use of The Lakes Golf Course and Driving Range, and closure of the facility, for the Craft Beer & Music Festival, and establish a facility rental fee;
2. Approve the use of The Lakes Golf Course and Driving Range, and closure of the facility, for the El Segundo High School Cross Country Invitational Meet, and establish a facility rental fee; and/or,
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Site Plan – Craft Beer & Music Festival
2. Site Plan – ESHS Cross Country Meet
3. Revenue Data for The Lakes – August & September 2017

FISCAL IMPACT: To be determined
Amount Budgeted: $0
Additional Appropriation: N/A
Account Number(s): Golf Course Enterprise Fund

STRATEGIC PLAN:
Goal: 5B El Segundo approaches its work in a financially strategic and responsible way
Objective: 2 The City will maintain a stable, efficient, and transparent financial environment

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

BACKGROUND & DISCUSSION:
In the spirit of utilizing The Lakes for non-golf community events, the Department has received two Special Event Permit Applications for new events to take place in late summer and early fall requiring facility closures and subsequently impacting the regular golf operations. Both events have been reviewed by Department staff, discussed at the Golf Course Subcommittee (GCSC) on April 4, 2018, and presented to the Recreation and Parks Commission on April 18, 2017.
The GCSC supported both events and realize that many details and logistics will need to be worked out between City staff, golf course management, and the event applicants. Additionally, because there is no set fee schedule for renting out the golf course or driving range, the City Council will ultimately determine an appropriate fee as it relates to revenue generation, impact to regular operations, potential economic benefits, and support for the proposed use. The Golf Course Subcommittee suggested that fees be established using historical revenue data from a comparable day in previous years as a basis, and then adjusting the base amount considering factors such as type of organization (i.e. for profit vs. non-profit), purpose of the event (i.e. fundraising, target audience youth vs. adults), and cost of City support services.

The Recreation and Parks Commission also unanimously supported the ESHS Cross Country Meet. A majority of the Commission supported the Beer & Music Festival conceptually, but based on the limited information that was available at the time of the discussion there was some concern related to the safety and security measures that would be put in place by the City. Since the Commission meeting, staff held an inter-departmental meeting including representatives of the Police and Fire Departments to discuss logistics and requirements, including uniformed police officers, preferred parking and traffic plans, and the preparation of an Incident Action Plan that clearly identifies emergency access points.

Event #1:
Craft Beer and Music Festival – Proposed Date: Saturday, August 25th or September 1st
Applicant: Huck Street Productions (Kristian Krieger / Mike Bouchard / David Tardif)

Proposed Event Time: 2:00-7:00pm
Set-Up / Break-Down Times: 6:00am-2:00pm / 7:00-9:00pm
Estimated Attendance: 4,000
Impact to The Lakes: Full Closure of Driving Range on the day of the event, Full Closure of Golf Course and Clubhouse during the event, possibility to have golf course open during set-up until 12:00pm; Designated storage/staging areas in the parking lot and behind the driving range the day before the event for dropping off portable toilets, stage equipment, etc.
Other information: Applicant is requesting the use of City equipment (showmobile, two utility vehicles and shuttle services); seeking arrangements for off-site parking lots and will highly encourage attendees to utilize ride-share services; on-site parking lot to be reserved for handicap access, vendors, VIP, and drop-off/pick-up only; about 30 craft beer/wine vendors, 5 food vendors, and live music on stage in driving range; VIP area on top level of range; proper security, alcohol licenses, and food permits will be obtained – applicant has acquired security advisor Ed Ecles to provide under cover security officers and oversee the services of CSC event staffing; local charity to benefit

Staff Recommendation: (1) Approve the event in concept and direct staff to continue working on the details; (2) establish fee at or above typical revenue for the day (>$4,180); and (3) require applicant to reimburse the City for all support services at the fully-burdened salary rates

Event #2:
El Segundo High School Cross Country Invitational – Proposed Date: Saturday, September 8th
Applicant: ESHS Cross Country (Marcos Bolanos)

Proposed Event Time: 7:45am-12:30pm
Set-Up / Break-Down Times: Day prior 6:00-8:00pm & Day-of 5:00am-7:30am / 12:30-1:30pm
Estimated Attendance: 20-25 teams (~1,200 people) + 1,000 spectators in-and-out
Impact to The Lakes: Full closure of Driving Range and Course during the event; re-open by 2:00pm
Other Information: Applicant is seeking arrangements for off-site parking lots and suggest spectators walk from parking to the course; Team buses to be parked on Hughes Way and not enter the Lakes parking lot; Parking lot designated for handicap parking and team staging area; race course to be approximately 3 miles and marked by cones, ropes, and volunteers; racers will avoid putting greens and tee boxes; fundraising event for cross country team travel expenses; The Lakes may provide concessions

Staff Recommendation: (1) Approve the event in concept and direct staff to continue working on the details; (2) establish fee at or below the typical revenue for a comparable day, considering the spirit of the current Joint Use Agreement with ESUSD and concession revenue opportunities for the City (<$3,128); and (3) provide City support services in-kind
Craft Beer & Music Festival - Proposed Site Plan DRAFT

(Off-site Parking options still under development)
ESHS Cross Country Invitational - DRAFT site plan
(Spectator Parking still under development)
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<td>106</td>
<td>$1,793</td>
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<td>$4,087</td>
</tr>
<tr>
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<td>94</td>
<td>$1,569</td>
<td>$2,564</td>
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<tr>
<td><strong>Daily Average: August 2017</strong></td>
<td><strong>125</strong></td>
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<td>63</td>
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<td><strong>Daily Average September 2017</strong></td>
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<td><strong>$1,453</strong></td>
<td><strong>$1,674</strong></td>
<td><strong>$3,128</strong></td>
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AGENDA DESCRIPTION:
Consideration and possible action to waive all City fees supporting the 2018 Main Street Car Show as requested by El Segundo Police Officers’ Association and the El Segundo Chamber of Commerce and allow the operation of a beer garden on public property during the event. (Fiscal Impact: approximately $6,150)

RECOMMENDED COUNCIL ACTION:
1. Review the request for fee waiver adjustment and make a determination on whether to revert to the originally approved 75% fee waiver as approved July 15, 2014, or increase fee waiver discount to 100% as was approved for 2016 and 2017 events; and,
2. Approve the request to operate a beer/wine garden; and/or,
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Letter from the El Segundo Chamber of Commerce and El Segundo Police Officers’ Association requesting 100% fee waiver for the 2018 Main Street Car Show.
2. Staff Report and attachments from July 15, 2014, City Council Meeting establishing Special Event Fee Waiver Policy

FISCAL IMPACT: approximately $6,150

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

STRATEGIC PLAN:

Goal: 5a El Segundo promotes economic growth and vitality for businesses and the community

Objective: 2 The City will maintain a stable, efficient, and transparent financial environment

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

BACKGROUND & DISCUSSION:
From 1997 through 2015 the El Segundo Police Officers’ Association (ESPOA) 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 the City’s downtown district. In addition to classic and specialty cars, the show features live music and vendors, and provides increased sales for shops and restaurants in the downtown area.
In 2016, the ESPOA announced that it would temporarily suspend hosting the car show. After the announcement, the El Segundo Chamber of Commerce, along with the Automobile Driving Museum, offered to step in to host the car show until the ESPOA resumes the role of hosting in future years, to provide the community with continuity in upholding the annual car show tradition. In 2017, the ESPOA returned to the event and established a partnership with the El Segundo Chamber of Commerce to co-produce the event.

According to the City’s Special Event Fee Waiver Policies as established by City Council on July 15, 2014, the ESPOA Main Street Car Show was granted a 75% fee waiver in perpetuity on all city services and charges associated with supporting the event (see Attachment #2 – Staff Report and Attachments from July 15, 2014). Fees include equipment rentals, banner permits, amplified sound permits, and related staff time. Due to the unforeseen circumstances in 2016, the Chamber requested a 100% fee waiver from the City Council, which was granted. Subsequently, in 2017 the co-producers returned with the same request and City Council once again granted the 100% fee waiver for the 2017 event.

