AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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

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

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

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

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

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 2, 2016 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER

ROLL CALL

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

CLOSED SESSION:

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

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

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): -1- matter.


DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957): -2- matter

1. Public Employee Performance Evaluation
   Title: City Manager

2. Public Employee Performance Evaluation
   Title: City Attorney

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

PUBLIC EMPLOYMENT (Gov't Code § 54957) -0- matter
CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -6-matters

1. Employee Organizations: Employee Organizations: Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; Employees Association;

   Agency Designated Representative: Steve Filarsky and City Manager

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -0-matters
AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 2, 2016 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Chris Robbins, Oceanside Christian Fellowship

PLEDGE OF ALLEGIANCE – Council Member Dugan
PRESENTATIONS

a) Commendation – presented to Sue Carter for her many years of dedicated service with the Friends of the El Segundo Public Library and History Committee.

ROLL CALL

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

CITY COUNCIL COMMENTS – (Related to Public Communications)

A. PROCEDURAL MOTIONS

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

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action to conduct a Public Hearing to adopt a resolution certifying the 2015 Urban Water Management Plan (UWMP), a document which is required by Assembly Bill 797 to be developed every five years.
   (Fiscal Impact: None)
   Recommendation – 1) Open the Public Hearing; 2) Receive all written and verbal testimony regarding the 2015 Urban Water Management Plan; 3) Adopt the Resolution approving the quinquennial 2015 Urban Water Management Plan; 4) Alternatively, discuss and take other action related to this item.
2. Consideration and possible action to open a Public Hearing, consider testimony, and adopt a Resolution finding that the City conforms with the annual Congestion Management Program (CMP) and adopting the annual CMP Local Development Report, in accordance with California Government Code § 65089.
(Fiscal Impact: None)
Recommendation – 1) Open the Public Hearing; 2) Discussion; 3) Adopt Resolution; 4) Alternatively, discuss and take other action related to this item.

3. Consideration and possible action regarding approval of Environmental Assessment No. EA-1143, Zone Text Amendment No. ZTA 16-01, Conditional Use Permit No. CUP 16-01, Administrative Use Permit No. AUP 16-01, Adjustment No. ADJ 16-04, and Off-Site Parking Covenant No. MISC 16-05. The Project site is located at 2171-2191 Rosecrans Avenue, in the Urban Mixed Use South (MU-S) Zone (the “Site”). Applicant: Continental Development Corporation.
(Fiscal Impact: None)
Recommendation – 1) Conduct a Public Hearing; 2) Take testimony and other evidence as presented; 3) Introduce an Ordinance (Zone Text Amendment No. ZTA 16-01) amending four sections of the El Segundo Municipal Code; 4) Schedule second reading and adoption of the Ordinance for August 16, 2016; 5) Adopt a Resolution a) approving a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (MMRP), and b) approving Environmental Assessment No. EA-1143, Zone Text Amendment No. ZTA 16-01, Conditional Use Permit No. CUP 16-01, Adjustment No. 16-04, and Off-Site Parking Covenant No. 16-05 at 2171 – 2191 Rosecrans Avenue (Cozymel’s Mexican Grill site); 6) Alternatively, discuss and take other action related to this item.

C. UNFINISHED BUSINESS

4. Consideration and possible action to establish an Arts and Culture Advisory Committee for the purposes of promoting and advocating for arts and culture events, activities, and education in El Segundo.
(Fiscal Impact: N)
Recommendation – 1) Authorize the establishment of the Arts and Culture Advisory Committee to be comprised of 7 members, including two City Councilmembers; 2) Add the Arts and Culture Advisory Committee to the City’s Local Appointment List pursuant to the California Government Code Section 54972; 3) Appoint two Councilmembers to the Arts and Culture Advisory Committee; 4) Determine the duration of terms and/or term limits for community members and City Councilmembers; 5) Alternatively, discuss and take other action related to this item.
D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

E. CONSENT AGENDA

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

5. Warrant Numbers 3012103 through 3012325 on Register No. 20 in the total amount of $619,012.06 and Wire Transfers from 7/11/16 through 7/24/16 in the total amount of $4,073,324.32.

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.


Recommendation – Approval.

7. Consideration and possible action to purchase equipment for a “Point to Point” wireless system and amend contract #4917 for additional installation services, from Pacific Services in the amount of $21,301.

(Fiscal Impact: $21,301.00)

Recommendation – 1) Purchase equipment for a “Point to Point” Wireless system from Pacific Services in the amount of $21,301; 2) Amend Agreement No. 4917 with Pacific Services Inc. to include additional equipment installation services; 3) Alternatively, discuss and take other possible action related to this item.
8. Consideration and possible action to: 1) adopt a Resolution approving Plans and Specifications for the Water Meter Replacement Project in Commercial Area East of Sepulveda Blvd., Project No. PW16-04; 2) approve sole source findings to designate Metron Farnier Smart Water Meters (a.k.a., automatic meter readers) in bidding specifications for the project; and 3) authorize staff to advertise and solicit bids for the purchase and installation of automatic meter readers.

(Fiscal Impact: To Be Determined)

Recommendation – 1) Adopt the attached Resolution approving Plans and Specifications for Water Meter Replacement Project in Commercial Area East of Sepulveda Blvd., (Project No. PW16-04) and approve sole source findings to designate Metron Farnier Smart Water Meters in bidding specifications for the project; 2) Authorize staff to advertise the project for receipt of construction bids; 3) Alternatively, discuss and take other action related to these items.