The 2018 Main Street Car Show will continue to be organized in partnership between ESPOA and the El Segundo Chamber of Commerce, and in a letter addressed to the City Manager have once again requested that the City waive all fees associated with the event taking place on Saturday, August 18, 2018. It is estimated that the costs associated with the 2018 event will be approximately $6,150, which includes city staff assistance from Police, Public Works, and Recreation and Parks, as well as use of equipment including barricades, showmobile, and vehicles. The event is already approved to receive a 75% fee waiver, and requires City Council approval to increase the discount to 100%. According to the El Segundo Municipal Code 8-8-7, the City Council has the authority to waive fees for non-profit organizations.

Additionally, the event producers have requested the approval of the City Council to allow them to operate a beer garden as a new component of the event. The Chamber would obtain the ABC License and provide liability insurance naming the City as additionally insured, as deemed required by the City’s risk management assessment. The proposed location of the beer garden is on Holly Avenue just east of Main Street. El Segundo Municipal Code Section 7-6-8 states that it is unlawful to drink any alcoholic beverage or possess an open container of any alcoholic beverage upon any public street, alley, sidewalk, pathway, parking lot, park, beach, or other public property. ESPOA and El Segundo Chamber are requesting City Council to waive the enforcement of Municipal Code Section 7-6-8 for the purposes of allowing the sale and consumption of beer and wine at their event.
Honorable Members of the City Council,

The El Segundo Police Officers’ Association and The Chamber respectfully request all fees be waived for our upcoming **2018 Main Street Car Show**. The Main Street Car Show is an annual affair which typically features over 300 classic, vintage and newer model show cars. This event is attended by thousands of car enthusiasts, local residents and visitors of all ages. The proceeds from the show are utilized to support many worthwhile causes throughout the community.

On top of the request for a fee waiver, we would also ask the City of El Segundo to allow us to have a “beer garden” at this year’s show. We are asking to have the beer garden on Holly Ave., just east of Main Street. The Chamber would pull the “ABC license” and we have already spoken with the El Segundo Brewing Company who has graciously offered to be a part of the event. This would be a great addition to the 2018 Main Street Car Show and we plan on having a fenced in area where individuals over the age of 21 could enjoy a drink with family and friends.

This year’s show, pending permit approval, will take place on **Saturday, August 18th from 10am – 3pm**. As in the past, the event will be held on Main Street, between El Segundo Boulevard and Mariposa Avenue. Main Street will be shut down between the hours of 6AM and 5PM with cross streets one block east and west of Main Street being impacted as well.

We truly believe that ESPOA’s Main Street Car Show is one of the best car shows around. The show itself is a tremendous asset to the City of El Segundo, specifically the downtown business community. For the past 20 years, the City has generously set aside fees associated with this event and, once again, we request this waiver. Your consideration is very much appreciated.

Sincerely,

Marsha Hansen, Director
The Chamber

Joseph Cameron, President
El Segundo POA
AGENDA DESCRIPTION:

Discussion and possible action regarding future fee waivers in association with Special Event Permit applicants for non-profit organizations and individuals. (Fiscal Impact: to be determined)

RECOMMENDED COUNCIL ACTION:

1. Discussion regarding the Special Event Fee Waiver Sub-Committee recommendations; and,
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Event List with Scores, Estimated City Fees, and Fee Waiver Percentages
2. Sample Scorecards for Events
3. Fee Waiver Request Form

FISCAL IMPACT: TBD

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<tr>
<th>Amount Budgeted:</th>
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<tr>
<td>Account Number(s):</td>
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</table>

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

BACKGROUND & DISCUSSION:

In December 2011 the City Council approved a 2-year advanced fee waiver for fifteen community special events in which the City had historically provided support services and/or facility space at no cost. The advanced fee waiver approval expired on December 31, 2013.

On December 3, 2013, the item was presented before the City Council for discussion and action regarding the continuation or revision of waived fees associated with special events that have previously been granted fee waivers. At that time the City Council appointed a sub-committee to work towards a recommendation for a new process to assist in the determination of granting fee waivers to special event applicants. The committee consists of City Council Members Suzanne Fuentes and Marie Fellhauer with the assistance of city staff of the Departments of Recreation and Parks and Police.

At the regular City Council meeting June 17, 2014, the sub-committee presented initial recommendations that included two documents that could be used to help provide determining information to the City Council when deliberating fee waiver requests – the Fee Waiver Request Form and Fee Waiver Scorecard. Members of the public and event organizers provided feedback during the Public Communications portion of the meeting, and the City Council discussed alternative solutions.

The sub-committee reconvened and has modified the Fee Waiver Scorecard and the ranges in which scores are attached a designated percentage of fees waived. Their recommendations are as follows:
(1) The City of El Segundo officially partner with the Chamber of Commerce as a co-sponsor of the Holiday Parade, thereby removing the event from the special event permitting process and subsequent responsibility to pay for city support services.

(2) Only Non-Profit Organizations and groups based within the City of El Segundo shall be considered for full or partial fee waivers for special events. Of the events on the current list, one organization not based in El Segundo is Relay for Life, which would be subject to full payment of related city support services and field reservation fees.

(3) Of the remaining 14 events, the eight events characterized by being *non-fundraising* and *free to attend* events shall have 100% of fees waived. The events are:
   - Candy Cane Lane (Residents of E. Acacia Ave.)
   - Make a Difference Day (Tree Musketeers)
   - Opening Day Parade (El Segundo Little League)
   - Pancake Breakfast (El Segundo Police & Fire Associations)
   - Promotional Dance (El Segundo PTA)
   - Soap Box Derby (El Segundo Boy Scouts Association)
   - Tasting Bee (El Segundo Girl Scouts Association)
   - Homecoming Parade (El Segundo High School)

(4) The final six events shall be scored using the Fee Waiver Scorecard and receive partial fee waivers as follows:
   - Movie in the Park (El Segundo Rotary Club) – Score: 21 – 75% waived
   - Arbor Day (Tree Musketeers) – Score: 20 – 75% waived
   - Main Street Car Show (El Segundo Police Officers Association) – Score: 20 – 75% waived
   - Richmond Street Fair (El Segundo Kiwanis Club) – Score: 20 – 75% waived
   - Broadway in the Park (El Segundo Broadway in the Park) – Score: 20 – 75% waived
   - Run for Education (El Segundo PTA) – Score: 15 – 25% waived

(5) All 14 events shall be waived according to this policy in perpetuity unless and until another policy is created that supersedes these guidelines. The exception would be if a pre-approved event proposes major changes that would increase costs more than 50% of the previous year’s event.

(6) Applicants requesting fee waivers for new events shall be subject to the completion of the Fee Waiver Request Form and the results of the Fee Waiver Scorecard as administered by designated city staff. Should the applicant appeal the outcome, the organization can request a final decision from the City Council. Organizations requesting a fee waiver for a Banner Permit shall also be subject to this process.

(7) City equipment (i.e. tables, chairs, canopies, stage, sound system, etc.) shall no longer be loaned for use by the special event applicants. Special event organizers will be responsible for providing their own equipment through other procurement or rental methods.

(8) Each special event permit applicant shall be responsible for the full permit application fee of $60 (recently approved by City Council), regardless of fee waiver proportion.