(Fiscal Impact: $94,750.00)

Recommendation - 1) Authorize the City Manager to execute a standard Public Works Contract in a form approved by the City Attorney with FS Contractors, Inc. in the amount of $75,800.00; 2) Authorize an additional contingency amount of $18,950.00 for unforeseen conditions; 3) Alternatively discuss and take other action related to this item.

10. Consideration and possible action to accept as complete the Park Vista Senior Housing Facility Emergency Deck Repair Project and allocate funding from Park Vista reserves to cover design services and construction costs. Project No. PW 14-17.

(Fiscal Impact: $78,345.59)

Recommendation - 1) Accept the Park Vista Senior Housing Facility emergency deck repair as complete; 2) Authorize the City Clerk to file a Notice of Completion in the County Recorder’s Office; 3) Authorize a transfer of $78,345.59 from the Park Vista Senior Housing Fund to the Building Maintenance Fund to cover design services and construction costs; 4) Alternatively discuss and take other action related to this item.

F. NEW BUSINESS

G. REPORTS – CITY MANAGER
H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann –

Council Member Pirsztuk –

Council Member Dugan –

Mayor Pro Tem Boyles –

11. Consideration and possible action to consider revisiting the process for selection of members of Committees, Commissions and Boards (“CCB”) to establish policies to provide CCB’s input and additional notification to applicant.
(Fiscal Impact: None)

Recommendation – 1) Allow the Chair and Vice Chair of each Committees, Commissions and Board to review applications and provide their recommendations to the City Council prior to the interviews; 2) Provide an adequate timeframe between interviews and appointment to allow the Mayor or designee to notify each applicant of Council’s decision; 3) Alternatively, discuss and take other action related to this item.

Mayor Fuentes –

12. Report on Governor’s proposed budget trailer bill related to “by right” affordable housing approvals.
(Fiscal Impact: None)

Recommendation – 1) Receive and file this report; 2) Direct Staff to prepare a letter in opposition of the proposed bill in substantially similar form to the attached, and authorize the Mayor to sign on behalf of the City; 3) Alternatively, discuss and take other action related to this item.
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MEMORIALS –

CLOSED SESSION

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

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:

DATE: 7/27/16
TIME: 3:05 PM
NAME: Tracey Weaver
WHEREAS, Sue Carter was President of the Friends of the El Segundo Public Library for over 20 years and she contributed greatly to the Library by leading fundraising campaigns with local business partners and the community. She raised $68,000 for furnishing the remodeled and expanded library in the early nineties; she directed a "Bucks for Books" campaign for a core collection of 16,000 books for a new Richmond Street Elementary School Library in 2001; and more recently, she raised $40,000 for a microfilm conversion project so that the El Segundo Herald is now available online through the City Library's webpage; and,

WHEREAS, Sue started the Friends of the Library Historical Committee in the mid-90's, which has organized and acquired thousands of archival photos, high school yearbooks and clipping files for the History Room. The Historical Committee also assists class reunion groups, special events, local businesses and individuals in making photo selections and,

WHEREAS, Sue's dedication and service to the City earned her a Switzer Learning Center South Bay Woman of the Year award in May 2009; and, in May 1992 she was honored as El Segundo's Senior Citizen of the Year; and,

NOW, THEREFORE, on this 2nd day of August, 2016, the Mayor and Members of the City Council of the City of El Segundo, California, hereby take great honor in commending Sue Carter for her many years of dedicated service with the Friends of the El Segundo Public Library and History Committee, commend her for making a significant difference in our community, and present her with an autographed copy of the new historical work, Images of America: El Segundo, by Library Director Debra Brighton.

Mayor Suzanne Fuentes
Mayor Pro Tem Drew Boyles
Council Member Michael Dugan
Council Member Carol Pirsztuk
Council Member Don Brann
AGENDA DESCRIPTION:

Consideration and possible action to conduct a Public Hearing to adopt a resolution certifying the 2015 Urban Water Management Plan (UWMP), a document which is required by Assembly Bill 797 to be developed every five years. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Open the Public Hearing.
2. Receive all written and verbal testimony regarding the 2015 Urban Water Management Plan.
4. Alternatively, discuss and take other possible actions related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Resolution
2015 Urban Water Management Plan Executive Summary

FISCAL IMPACT: Included in Adopted Budget

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

ORIGINATED BY: Lifan Xu, Principal Civil Engineer
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

The purpose of a Urban Water Management Plan (UWMP) is to assure that a water provider has adequately planned to provide sufficient supplies of water to its users for the foreseeable future and during emergencies. In 1983, the California State Legislature passed AB 797 enacting the Water Code, Division 6, Part 2.6 Urban Water Management Planning Act. The Act required every urban water supplier that provided water to more than 3,000 customers for municipal purposes or that supplied more than 3,000 acre-feet of water annually to initially prepare and adopt an Urban Water Management Plan (UWMP). The act also requires urban water suppliers to update its UWMP every five years for water years that end in five and zero. Senate Bill 7X-7, enacted in 2009 and a required component of AB 797, establishes target reductions in potable water consumption (20% by 2020; further explained below).

Following release of the UWMP Guidebook issued by the Department of Water Resources in March 2016, the City of El Segundo entered into a standard professional services agreement with Risk Management Professionals, Inc. for consultant services to prepare its 2015 UWMP update.
Please note that the City’s consultant coordinated development of the document with the West Basin Municipal Water District (the City’s wholesaler) and the County of Los Angeles. Once completed, a copy of the draft UWMP developed was posted on the City’s website for public review and a hard copy was made available for review at City Hall. A public notice was also advertised in the El Segundo Herald on June 9, 2016 and June 16, 2016 inviting the public to review and comment on the draft UWMP. No comments were received. A copy of the final 2015 UWMP Executive Summary is attached.