To ensure consistency in determining the costs of support services, the various City Departments are working to identify the most effective methods of establishing fees for the most common support services.
<table>
<thead>
<tr>
<th>EVENT</th>
<th>SPONSORED BY</th>
<th>SCORE (out of 25)</th>
<th>Estimated City Fees</th>
<th>Estimated Fees Paid by Organization (if waived according to Sample Score and Proposed Percentage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Candy Cane Lane</td>
<td>Residents of E. Acacia Avenue</td>
<td>N/A</td>
<td>$1,035</td>
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<tr>
<td>Holiday Parade</td>
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<td>$13,835</td>
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<td>Make a Difference Day</td>
<td>Tree Musketeers</td>
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<td>Opening Day Parade</td>
<td>El Segundo Little League</td>
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<td>$4,100</td>
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<td>Pancake Breakfast</td>
<td>El Segundo Police &amp; Fire Associations</td>
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<td>$535</td>
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<td>Promotional Dance</td>
<td>El Segundo PTA</td>
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<td>$700</td>
<td>$700</td>
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<td>Soap Box Derby</td>
<td>El Segundo Boys Scouts Association</td>
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<td>Tasting Bee</td>
<td>El Segundo Girls Scouts</td>
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<td>Homecoming Parade</td>
<td>El Segundo High School</td>
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<td><strong>Movie in the Park</strong></td>
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<td>Arbor Day</td>
<td>Tree Musketeers</td>
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<td>$2,200</td>
<td>$550</td>
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<td>Main Street Car Show</td>
<td>El Segundo Police Officers Association</td>
<td>20</td>
<td>$1,935</td>
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<td>Richmond Street Fair</td>
<td>El Segundo Kiwanis Club</td>
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<td>Broadway in the Park</td>
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<td><strong>Level III: 50% Fee Waiver (Scores 16-19)</strong></td>
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<td><strong>Level IV: 25% Fee Waiver (Scores 11-15)</strong></td>
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<tr>
<td>Run for Education 5K &amp; 10K</td>
<td>El Segundo PTA</td>
<td>15</td>
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<td>Relay for Life</td>
<td>American Cancer Society</td>
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<td><strong>TOTALS</strong></td>
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<td>$64,073</td>
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</table>
CITY OF EL SEGUNDO FEE WAIVER SCORECARD

**EVENT NAME & DATE:** ESPOA Main Street Car Show

<table>
<thead>
<tr>
<th>Category</th>
<th>Comments</th>
<th>Score</th>
</tr>
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<tbody>
<tr>
<td><strong>ORGANIZATION INFORMATION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>This section considers the organization’s financial status and the percentage of the organization’s funds that are used directly for social programs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type of Organization</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident / El Segundo Non-Profit</td>
<td>(10)</td>
<td></td>
</tr>
<tr>
<td>El Segundo School Org.</td>
<td>(8)</td>
<td></td>
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<tr>
<td>Non-Resident Non-Profit</td>
<td>(6)</td>
<td></td>
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<tr>
<td>Resident Commercial</td>
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<td></td>
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<tr>
<td>Non-Resident Commercial</td>
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<tr>
<td>Other</td>
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<td></td>
</tr>
<tr>
<td><strong>EVENT/PROGRAM INFORMATION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>This section considers whether or not the event is a fundraiser. It also considers who the event or program is designed for.</td>
<td></td>
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<tr>
<td>Fundraising Status</td>
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<tr>
<td>Fundraising for ES Org</td>
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<tr>
<td>Fundraising for other</td>
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<tr>
<td>Target Audience</td>
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<tr>
<td>(Defined as the population that the event or program is intended to serve.)</td>
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<td></td>
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<tr>
<td>El Segundo Residents</td>
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<tr>
<td>General Public</td>
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<td>Exclusive Use</td>
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<td>Cost to Participate</td>
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<tr>
<td>Free to attend</td>
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<tr>
<td>Fee charged</td>
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<tr>
<td><strong>CONSIDERATIONS</strong></td>
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<tr>
<td>This section considers the perceived benefits and the impacts of the event or program to the residents of the City El Segundo.</td>
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<tr>
<td>Perceived Community Benefit</td>
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<tr>
<td>Mostly Community</td>
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<tr>
<td>Considerable Community</td>
<td>(4)</td>
<td></td>
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<tr>
<td>Balanced</td>
<td>(3)</td>
<td></td>
</tr>
<tr>
<td>Considerably Individual</td>
<td>(2)</td>
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<tr>
<td>Mostly Individual</td>
<td>(0)</td>
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<td>Impact</td>
<td>Street Closures; Sound Permit</td>
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<td>Property Wear &amp; Tear</td>
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<td>Other Considerations &amp;</td>
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<tr>
<td>Recommendations</td>
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</tr>
</tbody>
</table>

**TOTAL SCORE** 20

| Total Amount Requested to be Waived $ | |
| Total Amount Waived $ | |
AGENDA DESCRIPTION:

Consideration and possible action to allow use of city property as a central venue for the El Segundo Art Walk and allow the event to operate a beer/wine garden on public property during the three dates of the 2018 El Segundo Art Walk. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Grant permission to the El Segundo Art Walk organization to use of one of the proposed public location options as a central venue; and,
2. Approve the request to operate a beer/wine garden at the central venue on public property; and/or,
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. 2018 El Segundo Art Walk Venue Proposals

FISCAL IMPACT: None

<table>
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<tr>
<th>Amount Budgeted:</th>
<th>$0</th>
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<tbody>
<tr>
<td>Additional Appropriation:</td>
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STRATEGIC PLAN:

<table>
<thead>
<tr>
<th>Goal:</th>
<th>1</th>
<th>Enhance Customer Service and Engagement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective:</td>
<td>2</td>
<td>El Segundo's engagement with the community ensures excellence</td>
</tr>
</tbody>
</table>

PREPARED BY: Arecia Hester, Recreation Superintendent

REVIEWED BY: Meredith Petit, Director of Recreation and Parks

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND & DISCUSSION:

The El Segundo Art Walk will be held at various creative businesses such as art galleries and photography studios on the third Thursdays of each summer month in 2018 - June 21st, July 19th and August 16th. It is expected that 40-45 artists and 35-40 businesses will participate per night. The participating businesses, usually throughout Downtown and Smoky Hollow, will open their doors for the event from 5pm-9pm.

The El Segundo Art Walk, also known as ESAW, started in 2015. The event has gained a growing number of followers over its first three years, attracting both residents and visitors from the South Bay and Los Angeles areas. In 2017, nearly 7,000 people attended ESAW. It is anticipated that ESAW will attract 9,000-10,000 attendees this year.

ESAW’s expenses have also increased due to enhanced marketing efforts and the provision of shuttle services to alleviate parking congestion. During the City Council meeting held on April 17, 2018, event producer George Renfro gave a presentation to the City Council about the success and growth of ESAW, which also included the request of $33,000 from the City to assist in supporting the event for the 2018 year.
After some discussion, the City Council unanimously approved the financial request. In addition, City Council requested that the ESAW organization work with EDAC to establish benchmarks for measuring the success of the event. As a result of the Council discussion, various City staff and representatives from EDAC had a productive meeting on April 30th with the ESAW organizers to discuss success criteria and accounting procedures, coming to consensus on best practices moving forward.

The discussion also included central location ideas and the Council was made aware that alcohol would be served during the event. Although there weren’t any final decisions on the location or the serving of alcohol, it was understood that ESAW would need to return to City Council with those requests at a later date.

El Segundo Art Walk has discussed and analyzed three options for the event’s central venue. The options under consideration are: (1) the Fire Department Parking Lot on Main Street and Grand Avenue, (2) a closure on Franklin between Main Street and Standard, or (3) the City Hall Plaza (see diagrams attached). The locations were selected with the intent to maintain optimal visibility to the public, accommodate large numbers of attendees, as well as provide accessibility for ESPD or ESFD. The event organizers’ preference is option #1 because of its location/visibility, ease in setup/breakdown, and is most cost-effective and least impactful on City resources.

The ESAW organization is also requesting the permission to serve alcohol at the selected location in a beer/wine garden type setting. El Segundo Municipal Code Section 7-6-8 states that it is unlawful to drink any alcoholic beverage or possess an open container of any alcoholic beverage upon any public street, alley, sidewalk, pathway, parking lot, park, beach, or other public property. ESAW is requesting City Council to waive the enforcement of Municipal Code Section 7-6-8 and allow the sale and consumption of beer and wine at their event. The alcohol would be restricted to the location; attendees would not be allowed to leave the area while consuming alcohol. The beer/wine garden would also be regulated according to all applicable ABC License requirements and public health codes.

The permission to use city property and serve alcohol are the last major parts for making final decisions for the El Segundo Art Walk. Usage of public property would require the ESAW organization to obtain a Special Event Permit, Amplified Sound Permit, and any other permits determined necessary to ensure a safe event. Depending on the selected location for the central venue, some City staff support services may also be required. All reimbursable city expenses and permit fees will be subtracted from the $33,000 contribution from the City that was approved at a previous Council meeting. With the City’s support for a location, ESAW looks forward to moving forward on planning for a successful 2018 event.
ESAW 2018: Venue Proposal

First Choice
Fire Dept Parking Lot

Overview
This space was selected at the top because of the central location and the visibility from both Main St. and Grand Ave. Additionally, the parking lot size is ideal square footage in that it accommodates both the expected attendees and the potential activations/installations. Finally, it is set back from the street and is both accessible and safe for all attendees.

Production Elements:
- Event Tent (simi-covered)
- Elevated Platform / Small Stage for performing artists (music + Dance)
- 2 food trucks
- Area for special art installations

Safety & Infrastructure Needs:
- Fence for beer and wine garden
- Generator / Temporary Power
Second Choice
Street Closure: Franklin (Between Main and Standard)

Overview
This closed down section of Franklin Ave was selected because of its great location to the downtown core. Additionally, the 300 foot stretch provides a long corridor that welcomes pedestrian traffic and encourages a walk-able experience. Because this venue involves a street closure, additional costs will be associated with the activation in order to make it accessible and safe for all attendees including: barricades, El Segundo Police Department, and additional permitting.

Production Elements:
- Event Tent (semi-covered)
- Elevated Platform / Small Stage for performing artists (music + Dance)
- Multiple food trucks
- Long corridor for special art installations

Safety & Infrastructure Needs:
- Fence for beer and wine garden
- Generator / Temporary Power
- ESPD + Road Barricades
- Additional Street Closure Permit
Third Choice
City Hall Plaza

Overview
City Hall plaza provides a large open space off of Main Street that welcomes pedestrians and provides a closed off space with one central entrance. But because the venue is on Main Street and scheduled for Thursdays, the El Segundo Farmers Market gives an additional element that is not managed or curated by the El Segundo Art Walk. Although the additional food vendors provide a value to ESAW attendees, we would prefer to be located adjacent to the weekly event and exhibit in an independent space.

Production Elements:
- Event Tent (simi-covered)
- Elevated Platform / Small Stage for performing artists (music + Dance)
- No food trucks
- Space for special art installations

Safety & Infrastructure Needs:
- Fence for beer and wine garden
- Generator / Temporary Power
- Street is already closed to traffic
AGENDA DESCRIPTION:
Consideration and possible action regarding Senate Bill 831 and AB 2939, two bills currently pending in the Legislature that, if approved, would significantly amend the scope of the current state law requirements regarding accessory dwelling units and the Single Family Residential zones, including allowing current garages to be converted to dwelling units without replacing the existing parking requirements, deleting lot coverage restrictions regarding structures, allowing unpermitted and substandard structures to be used as dwelling units, and deleting the requirements that one of the two units on the property be occupied by the owner of the property. 
(Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Receive and file report regarding Senate Bill 831 and Assembly Bill 2939 pertaining to accessory dwelling units;
2. Authorize the Mayor to send letters to Senator Bob Wieckowski and Assembly Member Phil Ting, respectively, in support or opposition to the new legislation;
3. Consider exploring the potential of converting the City from a general law to a charter City to possibly increase its right over local zoning issues;
4. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Senate Bill 831 (as of May 1, 2018)
2. Assembly Bill 2939 (as of February 16, 2018)
3. February 6, 2018 Staff report re 6-month review of ADU ordinance

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

STRATEGIC PLAN:
Goal: N/A
Objective: N/A

PREPARED BY: Mark D. Hensley, City Attorney
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
In 2016, the Legislature adopted new laws relating to “accessory dwelling units” (ADU or ADUs). An accessory dwelling unit is a dwelling unit that provides complete independent living facilities. The new law required the City to approve an application for a building permit to create one ADU “within the existing space of a single-family residence or accessory structure” in designated areas of the R-1 zone. The law allowed the City to designate areas within the City where accessory dwelling units may (or may not) be permitted, based on impacts posed by the ADUs to things like
public utilities, traffic flow and public safety. The law also prevents the City from requiring additional parking relating to the ADU if the unit is within one-half mile of a transit stop.

In response to the law, the Planning Commission and City Council held five public hearings on the issue in 2017. In July 2017, the City Council adopted an ordinance that allowed new construction of ADUs throughout the R-1 zone, (both within an existing structure and as a freestanding structure) and in R-2 zone on lots less than 4,000 square feet (Ordinance No. 1550). While the ordinance allowed an ADU within the existing space of a single-family residence, in an accessory structure such as a pool house or studio, or in a new detached structure, the ordinance prohibited ADUs within garages. The City reasoned that the prospect of garages being converted into ADUs would exacerbate the City’s existing on-street parking problems. That is, converting garages into ADUs displaces the required parking for the primary dwelling and adds additional street parking demand related to the ADU’s tenants. The legislation prohibited the City from requiring new parking for an ADU if the unit is within one-half mile of a public transit stop.

The State Department of Housing and Community Development disagrees with the City’s interpretation regarding not allowing conversion of existing garages. Cities have come down on both sides of this issue which, in part, led to the proposed new legislations.

As of February 2018, Planning staff had approved 5 building permits for new ADUs, with another 8 applications in plan check (see attached Staff Report dated February 6, 2018). It should be noted, that staff has also received applications which would result in three separate structures on an R-1 property – the main dwelling unit, an ADU, and an Accessory Structure (recreation room). This latter issue was not discussed during the time that the Planning Commission and Council addressed the original ADU legislation.

In the current legislative session, two bills are proposed that would expand the scope of ADUs. Those bills include:

1. SB 831 (Wieckowski). This bill would:
   - Require the City to ministerially approve building permits for ADUs within garages and not require traditional replacement parking facilities;
   - Disallow the City from requiring owner occupancy in either the primary residence or ADU;
   - Limit the areas where ADUs may not be permitted to criteria based solely on concerns about utilities and health and safety issues, including fire safety (removing “traffic flow” and parking from list of possible City concerns);
   - Disallow the City’s ability to restrict lot coverage for ADU’s based upon the City’s current lot coverage restrictions;
   - Prohibit the City from charging any fees for new development for construction of an ADU;
   - Allow ADUs to be “substantially contained” within the existing space of a single-family residence or accessory structure (currently ADUs must be fully contained within existing spaces); and
   - Allow property owners to request exemptions from enforcement of certain building codes, if a building official finds the ADU to be “substandard.”

2. AB 2939 (Ting). This bill would require the City to ministerially approve an application for a building permit to create within a multi-family zone at least one ADU within an existing multifamily structure with at least five residential units.
Both bills are currently in committee. As of the date of this report, SB 831 was approved by the Governance and Finance Committee and referred to the Committee on Appropriations. AB 2939 is scheduled to be heard in the Committees on Housing and Community Development and Local Government.

SB 831, if adopted, would be inconsistent with the ordinance adopted by the City Council in 2017. SB 831 would require the City to allow ADUs to be built in garages on single-family parcels. Although the law currently allows the City to require "replacement spaces" when a garage is converted, such replacement spaces may be located in any configuration on the lot, including uncovered spaces or tandem spaces (Gov. Code § 65852.2(a)(1)(D)(ix)). Because the City cannot require any additional parking for the ADU itself, displacing the parking in the garage would further adversely impact on-street parking.

Also, it should be noted that many garages are built with no or reduced setback requirements. This was allowed because they were not intended to be inhabited. Converting garages to dwelling spaces may increase noise levels relative to living structure on adjacent properties. If SB 831 is adopted, the City may wish to review its existing garage requirements, including eliminating the requirement for such or changing the required setbacks for garages. Conversion of garage spaces, coupled with the ambiguous language regarding life-safety issues, may result in a number of issues/disputes between property owners and the City. For example, living structures are required to have certain ingress and egress points (doors and windows) and such are not allowed on structures built within a setback area.