**UWMP Summary**
The 2015 UWMP documents the current and proposed water management activities performed by the City in order to provide dependable, adequate, and safe water. The UWMP further identifies proposed projects with a description of resulting water costs, benefits, and suggested implementation schedule. The focus of the UWMP is to:

- Provide a local perspective on current and proposed water conservation programs
- Review current conservation programs and efforts;
- Evaluate potential conservation methods and identify improvements;
- Provide a general framework for the development of mechanisms for coping with short-term and long-term deficiencies in regional and/or local water supplies;
- Serve as a flexible plan that can be updated periodically to reflect changes in regional and local trends, conditions, and conservation policies; and
- Determine water use reduction goals in order to comply with Senate Bill X7-7, which strive to reduce the State water consumption 10% by December 2015 and 20% by 2020, based on baseline average consumption (see below for further explanation).

Key highlights of the 2015 UWMP are:

- Documenting the City’s Water Sources: West Basin Municipal Water District (WBMWD) is the sole supplier of both potable and recycled water to El Segundo.
- Confirming the Reliability of the City’s Sources of Water: WBMWD has declared the water supply to the City reliable during normal, single dry, and multiple dry years in the district’s UWMP; the City has implemented an effective water conservation program and has a Water Shortage Contingency Plan in place in case of reduced supply or natural emergencies.
- Identifying the City’s Water Infrastructure: The City’s water system consists of approximately 57.5 miles of main pipelines, two concrete reservoirs and one elevated storage tank serving a 5.5 square mile area.
- Allocating and Summarizing Water Uses: Recycled water use accounts for over half of the total water use in the City; Industrial and commercial sectors account for approximately three quarter of potable water use in the City.
- Documenting the City’s efforts to comply with SB X7-7: The City has achieved (exceeded) the 2015 interim water use target of 462 Gallon per Capita per Day (GPCD) and is on schedule to meet the 2020 goal of 411 GPCD.

The City’s ultimate goal of reducing potable water consumption 20% by 2020 is based on the average GPCD for baseline years (2001 to 2010), which was calculated to be 513 GPCD. To meet the requirements of Senate Bill 7X-7, the City’s 20% ultimate reduction target is thus 411 GPCD. In water year 2015, the City’s average daily water use was 427 (GPCD), well below its interim
goal of 462 GPCD. Over the next five years, the City will need to continue reducing its water usage in order to meet the 2020 goal of 411 GPCD. Cities who do not meet the water conservation requirements of the bill will not be eligible for state water grants or loans.

The UWMP has now been finalized and is ready for adoption by the City of El Segundo. Therefore staff recommends that City Council conduct the public hearing and adopt a resolution certifying the 2015 Urban Water Management Plan. Upon adoption, the plan will be submitted to the California Department of Water Resources and will be made available to the Public on the City’s web site.
RESOLUTION NO. __

A RESOLUTION ADOPTING THE CITY OF EL SEGUNDO'S 2015 URBAN WATER MANAGEMENT PLAN

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

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

A. California Water Code sections 10610 to 10656 require water suppliers to prepare an Urban Water Management Plan (UWMP) to promote water demand management and efficient use in their service areas;

B. The city of El Segundo is the Water Supplier for citizens and businesses of the city of El Segundo and is required to update, adopt, and submit its UWMP to the California Department of Water Resources at least every five (5) years;

C. The UWMP addresses projected water supply and demand over a twenty (20) years period in five (5) year increments. It identifies and quantifies adequate water supplies, including recycled water, for existing and future demands in normal, dry, and drought years, and also lays out a water conservation program to encourage the efficient use of the City's water resources.

SECTION 2: Pursuant to Water Code sections 10610 to 10656, the City Council adopts the 2015 Urban Water Management Plan. A copy of the Urban Water Management Plan is incorporated by reference into this resolution and is filed with the City Clerk’s Office.

SECTION 3: The City Clerk is directed to certify the adoption of this Resolution.

SECTION 4: This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

PASSED AND ADOPTED this ___ day of ___, 2016.

Suzanne Fuentes, Mayor

ATTEST:

Tracy Weaver, City Clerk

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

Karl H. Berger, Assistant City Attorney
The Urban Water Management Planning Act (Act) requires every urban water supplier providing water for municipal purposes to more than 3,000 customers, or supplying more than 3,000 acre-feet of water annually, to prepare and adopt an Urban Water Management Plan (UWMP). The Act also requires urban water suppliers to update the UWMP in years ending in five and zero, using a 20-year planning horizon. The City of El Segundo (City), has prepared this UWMP in accordance with all requirements set forth in the State of California Water Code Sections 10610 through 10657.

The City is a retail water supplier to both residential and commercial customers. This UWMP describes the water system and includes a description of the water supply sources, historical and projected water use, and a comparison of water supply to water demands during normal, single dry, and multiple dry years. This Plan also addresses the Water Conservation Act of 2009 (SBx7-7) requirements, including the City’s 2015 interim and 2020 water use targets and the implementation plan for meeting the City’s 2020 targets.

**ES.1 SERVICE AREA OVERVIEW**

The City is located in the Los Angeles Basin, approximately 1.5 miles south of Los Angeles International Airport (LAX). The area is a semi-arid desert environment receiving less than 14 inches of rainfall annually. The City manages and operates the domestic water system that serves a residential population of approximately 17,000. The residential population of the City is expected to increase marginally over the next 25 years as the residential areas are virtually built-up with no substantial vacant land available for development.

The water system consists of approximately 57.5 miles of main pipelines and serves potable water to a 5.5 square mile area. The City’s water system is comprised of one pump station, two storage reservoirs, and one elevated storage tank. There are currently two available water supply sources; imported water from the Colorado River and State Water Project (SWP) (delivered via the West Basin Municipal Water District (WBMWD)) and recycled water for landscaping irrigation and industrial use (also supplied by the WBMWD). In addition, there are four interconnections with three neighboring water agencies; Los Angeles Department of Water and Power (LADWP), City

Prepared by: Risk Management Professionals, Inc.
of Manhattan Beach, and California Water Service, that can be activated during emergency situations.

**ES.2 System Water Use**

Key factors that affect City water demands are population growth, increases in land use development, industrial growth and reductions in annual rainfall. For the City, population and rainfall have historically exhibited the greatest influence. Usage of water per capita per day ranged primarily between 450 and 600 Gallons per Capita per Day (GPCD) during 2001 to 2010 and has since been trending lower. Consequently, Fiscal Year (FY) 2014 to 2015 had the lowest per capita water use in the past 15 years. Consumption has ranged from a low of 427 GPCD in 2015 to a maximum of 801 GPCD in 2001. The average use per day during the period from 2001 through 2015 was 508 gallons per person.

In FY 2014 to 2015, the City used 8,025 acre-feet of potable water, as measured by metered sales and estimated distribution system losses. Average water deliveries, are broken down into the following sectors

- Single Family Residential
- Multi-Family Residential
- Commercial
- Institutional/government
- Industrial
- Landscape Irrigation
- Other (fire, estimated distribution system losses)

Table ES.1: Demands for Potable Water - 2015 Actual

<table>
<thead>
<tr>
<th>Water Use Sectors</th>
<th>Additional Description</th>
<th>Level of Treatment When Delivered</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>-</td>
<td>Drinking Water</td>
<td>925</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>-</td>
<td>Drinking Water</td>
<td>662</td>
</tr>
<tr>
<td>Commercial</td>
<td>-</td>
<td>Drinking Water</td>
<td>1,192</td>
</tr>
<tr>
<td>Industrial</td>
<td>-</td>
<td>Drinking Water</td>
<td>4,794</td>
</tr>
<tr>
<td>Institutional/Governmental</td>
<td>-</td>
<td>Drinking Water</td>
<td>291</td>
</tr>
</tbody>
</table>

Prepared by: Risk Management Professionals, Inc.
### Water Use Sectors

<table>
<thead>
<tr>
<th>Water Use Sectors</th>
<th>Additional Description</th>
<th>Level of Treatment When Delivered</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscape</td>
<td></td>
<td>Drinking Water</td>
<td>93</td>
</tr>
<tr>
<td>Losses</td>
<td>Distribution System Losses (estimated using AWWA Water Loss Audit Worksheet)</td>
<td>Drinking Water</td>
<td>64</td>
</tr>
<tr>
<td>Other</td>
<td>Firefighting</td>
<td>Drinking Water</td>
<td>4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td><strong>8,025</strong></td>
</tr>
</tbody>
</table>

Note: Units in acre-feet per year

### ES.3 SB X7-7

In order to determine the twenty percent per capita water use reduction by the year 2020 required by SBx7-7, the City utilized the California Department of Water Resources (DWR) methods to determine the baseline, interim, and water use target values. The City is part of the WBMWD that has formed a regional alliance, and has thus determined its baseline and target values both individually and as part of the alliance. The individually calculated baseline for the City is 513 GPCD, the interim target in 2015 is 462 GPCD, and the target for 2020 compliance is 411 GPCD. The actual 2015 GPCD is 427. Therefore, the City has successfully met the 2015 interim goal and will continue to implement water conservation measures in order to meet the 2020 target goal.

### Table ES.2: Baselines and Targets Summary

<table>
<thead>
<tr>
<th>Baseline Period</th>
<th>Start Year</th>
<th>End Year</th>
<th>Average Baseline GPCD*</th>
<th>2015 Interim Target *</th>
<th>Confirmed 2020 Target*</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-15 year</td>
<td>2001</td>
<td>2010</td>
<td>513</td>
<td>462</td>
<td>411</td>
</tr>
<tr>
<td>5 Year</td>
<td>2006</td>
<td>2010</td>
<td>492</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: All values are in Gallons per Capita per Day (GPCD)

Prepared by: Risk Management Professionals, Inc.
Table ES.3: 2015 Compliance - Optional Adjustments to 2015 GPCD

<table>
<thead>
<tr>
<th>Actual 2015 GPCD*</th>
<th>2015 Interim Target GPCD*</th>
<th>Adjusted 2015 GPCD* (Adjusted if applicable)</th>
<th>2015 GPCD*</th>
<th>Did Supplier Achieve Targeted Reduction for 2015? Y/N</th>
</tr>
</thead>
<tbody>
<tr>
<td>427</td>
<td>462</td>
<td>427</td>
<td>427</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Note: All values are in Gallons per Capita per Day (GPCD)
Note: Values were determined utilizing the Methodology 8 document

ES.4 Water Supply Systems

The City utilizes both potable and recycled water. The City is 100% dependent on imported water purchased from WBMWD for its potable water supply and does not anticipate using groundwater as a source of potable water. In addition to distributing potable water, the City is part of WBMWD's recycled water system. The recycled water is used for industrial applications and irrigation.