Similarly, AB 2939, if adopted, would require the City to approve applications within multi-family zones, which is a significant expansion of the City’s current ordinance.

For these reasons, the City Council may consider authorizing the Mayor to send a letter to either support or oppose the bills in whole or in part or take no action. Additionally, the City may wish to have the City Attorney and staff explore the potential of converting the City from a general law to charter City to possible give the City more control over local zoning issues. In very simple terms, charter cities are exempt from many state laws unless it is determined by the State Supreme Court that the law is a matter of Statewide concern. It is expected that the issue of whether charter cities are subject to the State Legislature’s ADU and other housing legislation will ultimately be decided by the Supreme Court.

Converting a city from a general law to a charter City requires voter approval. The powers once granted to charter cities have been greatly eroded by the courts. If the Council has some interest in this issue, the City Attorney’s Office would recommend a very limited set of powers for a possible charter city designation.
Amended in Senate May 1, 2018
Amended in Senate April 9, 2018
Amended in Senate March 13, 2018

Senate Bill No. 831

Introduced by Senator Wieckowski
(Coauthors: Senators Atkins and Wiener)

January 4, 2018

An act to amend Sections 65585 and 65852.2 of, to add Section 65852.21 to, and to add and repeal Section 65852.23 of, the Government Code, relating to land use.

Legislative Counsel’s Digest

SB 831, as amended, Wieckowski. Land use: accessory dwelling units.

The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of accessory dwelling units in single-family and multifamily residential-zones zones, requires that ordinance to designate areas where accessory dwelling units may be permitted, and sets forth standards the ordinance is required to impose, including, among others, maximum unit size, parking, and height standards. Existing law authorizes prohibits an accessory dwelling unit from being considered by a local agency, special district, or water corporation to require be a new residential use for purposes of calculating connection fees or capacity charges for utilities. Existing law prohibits requirements for the installation of a new or separate utility connection between the accessory dwelling unit and the utility, except in instances where an accessory dwelling unit is subject to ministerial approval, as specified, and authorizes a fee to be charged, except as specified.
charged in those instances. Existing law requires a local agency to submit an ordinance adopted for the creation of accessory dwelling units to the Department of Housing and Community Development and authorizes the department to review and comment on the ordinance. Existing law requires an application for an accessory dwelling unit permit to be considered, as specified, within 120 days of receiving it.

This bill would instead authorize a local agency to provide by ordinance for the creation of accessory dwelling units in areas where a single-family or multifamily dwelling is authorized, and would require the ordinance for the creation of accessory dwelling units to designate areas where accessory dwelling units may be excluded for fire and life health and safety purposes, as specified. The bill would revise the standards for the local ordinance to, among other things, include a prohibition on considering the square footage of a proposed accessory dwelling unit when calculating an allowable floor-to-area ratio for the lot. The bill would require that a permit application for an accessory dwelling unit be approved or disapproved within 60 days and would specify that if a local agency does not act on an application for a accessory dwelling unit within 60 days, then the application shall be deemed approved. The bill would prohibit a local agency from requiring that offstreet parking spaces be replaced when a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit. The bill would prohibit another local ordinance, policy, or regulation from being the basis for the delay of the issuance of a building permit or use permit for an accessory dwelling unit. The bill would delete provisions authorizing a local agency to require owner occupancy by the permit applicant and authorizing a local agency, special district, or water corporation to require an applicant to install a separate utility connection for the accessory dwelling unit and would state that an accessory dwelling unit shall not be considered a new residential use for purposes of calculating fees and shall not be subject to impact fees, connection fees, capacity charges, or any other fees levied by those entities: applicant.

This bill would prohibit an accessory dwelling unit from being considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating fees charged for new development, except in certain circumstances when a new or separate utility connection between the accessory dwelling unit and the
utility may be required and except for certain fees charged by a school district that the bill would limit to $3,000 per accessory dwelling unit.

The bill would authorize the department, upon submission of an adopted ordinance for the creation of accessory dwelling units, to submit written findings to the local agency regarding whether the ordinance complies with statutory provisions. The bill would authorize the department to adopt guidelines to implement uniform standards or criteria to supplement or clarify the terms, references, or standards set forth in statute and would exempt the adoption of those guidelines from the Administrative Procedure Act. The bill would, until January 1, 2029, also require a local building official, upon request of the owner of the accessory dwelling unit, to approve a delay of not less than 10 years of the enforcement of any building code requirement as applied to that accessory dwelling unit if, that, in the judgment of the building official, that enforcement is not necessary to protect the public health and safety of those residents, as specified. By increasing the duties of local agencies with respect to land use regulations, the bill would impose a state-mandated local program.

This bill would also require the department to notify the city, county, or city and county and authorize notice to the Attorney General when the city, county, or city and county is not substantially complying with the above-described provisions regarding accessory dwelling units.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.


The people of the State of California do enact as follows:

1. SECTION 1. Section 65585 of the Government Code is amended to read:
2. 65585. (a) In the preparation of its housing element, each city and county shall consider the guidelines adopted by the department pursuant to Section 50459 of the Health and Safety Code. Those
guidelines shall be advisory to each city or county in the
preparation of its housing element.

(b) (1) At least 90 days prior to adoption of its housing element,
or at least 60 days prior to the adoption of an amendment to this
element, the planning agency shall submit a draft element or draft
amendment to the department.

(2) The planning agency staff shall collect and compile the
public comments regarding the housing element received by the
city, county, or city and county, and provide these comments to
each member of the legislative body before it adopts the housing
element.

(3) The department shall review the draft and report its written
findings to the planning agency within 90 days of its receipt of the
draft in the case of an adoption or within 60 days of its receipt in
the case of a draft amendment.

(c) In the preparation of its findings, the department may consult
with any public agency, group, or person. The department shall
receive and consider any written comments from any public
agency, group, or person regarding the draft or adopted element
or amendment under review.

(d) In its written findings, the department shall determine
whether the draft element or draft amendment substantially
complies with this article.

(e) Prior to the adoption of its draft element or draft amendment,
the legislative body shall consider the findings made by the
department. If the department's findings are not available within
the time limits set by this section, the legislative body may act
without them.

(f) If the department finds that the draft element or draft
amendment does not substantially comply with this article, the
legislative body shall take one of the following actions:

(1) Change the draft element or draft amendment to substantially
comply with this article.

(2) Adopt the draft element or draft amendment without changes.
The legislative body shall include in its resolution of adoption
written findings which explain the reasons the legislative body
believes that the draft element or draft amendment substantially
complies with this article despite the findings of the department.
(g) Promptly following the adoption of its element or amendment, the planning agency shall submit a copy to the department.

(h) The department shall, within 90 days, review adopted housing elements or amendments and report its findings to the planning agency.

(i) (1) (A) The department shall review any action or failure to act by the city, county, or city and county that it determines is inconsistent with an adopted housing element or Section 65583, including any failure to implement any program actions included in the housing element pursuant to Section 65583. The department shall issue written findings to the city, county, or city and county as to whether the action or failure to act substantially complies with this article, and provide a reasonable time no longer than 30 days for the city, county, or city and county to respond to the findings before taking any other action authorized by this section, including the action authorized by subparagraph (B).

(B) If the department finds that the action or failure to act by the city, county, or city and county does not substantially comply with this article, and if it has issued findings pursuant to this section that an amendment to the housing element substantially complies with this article, the department may revoke its findings until it determines that the city, county, or city and county has come into compliance with this article.

(2) The department may consult with any local government, public agency, group, or person, and shall receive and consider any written comments from any public agency, group, or person, regarding the action or failure to act by the city, county, or city and county described in paragraph (1), in determining whether the housing element substantially complies with this article.