Due to the slow rising population and the per capita demand reduction required by SBx7-7, projected water supplies needs are expected to decrease from 2015 to 2035. The total projected potable and recycled water supplies available to the City through WBMWD are shown in Table ES-4.

Table ES.4: Water Supplies - Current and Projected

<table>
<thead>
<tr>
<th>Water Supply Sources</th>
<th>2015</th>
<th>2020</th>
<th>2025</th>
<th>2030</th>
<th>2035</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Basin Municipal Water District</td>
<td>8,127</td>
<td>7,999</td>
<td>8,157</td>
<td>8,318</td>
<td>8,482</td>
</tr>
<tr>
<td>Recycled Water</td>
<td>9,336</td>
<td>9,336</td>
<td>9,336</td>
<td>9,336</td>
<td>9,336</td>
</tr>
<tr>
<td>Total</td>
<td>17,463</td>
<td>17,335</td>
<td>17,493</td>
<td>17,654</td>
<td>17,818</td>
</tr>
</tbody>
</table>

Note: Values were obtained from the West Basin Municipal Water District Water Use Report - Fiscal Year 2014-2015.
Note: Units in acre-feet per year

ES.5 WATER SUPPLY RELIABILITY

All potable and recycled water supplies are provided through the WBMWD, which is supplied through the Metropolitan Water District of Southern California (MWD) from the Colorado River and the SWP. Since the supply is not directly obtained by the City, the determination of reliability is largely determined by WBMWD and MWD analyses to provide a consistent water supply to the City during normal, single dry, and multiple dry years. Both WBMWD and MWD have declared the water supply reliable on both district's 2015 UWMPs.

Prepared by: Risk Management Professionals, Inc.
Table ES.5: Supply and Demand Comparison — Normal Year

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2025</th>
<th>2030</th>
<th>2035</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supply Totals</td>
<td>16,587</td>
<td>16,744</td>
<td>16,904</td>
<td>17,067</td>
</tr>
<tr>
<td>Demand Totals</td>
<td>16,586</td>
<td>16,744</td>
<td>16,903</td>
<td>17,067</td>
</tr>
<tr>
<td>Difference</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

Notes: Units are in acre-feet per year

Table ES.6: Supply and Demand Comparison — Single Dry Year

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2025</th>
<th>2030</th>
<th>2035</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supply Totals</td>
<td>17,250</td>
<td>17,414</td>
<td>17,580</td>
<td>17,750</td>
</tr>
<tr>
<td>Demand Totals</td>
<td>17,249</td>
<td>17,414</td>
<td>17,579</td>
<td>17,750</td>
</tr>
<tr>
<td>Difference</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

Notes: Units are in acre-feet per year

Table ES.7: Supply and Demand Comparison — Multiple Dry-Year Events

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2020</th>
<th>2025</th>
<th>2030</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple-dry year first year supply</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supply Totals</td>
<td>17,748</td>
<td>17,916</td>
<td>18,087</td>
<td>18,262</td>
</tr>
<tr>
<td>Demand Totals</td>
<td>17,747</td>
<td>17,916</td>
<td>18,086</td>
<td>18,262</td>
</tr>
<tr>
<td>Difference</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Multiple-dry year second year supply</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supply Totals</td>
<td>18,246</td>
<td>18,418</td>
<td>18,594</td>
<td>18,774</td>
</tr>
<tr>
<td>Demand Totals</td>
<td>18,245</td>
<td>18,418</td>
<td>18,593</td>
<td>18,774</td>
</tr>
<tr>
<td>Difference</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Multiple-dry year third year supply</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supply Totals</td>
<td>18,743</td>
<td>18,921</td>
<td>19,102</td>
<td>19,286</td>
</tr>
<tr>
<td>Demand Totals</td>
<td>28,742</td>
<td>18,921</td>
<td>19,100</td>
<td>19,286</td>
</tr>
<tr>
<td>Difference</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

Notes: Units are in acre-feet per year

ES.6 Water Shortage Contingency Planning

Catastrophic failures that put the water supply at risk, i.e. fires and earthquakes, could damage the infrastructure of the water distribution system. In the event of a catastrophic event that prevents the City from obtaining water for distribution, WBMWD implements actions and methods to continue supplying water to customers of its member agencies. Water reserves are available to MWD through Diamond Lake, as well as other surface reservoirs. It is estimated MWD could provide full supply for up to six months for all of its service areas following a catastrophic event. In addition, methods to ensure that water is continually supplied to customers include stockpiling emergency pipeline repair materials and coordinating with the California Governor’s Office of Emergency Services (Cal OES) and County’s Operations Area in the event of a disruption in water supply.

Prepared by: Risk Management Professionals, Inc.
Any effect felt by the WBMWD during a catastrophic event would impact the water supply to the City as well. As a result, the City is subject to the actions and rationing of WBMWD. During any kind of catastrophic event that disrupts the water supply, including a regional power outage or an earthquake, the City, in conjunction with WBMWD and MWD, are prepared to continue providing a reliable source of water.

**ES.7 DEMAND MANAGEMENT MEASURES**

The City works with the WBMWD to implement water conservation techniques to reduce the total demand of water throughout the City and WBMWD. Together, the City and WBMWD implement the seven required Demand Management Measures (DMMs) within the City. WBMWD is a signatory on the California Urban Water Conservation Council (CUWCC) Memorandum of Understanding (MOU) regarding urban water conservation in California. CUWCC represents a diverse group of water supply agencies dedicated to establishing Best Management Practice (BMP) guidelines toward implementing conservation measures and managing supply demands. The following table summarizes correlation between the BMPs/DMMs. DMM 7 for other DMMs provided by the City, is not included on the table as it is universally applicable.

**Table ES.8: CUWCC BMP Organization and Names and UWMP DMMs**

<table>
<thead>
<tr>
<th>Category</th>
<th>BMP #</th>
<th>BMP Name</th>
<th>DMM #</th>
<th>DMM Name</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BMP 1: Utility Operations</strong></td>
<td>1.1</td>
<td>Operations Practices</td>
<td>5</td>
<td>Programs to Assess and Manage Distribution System Real Loss</td>
</tr>
<tr>
<td></td>
<td>1.2</td>
<td>Water Loss Control</td>
<td>1</td>
<td>Water Waste Prevention Ordinances</td>
</tr>
<tr>
<td></td>
<td>1.3</td>
<td>Metering with Commodity Rates</td>
<td>2</td>
<td>Metering</td>
</tr>
<tr>
<td></td>
<td>1.4</td>
<td>Retail Conservation Pricing</td>
<td>3</td>
<td>Conservation Pricing</td>
</tr>
<tr>
<td><strong>BMP 2: Public Education and School Education</strong></td>
<td>2</td>
<td>Public Education and School Education</td>
<td>4</td>
<td>Public Education and Outreach</td>
</tr>
<tr>
<td><strong>BMP 3: Residential Programs</strong></td>
<td>3</td>
<td>Residential Programs</td>
<td>3</td>
<td>Conservation Pricing</td>
</tr>
</tbody>
</table>
### Category | BMP # | BMP Name | DMM # | DMM Name |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
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<tr>
<td></td>
<td>4</td>
<td>Commercial, Industrial, and Institutional</td>
<td>4</td>
<td>Public Education and Outreach</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td></td>
<td>6</td>
<td>Water Conservation Program Coordination and Staffing Support</td>
</tr>
<tr>
<td><strong>BMP 4:</strong> Commercial, Industrial, and Institutional</td>
<td>4</td>
<td>Commercial, Industrial, and Institutional</td>
<td>3</td>
<td>Conservation Pricing</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Public Education and Outreach</td>
<td>4</td>
<td>Public Education and Outreach</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>Water Conservation Program Coordination and Staffing Support</td>
<td>6</td>
<td>Water Conservation Program Coordination and Staffing Support</td>
</tr>
<tr>
<td><strong>BMP 5:</strong> Landscape</td>
<td>5</td>
<td>Landscape</td>
<td>3</td>
<td>Conservation Pricing</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>Water Conservation Program Coordination and Staffing Support</td>
<td>6</td>
<td>Water Conservation Program Coordination and Staffing Support</td>
</tr>
</tbody>
</table>

**ES.8 PLAN ADOPTION**

The plan was adopted by the City Council on August 9, 2016 as prepared. A copy of the adoption resolution is provided in Appendix B.

The City will implement the strategies set forth in the plan immediately upon adoption by the City Council, which includes the following to reduce water demands in accordance with SBx7-7:

- Enhance public awareness regarding water conservation requirements and efforts that can be easily implemented to conserve water.
- Continue to promote and expand the water conservation programs currently in place, including the fourteen Demand Management Measures outlined in Section 6.0 of this Plan.
- Reduce the number of illegal connections that withdraw water from the City's distribution system and contribute to the system losses.

Prepared by: Risk Management Professionals, Inc.
The City will submit copies of its 2015 UWMP to the following agencies within 30 days after adoption:

- DWR
- The California State Library
- The City

Additionally, any amendments or changes to the plan will be submitted to the above agencies within 30 days after adoption.

The City will provide an electronic version of the final 2015 UWMP on its website for public review within 30 days of filing the plan with DWR. Additionally, a hard copy will be available for review at the City Hall building, located at 350 Main Street, El Segundo, California 90245.
AGENDA DESCRIPTION:
Consideration and possible action to open a Public Hearing, consider testimony, and adopt a Resolution finding that the City conforms with the annual Congestion Management Program (CMP) and adopting the annual CMP Local Development Report, in accordance with California Government Code § 65089. (Fiscal Impact: None).

RECOMMENDED COUNCIL ACTION:
1. Open Public Hearing;
2. Discussion;
3. Adopt Resolution; and/or
4. Alternatively, discuss and take other possible related action to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Draft Resolution
2. 2016 Local Development Report

FISCAL IMPACT: None

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

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

BACKGROUND AND DISCUSSION:

I. Background

The Congestion Management Program (CMP) became effective with voter approval of Proposition 111 in June 1990. The CMP has forged new ground linking transportation, land use and air quality decisions. It requires agencies to weigh the impacts of traffic generated by new developments and requires the mitigation of additional congestion. In accordance with State law the Los Angeles County Metropolitan Transportation Authority (MTA) Board has adopted the CMP for Los Angeles County. Cities within the County are required to comply with the adopted CMP or risk the loss of Gas tax revenues received pursuant to Proposition 111. The City received $393,807.46 of tax revenue for this reporting period.
The MTA requires that by September 1st of each year, local agencies submit a self-certification Resolution and a Local Development Report pursuant to a noticed public hearing as required by State law.