(j) The department shall notify the city, county, or city and county and may notify the Office of the Attorney General that the city, county, or city and county is in violation of state law if the department finds that the housing element or an amendment to this element, or any action or failure to act described in subdivision (i), does not substantially comply with this article or that any local government has taken an action in violation of the following:

(1) Housing Accountability Act (Section 65589.5 of the Government Code).

(2) Section 65863 of the Government Code.
(3) Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.


(5) Section 65852.2 of the Government Code.

SEC. 2. Section 65852.2 of the Government Code is amended to read:

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas where a zoned to allow single-family or multifamily dwelling is authorized. residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be excluded for fire and life safety health and safety, including fire safety, purposes, based on clear findings that are supported by a preponderance of substantial evidence. The designation of areas shall be based on criteria that may include, but are not limited to, the adequacy of water and sewer services and other fire and life safety health and safety, including fire safety, issues.

(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, lot coverage, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(iii) Notwithstanding clause (i), a local agency may not implement standards for minimum lot size requirements for accessory dwelling units and shall allow for the construction of an accessory dwelling unit that complies with this section on any lot zoned for residential use, unless the local agency makes specific findings that the construction of the accessory dwelling unit would adversely impact public health and safety, including fire safety.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot. The square footage of a proposed accessory dwelling unit shall not be considered when calculating an allowable...
floor-to-area ratio for the lot upon which the accessory dwelling
unit is to be located.
(D) Require the accessory dwelling units to comply with all of
the following:
   (i) The unit may be rented separate from the primary residence,
   but may not be sold or otherwise conveyed separate from the
   primary residence.
   (ii) The lot includes a proposed or existing single-family
   dwelling.
   (iii) The accessory dwelling unit is either attached or located
   within the proposed or existing living area of the proposed or
   existing primary dwelling or accessory structure or detached from
   the proposed or existing primary dwelling and located on the same
   lot as the proposed or existing primary dwelling.
   (iv) The total floor area of an attached accessory dwelling unit
   shall not exceed 50 percent of the proposed or existing primary
   dwelling living area or 1,200 square feet.
   (v) The total floor area for a detached accessory dwelling unit
   shall not exceed 1,200 square feet.
   (vi) No passageway shall be required in conjunction with the
   construction of an accessory dwelling unit.
   (vii) No setback shall be required for an existing living area or
   accessory structure that is converted to an accessory dwelling unit
   or to a portion of an accessory dwelling unit, and a setback of no
   more than three feet from the side and rear lot lines shall be
   required for an accessory dwelling unit that is not converted from
   an existing structure.
   (viii) Local building code requirements that apply to detached
   dwellings, as appropriate.
   (ix) Approval by the local health officer where a private sewage
   disposal system is being used, if required.
   (x) (I) Parking requirements for accessory dwelling units shall
   not exceed one parking space per unit or per bedroom, whichever
   is less. These spaces may be provided as tandem parking on a
   driveway.
   (II) Offstreet parking shall be permitted in setback areas in
   locations determined by the local agency or through tandem
   parking, unless specific findings are made that parking in setback
   areas or tandem parking is not feasible based upon specific site or
   regional topographical or fire and life safety conditions.
(III) This clause shall not apply to a unit that is described in subdivision (d).

(xii) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, a local agency shall not require that those offstreet parking spaces be replaced.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) A permit application for an accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, within 60 days after receiving the application. If the local agency has not acted upon the submitted application with 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs that it incurs as a result of amendments to this paragraph enacted during the 2001–02 Regular Session of the Legislature, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. In the event that a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(6) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family
dwellings. No additional standards, other than those provided in
this subdivision, shall be utilized or imposed, except that a local
agency may require that the property be used for rentals of terms
longer than 30 days.

(7) A local agency may amend its zoning ordinance or general
plan to incorporate the policies, procedures, or other provisions
applicable to the creation of an accessory dwelling unit if these
provisions are consistent with the limitations of this subdivision.

(8) An accessory dwelling unit that conforms to this subdivision
shall be deemed to be an accessory use or an accessory building
and shall not be considered to exceed the allowable density for the
lot upon which it is located, and shall be deemed to be a residential
use that is consistent with the existing general plan and zoning
designations for the lot. The accessory dwelling unit shall not be
considered in the application of any local ordinance, policy, or
program to limit residential growth. The square footage of a
proposed accessory dwelling unit shall not be considered when
calculating an allowable floor-to-area ratio for the lot upon which
the accessory dwelling unit is to be located.

(b) When a local agency that has not adopted an ordinance
governing accessory dwelling units in accordance with subdivision
(a) receives an application for a permit to create an accessory
dwelling unit pursuant to this subdivision, the local agency shall
approve or disapprove the application ministerially without
discretionary review pursuant to subdivision (a) within 60 days
after receiving the application. If the local agency has not acted
upon the submitted application within 60 days from the date of
receipt, it shall be deemed approved.

(c) A local agency may establish minimum and maximum unit
size requirements for both attached and detached accessory
dwelling units. No minimum or maximum size for an accessory
dwelling unit, or size based upon a percentage of the proposed or
existing primary dwelling, shall be established by ordinance for
either attached or detached dwellings that does not permit at least
an efficiency unit to be constructed in compliance with local
development standards. Accessory dwelling units shall not be
required to provide fire sprinklers if they are not required for the
primary residence.

(d) Notwithstanding any other law, a local agency, whether or
not it has adopted an ordinance governing accessory dwelling units
in accordance with subdivision (a), shall not impose parking
standards for an accessory dwelling unit in any of the following
instances:
(1) The accessory dwelling unit is located within one-half mile
of public transit.
(2) The accessory dwelling unit is located within an
architecturally and historically significant historic district.
(3) The accessory dwelling unit is part of the proposed or
existing primary residence or an accessory structure.
(4) When on-street parking permits are required but not offered
to the occupant of the accessory dwelling unit.
(5) When there is a car share vehicle located within one block
of the accessory dwelling unit.
(e) Notwithstanding subdivisions (a) to (d), inclusive, a local
agency shall ministerially approve an application for a building
permit to create one accessory dwelling unit per lot if the unit is
substantially contained within the existing space of a single-family
residence or accessory structure, has independent exterior access
from the existing residence, and the side and rear setbacks are
sufficient for fire safety. Accessory dwelling units shall not be
required to provide fire sprinklers if they are not required for the
primary residence. A city shall not require owner occupancy for
either the primary or the accessory dwelling unit created through
this process. An agreement with a local agency to maintain owner
occupancy as a condition for issuance of a building permit for an
accessory dwelling unit shall be void as against public policy.
(f) A local agency shall not implement standards for minimum
lot size requirements for accessory dwelling units and shall allow
for the construction of an accessory dwelling unit that complies
with this section on any lot that allows for construction of a home;
unless specific findings are made by the local agency that the
construction of the unit would adversely impact public safety.

(e)
(f) (1) An accessory dwelling unit shall not be considered by
a local agency, school district, special district, or water corporation
to be a new residential use for the purposes of calculating fees:
fees charged for new development, except as provided in
paragraphs (2) and (3).
(2) For an accessory dwelling unit that is not described in
subparagraph (A) of paragraph (1) of subdivision (a), a local
agency, special district, or water corporation may require a new
or separate utility connection directly between the accessory
dwelling unit and the utility. Consistent with Section 66013, the
connection may be subject to a connection fee, capacity charge,
or equivalent charge for new service that shall be proportionate
to the burden of the proposed accessory dwelling unit, based upon
either its size or the number of its plumbing fixtures, upon the
water or sewer system. This fee or charge shall not exceed the
reasonable cost of providing this service.

(3) Fees charged by a school district pursuant to Chapter 4.9
(commencing with Section 65995) of this code and Chapter 6
(commencing with Section 17620) of Part 10.5 of Division 1 of
Title 1 of the Education Code shall be limited to no more than
three thousand dollars ($3,000) per accessory dwelling unit.

(h) An accessory dwelling unit permitted pursuant to this section
shall not be subject to impact fees, connection fees, capacity
charges, or any other fees levied by a local agency, school district,
special district, or water corporation.