The self-certification Resolution consists of the following:

1. A finding that the City is in conformance with the CMP.

2. Certification that the City will continue to implement the Transportation Demand Management Ordinance. (ESMC Chapter 15-16).

3. Certification that the City will continue to implement a Land Use Analysis Program. (City Council Resolution No. 3805).


In previous years, the CMP required the City to calculate the total debits and credits accruing from building and demolition permits and transportation improvement strategies and to maintain a positive credit balance. The City’s credit balance as of May 31, 2003 was $6,642. On February 18, 2004, MTA suspended the requirement that cities maintain a positive credit balance and suspended the requirement to calculate credits and debits resulting from construction activity and transportation improvements strategies to explore the feasibility of implementing a “Congestion Mitigation Fee” to meet local requirements of the CMP Deficiency Plan. The City’s current credit balance remains frozen until the MTA adopts the fee.

On October 28, 2010 the MTA Board adopted the 2010 CMP for Los Angeles County. The 2010 CMP summarizes the results of 18 years of CMP highway and transit monitoring and 15 years of monitoring local growth. CMP implementation guidelines for local jurisdictions are also contained in the 2010 CMP.

In 2013, MTA staff and their consultants completed a sub-regional pilot nexus study report to examine the feasibility of implementing a “Congestion Mitigation Fee” for the MTA Board. In June 2013, the MTA Board directed the CEO to work with the Sacramento legislative delegation to conduct a hearing as to whether the CMP is still an appropriate and useful program. The MTA Board directed the CEO to report back any State findings and legislative changes to CMP statute, in consultation with the business and development community, local jurisdictions, the Southern California Association of Governments (SCAG), and others. A local CMP Stakeholder Workshop was held on March 4, 2014. Ninety-five stakeholders attended, including representatives of the business and development community, jurisdictions, Councils of Governments, active transportation representatives, SCAG, and others. A number of stakeholders proposed that MTA should be using new metrics such as those proposed by SB 743 to measure the performance of transportation investment. The MTA staff will conduct a thorough evaluation of options, with a special focus on the emerging multi-modal performance measures proposed under SB 743 that were released by the Governor’s Office of Planning and Research (OPR) in the summer of 2014. At this time, the MTA Board has not taken further action on this issue.

The Congestion Mitigation Fee would be a one time fee applied to all types of new development.
If adopted by the MTA, locally adopted Congestion Mitigation Fee Programs that meet the CMP compliance requirements would replace the currently suspended Debit-Credit Methodology of the CMP Deficiency Plan. Cities that complied would retain their annual Section 2105 gas tax revenue and would ensure their future eligibility with MTA. El Segundo has a locally adopted traffic mitigation fee that is a one time fee applied to new development. Planning and Public Works staff have been coordinating with MTA staff to ensure the eligibility and CMP compliance of its existing traffic mitigation fees. The proposed program would: 1) require approval by MTA and local jurisdictions; 2) provide cities credit for existing fee programs; and 3) delegate local control to each jurisdiction to collect fees and control the revenue to implement projects while maintaining annual reporting to MTA.

In odd-numbered years the City is required to submit traffic count data to MTA by June 15 for one selected arterial intersection (Sepulveda Boulevard/El Segundo Boulevard). In even-numbered years the City is not required to submit traffic counts. This year the City is not required to submit the traffic count data to MTA. The City is required to report the number of new dwelling units permitted, the total floor area of new non-residential buildings, and demolitions. The attached Local Development Report summarizes the development activity for the June 1, 2015 to May 31, 2016 reporting year.

The development activity for this reporting year added 449,556 total square feet of non-residential building area to the City (after the demolition of 34,595 square feet of non-residential building area). Four (4) major commercial developments for this year’s reporting period were five commercial office buildings totaling 70,714 gross square feet on Duley Road, two new hotels with a combined total of 219,731 gross square feet in area containing 324 rooms (Cambria Suites and Hampton Inn), and the Lakers Athletic Facility totaling 121,852 gross square feet.

The residential projects for this year included 4 new single-family residential dwelling units.
RESOLUTION NO. ______

A RESOLUTION FINDING THE CITY OF EL SEGUNDO, CALIFORNIA TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE § 65089.

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

SECTION 1: The City Council finds that:

A. The Los Angeles County Metropolitan Transportation Authority ("LACMTA"), acting as the Congestion Management Agency for Los Angeles County, adopted the 2010 Congestion Management Program ("CMP") on October 28, 2010;

B. As adopted, the CMP statute requires that LACMTA annually determine that Los Angeles County and cities within the County conform with all CMP requirements;

C. The CMP requires municipalities within Los Angeles County to submit Local Development Reports to the LACMTA by September 1 of each year;

D. The City Council held a noticed public hearing on August 2, 2016 during which it considered the evidence presented by staff and the public regarding how the City has implemented measures designed to mitigate the impacts of traffic congestion resulting from new development;

E. Based upon the August 2, 2016 public hearing, the City Council determined that:

1. The City has taken all of the following actions in conformance with all applicable requirements of the 2010 CMP adopted by the LACMTA Board on October 28, 2010;

2. By June 15 of odd-numbered years the City conducts annual traffic counts and calculated levels of service for selected arterial intersections, consistent with the requirements identified in the CMP Highway and Roadway System Chapter;

3. The City adopted and continues to implement a transportation demand management ordinance consistent with the minimum requirements identified in the CMP Transportation Demand Management Chapter;

4. The City adopted and continues to implement a land use analysis program consistent with the minimum requirements identified in the CMP Land Use Analysis Program chapter; and
5. The City adopted a Local Development Report, which is attached as Exhibit "A," and incorporated by reference, consistent with the requirements identified in the 2010 CMP. This report balances traffic congestion impacts due to growth within the City with transportation improvements, and demonstrates that the City is meeting its responsibilities under the County-wide Deficiency Plan consistent with the LACMTA Board adopted 2014 Short Range Transportation Plan.