(i)

(g) This section does not limit the authority of local agencies
to adopt less restrictive requirements for the creation of an
accessory dwelling unit.

(j)

(h) A local agency shall submit a copy of the ordinance adopted
pursuant to subdivision (a) to the Department of Housing and
Community Development within 60 days after adoption. After
adoption of an ordinance, the department may submit written
findings to the local agency as to whether the ordinance complies
with this section. If the department finds that the local agency’s
ordinance does not comply with this section, the department shall
notify the local agency and may notify the office of the Attorney
General that the local agency is in violation of state law. The local
agency shall consider findings made by the department and may
change the ordinance to comply with this section or adopt the
ordinance without changes. The local agency shall include findings
in its resolution adopting the ordinance that explain the reasons
the local agency believes that the ordinance complies with this
section despite the findings of the department.

(k)
(i) The department may review, adopt, amend, or repeal
guidelines to implement uniform standards or criteria that
supplement or clarify the terms, references, and standards set forth
in this section. The guidelines adopted pursuant to this subdivision
are not subject to Chapter 3.5 (commencing with Section 11340)
of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory structure" means an existing, fixed structure,
including, but not limited to, a garage, studio, pool house, or other
similar structure.

(2) "Living area" means the interior habitable area of a dwelling
unit including basements and attics but does not include a garage
or any accessory structure.

(3) "Local agency" means a city, county, or city and county,
whether general law or chartered.

"Neighborhood"

(4) "Neighborhood" has the same meaning as set forth in
Section 65589.5.

(5) "Accessory dwelling unit" means an attached or a detached
residential dwelling unit which provides complete independent
living facilities for one or more persons. It shall include permanent
provisions for living, sleeping, eating, cooking, and sanitation on
the same parcel as the single-family dwelling is situated. An
accessory dwelling unit also includes the following:

(A) An efficiency unit, as defined in Section 17958.1 of the
Health and Safety Code.

(B) A manufactured home, as defined in Section 18007 of the
Health and Safety Code.

(6) "Passageway" means a pathway that is unobstructed clear
to the sky and extends from a street to one entrance of the accessory
dwelling unit.

(7) "Public transit" means a location, including, but not limited
to, a bus stop or train station, where the public may access buses,
trains, subways, and other forms of transportation that charge set
fares, run on fixed routes, and are available to the public.

(8) "Tandem parking" means that two or more automobiles are
parked on a driveway or in any other location on a lot, lined up
behind one another.
(m)

(k) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

SEC. 3. Section 65852.23 is added to the Government Code, immediately following Section 65852.22, to read:

65852.23. (a) As used in this section, the following definitions apply:
(1) “Accessory dwelling unit” is defined as in Section 65852.2.
(2) “Building code” means the California Building Standards Code or that code as modified by a local agency.
(3) “Local agency” is defined as in Section 65852.2.

(b) When a local building official finds that a substandard accessory dwelling unit poses an imminent risk to the health and safety of the residents of the accessory dwelling unit, the local building official shall, upon request of the owner of the accessory dwelling unit and subject to the conditions set forth in this section, approve a delay of not less than 10 years of the enforcement of any building code requirement as applied to that accessory dwelling unit if, in the judgment of the building official, that enforcement that, in the judgment of the building official, is not necessary to protect the public health and safety of those residents.

(c) An owner of an accessory dwelling unit shall be eligible for the delay specified in subdivision (a) only if the owner has not received a notice or order to abate.

(d) In granting a delay pursuant to subdivision (a), (b), a building official shall consult with the applicable fire and code enforcement officials regardless of whether those officials are organized in a different department or a separate agency from the building official.

(e) A local building official shall not approve a delay pursuant to subdivision (a) (b) on or after January 1, 2029. A delay approved before January 1, 2029, shall remain in force for the full term of the delay after January 1, 2029, and an owner that received a delay shall retain the enforceable restriction on the property while the delay is in force. 2029.

(f)
(f) This section shall remain in effect only until January 1, 2039, and as of that date is repealed.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
An act to amend Section 65852.2 of the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 2939, as introduced, Ting. Accessory dwelling units.

The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of accessory dwelling units in single-family and multifamily residential zones and sets forth standards the ordinance is required to impose, including, among others, maximum unit size, parking, and height standards. Existing law requires the local agency to ministerially approve an application for a building permit to create within a single-family zone one accessory dwelling unit per lot if the unit is contained within the existing space of a single-family residence or accessory structure. In this instance, existing law authorizes a city to require owner-occupancy for either the primary residence or the accessory dwelling unit.

This bill would require the local agency to ministerially approve an application for a building permit to create within a multifamily zone at least one accessory dwelling unit within an existing multifamily structure with at least 5 residential units if specified conditions are met. The bill would prohibit an application ministerially approved pursuant to this provision from having a limit on the number of accessory dwelling units created within the existing residential units or accessory structures or both. By increasing the duties of local officials, this bill would create a state-mandated local program.
AB 2939

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.


*The people of the State of California do enact as follows:*

SECTION 1. Section 65852.2 of the Government Code is amended to read:

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on criteria that may include, but are not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety.

(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, lot coverage, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) The unit may be rented separate from the primary residence, buy may not be sold or otherwise conveyed separate from the primary residence.
(ii) The lot is zoned to allow single-family or multifamily use and includes a proposed or existing single-family dwelling.
(iii) The accessory dwelling unit is either attached or located within the living area of the proposed or existing primary dwelling or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.
(iv) The total area of floorspace of an attached accessory dwelling unit shall not exceed 50 percent of the proposed or existing primary dwelling living area or 1,200 square feet.
(v) The total area of floorspace for a detached accessory dwelling unit shall not exceed 1,200 square feet.
(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.
(vii) No setback shall be required for an existing garage that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.
(viii) Local building code requirements that apply to detached dwellings, as appropriate.
(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.
(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.
(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.
(III) This clause shall not apply to a unit that is described in subdivision (d).
(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, and the local agency requires that those offstreet parking spaces be replaced, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit,
including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This clause shall not apply to a unit that is described in subdivision (d).

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) When a local agency receives its first application on or after July 1, 2003, for a permit pursuant to this subdivision, the application shall be considered ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, within 120 days after receiving the application. A local agency may charge a fee to reimburse it for costs that it incurs as a result of amendments to this paragraph enacted during the 2001–02 Regular Session of the Legislature, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency subsequent to the effective date of the act adding this paragraph shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. In the event that a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void upon the effective date of the act adding this paragraph and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the denial of a building permit or a use permit under this subdivision.

(6) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot zoned for residential use that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be utilized or imposed,
except that a local agency may require an applicant for a permit
issued pursuant to this subdivision to be an owner-occupant or that
the property be used for rentals of terms longer than 30 days.
(7) A local agency may amend its zoning ordinance or general
plan to incorporate the policies, procedures, or other provisions
applicable to the creation of an accessory dwelling unit if these
provisions are consistent with the limitations of this subdivision.
(8) An accessory dwelling unit that conforms to this subdivision
shall be deemed to be an accessory use or an accessory building
and shall not be considered to exceed the allowable density for the
lot upon which it is located, and shall be deemed to be a residential
use that is consistent with the existing general plan and zoning
designations for the lot. The accessory dwelling unit shall not be
considered in the application of any local ordinance, policy, or
program to limit residential growth.
(b) When a local agency that has not adopted an ordinance
governing accessory dwelling units in accordance with subdivision
(a) receives an application for a permit to create an accessory
dwelling unit pursuant to this subdivision, the local agency shall
approve or disapprove the application ministerially without
discretionary review pursuant to subdivision (a) within 120 days
after receiving the application.
(c) A local agency may establish minimum and maximum unit
size requirements for both attached and detached accessory
dwelling units. No minimum or maximum size for an accessory
dwelling unit, or size based upon a percentage of the proposed or
existing primary dwelling, shall be established by ordinance for
either attached or detached dwellings that does not permit at least
an efficiency unit to be constructed in compliance with local
development standards. Accessory dwelling units shall not be
required to provide fire sprinklers if they are not required for the
primary residence.
(d) Notwithstanding any other law, a local agency, whether or
not it has adopted an ordinance governing accessory dwelling units
in accordance with subdivision (a), shall not impose parking
standards for an accessory dwelling unit in any of the following
instances:
(1) The accessory dwelling unit is located within one-half mile
of public transit.
(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.
(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
(5) When there is a car share vehicle located within one block of the accessory dwelling unit.
(e) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit to create within a zone for single-family use one accessory dwelling unit per single-family lot if the unit is contained within the existing space of a single-family residence or accessory structure, including, but not limited to, a studio, pool house, or other similar structure, has independent exterior access from the existing residence, and the side and rear setbacks are sufficient for fire safety. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. A city may require owner-occupancy for either the primary residence or the accessory dwelling unit created through this process.
(f) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit to create at least one accessory dwelling unit on a lot with an existing multifamily structure with at least five residential units if all of the following conditions are met:
   (A) Each accessory dwelling unit is located within the existing multifamily structure or an existing accessory structure or both.
   (B) The lot on which the multifamily structure is located is within a zone for multifamily use.
   (C) Access to the accessory dwelling unit is independent of access to other residential units in the structure.
   (D) The side and rear setbacks for the multifamily structure and every accessory dwelling unit are sufficient for fire safety.
(2) An application ministerially approved pursuant to this subdivision shall not have a limit on the number of accessory dwelling units created within the existing residential units or accessory structure or both.
(3) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the other residential units.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) Accessory dwelling units shall not be considered by a local agency, special district, or water corporation to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.

(A) For an accessory dwelling unit described in subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge.

(B) For an accessory dwelling unit that is not described in subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) (h) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) Local agencies shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. The department may review and comment on this submitted ordinance.

(i) As used in this section, the following terms mean:

 Definitions apply:
(1) “Living area” means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

(2) “Local agency” means a city, county, or city and county, whether general law or chartered.

(3) For purposes of this section, “neighborhood” has the same meaning as set forth in Section 65589.5.

(4) “Accessory dwelling unit” means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(5) “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(6) “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.
AGENDA DESCRIPTION:
Receive and file report on Accessory Dwelling Units (ADUs), 6 month review.

This report is on ADU applications received since adoption of the ADU ordinance in July, 2017. (Fiscal Impact: None.)

RECOMMENDED COUNCIL ACTION:
1. Receive and file report regarding ADU permits;
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS: None

FISCAL IMPACT: None.

STRATEGIC PLAN:
- Goal: N/A (State mandate)
- Objective: N/A

PREPARED BY: Gregg McClain, Planning Manager
REVIEWED BY: Sam Lee, Planning and Building Safety Director
APPROVED BY: Greg Carpenter, City Manager

In the past six months the City received 16 applications for ADUs. Three of those were subsequently voided due to applicants’ change of plans. Of the 13 applications that continued through the building permit process, five permits were issued and two of those had final inspections. The remaining eight are still in plan check.

ADUs in First 6 Months of New Ordinance
(including those plan checked prior to August, 2017)
Among the 13 ADUs built or soon to be built, ten are new structures, six of which are attached to or over a garage, the rest are stand-alone structures. Three ADUs are conversions of previously approved and built structures, at least two of which were workshops.

As expected, the applications for ADUs came quickly around the time the ordinance was being adopted but trailed off in the following months. Ten applications were made prior to the effective date of the ordinance even though permits were not issued prior to the effective date.

The ADUs currently in the permitting process or already approved range in size from 246 square feet to 1,199 square feet. The average size is 701 square feet. For more details, see the table below.
ADUs by Location, size and Type

<table>
<thead>
<tr>
<th>Location</th>
<th>Type</th>
<th>ADU size in sq. ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 block of W Oak</td>
<td>Conversion</td>
<td>246</td>
</tr>
<tr>
<td>700 block of W Maple</td>
<td>Conversion</td>
<td>491</td>
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<tr>
<td>600 block of Maryland</td>
<td>Conversion</td>
<td>600</td>
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<tr>
<td>700 block of Maryland</td>
<td>Detached</td>
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<td>900 block of Sheldon</td>
<td>Detached</td>
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<tr>
<td>1200 block of E Acacia</td>
<td>Detached</td>
<td>673</td>
</tr>
<tr>
<td>100 block of W Maple</td>
<td>Detached</td>
<td>1,199</td>
</tr>
<tr>
<td>600 block of Whiting</td>
<td>Garage-attached</td>
<td>611</td>
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<tr>
<td>400 block of Loma Vista</td>
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<tr>
<td>500 block of E Walnut</td>
<td>Garage-attached</td>
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<tr>
<td>400 block of W Oak</td>
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<tr>
<td>1200 block of E Walnut</td>
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<td>919</td>
</tr>
<tr>
<td>500 block of Concord</td>
<td>Garage-attached</td>
<td>1,091</td>
</tr>
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</table>

As shown in the following map, ADU applications are widely distributed throughout the residential part of the City.

As shown in the following map, ADU applications are widely distributed throughout the residential part of the City.

Distribution of ADUs
(Approximate location shown)

Lastly, in the 2017-2018 Legislative Session, the Legislature adopted two bills—AB 494 (Bloom) and SB 229 (Wieckowski)—that made changes to state law regarding accessory dwelling units. Most of the changes made by the bills were non-substantive; however, staff is evaluating the bills’ impact on state law and will continue to monitor any new legislative developments and will keep the Council apprised.
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):

STRATEGIC PLAN:

Goal: 1  Enhance Customer Service Engagement
Objective: 1(b) The City engages in regular, intentional information gathering

ORIGINATED BY: Mayor Drew Boyles
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.
## CITY COUNCIL COMMITTEE ASSIGNMENTS

**May 15, 2018 - May 19, 2020**

<table>
<thead>
<tr>
<th>AGENCY / COMMITTEE</th>
<th>DELEGATE</th>
<th>ALTERNATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Selection Committee</td>
<td>Drew Boyles</td>
<td>By Proxy</td>
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<tr>
<td>Hyperion Citizens Forum</td>
<td>Scot Nicol</td>
<td>Don Brann</td>
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<tr>
<td>Independent Cities Association</td>
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<td>Chris Pimentel</td>
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<td>Independent Cities Risk Management Authority *</td>
<td>Drew Boyles</td>
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<tr>
<td>League of California Cities</td>
<td>Carol Pirsztuk</td>
<td>Chris Pimentel</td>
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<td>Los Angeles County Sanitation District 5 &amp; SBC</td>
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<td>Chris Pimentel</td>
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<tr>
<td>Reach Out Against Drugs (ROAD)</td>
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<td>South Bay Cities Council of Governments (COG)</td>
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<td>* Resolution must be changed for Council delegate to vote.</td>
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### STANDING COMMITTEES

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<tbody>
<tr>
<td>City / School Affairs Subcommittee</td>
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<td>Disaster Council **</td>
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<td>Golf Course Subcommittee</td>
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<td>Technology Subcommittee</td>
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<td>Investment Advisory Committee</td>
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<td>Arts and Culture Advisory Committee</td>
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<td>Environmental Committee</td>
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<td>** Meeting to be held with special Council meeting</td>
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### OTHER APPOINTMENTS WITH DIFFERENT OR NO TERMS

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<td>Los Angeles County West Vector Control District</td>
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<td>LAX Area Advisory Committee</td>
<td>Dick Croxall</td>
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<td>Scot Nicol</td>
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<td>Carl Jacobson</td>
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<td>LAX Roundtable</td>
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<td>Aquatics Center Subcommittee</td>
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<td>Drew Boyles</td>
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<tr>
<td>LAX Advocacy Committee (w Lobbyist, Envimental Attorneys, CM and LAWA CEO &amp; staff)</td>
<td>Drew Boyles</td>
<td>Carol Pirsztuk</td>
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