SECTION 2: In accordance with its findings, the City Council determines that the City of El Segundo is in compliance with all requirements of the CMP adopted by the LACMTA Board on October 28, 2010.

SECTION 3: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 4: This Resolution will take effect immediately upon adoption.

PASSED AND ADOPTED this 2nd day of August, 2016.

Suzanne Fuentes, Mayor
City of El Segundo

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

By: __________________________
    David King, Assistant City Attorney
ATTEST:

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

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. __________ was duly passed and adopted by said City Council, approved and signed by the Mayor of said City, and attested to by the City Clerk of said City, all at a regular meeting of said Council held on the 2nd day of August 2016, and the same was so passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

____________________________________
Tracy Weaver, City Clerk
### DEVELOPMENT TOTALS

#### RESIDENTIAL DEVELOPMENT ACTIVITY
- Single Family Residential: 4.00
- Multi-Family Residential: 0.00
- Group Quarters: 0.00

#### COMMERCIAL DEVELOPMENT ACTIVITY
- Commercial (less than 300,000 sq.ft.): 0.10
- Commercial (300,000 sq.ft. or more): 0.00
- Freestanding Eating & Drinking: 0.00

#### NON-RETAIL DEVELOPMENT ACTIVITY
- Lodging: 219.73
- Industrial: 11.82
- Office (less than 50,000 sq.ft.): 95.15
- Office (50,000-299,999 sq.ft.): 0.00
- Office (300,000 sq.ft. or more): 0.00
- Medical: 0.00
- Government: 0.00
- Institutional/Educational: 0.00
- University (# of students): 0.00

#### OTHER DEVELOPMENT ACTIVITY
- 121,852 sq.ft. Lakers Athletic Facility: 1,260.00

#### EXEMPTED DEVELOPMENT TOTALS
- Exempted Dwelling Units: 0
- Exempted Non-residential sq. ft. (in 1,000s): 0

---

2. Net square feet is the difference between new development and adjustments entered on pages 2 and 3.
### CITY OF EL SEGUNDO

**2015 CMP Local Development Report**  
**Reporting Period:** JUNE 1, 2015 - MAY 31, 2016

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

#### PART 1: NEW DEVELOPMENT ACTIVITY

##### RESIDENTIAL DEVELOPMENT ACTIVITY

<table>
<thead>
<tr>
<th>Category</th>
<th>Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential</td>
<td>5.00</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>0.00</td>
</tr>
<tr>
<td>Group Quarters</td>
<td>0.00</td>
</tr>
</tbody>
</table>

##### COMMERCIAL DEVELOPMENT ACTIVITY

<table>
<thead>
<tr>
<th>Category</th>
<th>1,000 Gross Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial (less than 300,000 sq.ft.)</td>
<td>0.10</td>
</tr>
<tr>
<td>Commercial (300,000 sq.ft. or more)</td>
<td></td>
</tr>
<tr>
<td>Freestanding Eating &amp; Drinking</td>
<td></td>
</tr>
</tbody>
</table>

##### NON-RETAIL DEVELOPMENT ACTIVITY

<table>
<thead>
<tr>
<th>Category</th>
<th>1,000 Gross Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lodging</td>
<td>219.73</td>
</tr>
<tr>
<td>Industrial</td>
<td>40.31</td>
</tr>
<tr>
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<tr>
<td>Office (50,000-299,999 sq.ft.)</td>
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<td>0.00</td>
</tr>
<tr>
<td>Medical</td>
<td>0.00</td>
</tr>
<tr>
<td>Government</td>
<td>0.00</td>
</tr>
<tr>
<td>Institutional/Educational</td>
<td>0.00</td>
</tr>
<tr>
<td>University (# of students)</td>
<td>0.00</td>
</tr>
</tbody>
</table>

##### OTHER DEVELOPMENT ACTIVITY

<table>
<thead>
<tr>
<th>Description</th>
<th>Daily Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Attach additional sheets if necessary)</td>
<td>(Enter &quot;0&quot; if none)</td>
</tr>
<tr>
<td>121,852 sq.ft. Lakers Athletic Facility</td>
<td>1,260.00</td>
</tr>
<tr>
<td>ENTER IF APPLICABLE</td>
<td>0.00</td>
</tr>
</tbody>
</table>
CITY OF EL SEGUNDO

2015 CMP Local Development Report
Reporting Period: JUNE 1, 2015 - MAY 31, 2016

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

PART 2: NEW DEVELOPMENT ADJUSTMENTS

IMPORTANT: Adjustments may be claimed only for 1) development permits that were both issued and revoked, expired or withdrawn during the reporting period, and 2) demolition of any structure with the reporting period.

RESIDENTIAL DEVELOPMENT ADJUSTMENTS

<table>
<thead>
<tr>
<th>Category</th>
<th>Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential</td>
<td>1.00</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>0.00</td>
</tr>
<tr>
<td>Group Quarters</td>
<td>0.00</td>
</tr>
</tbody>
</table>

COMMERCIAL DEVELOPMENT ACTIVITY

<table>
<thead>
<tr>
<th>Category</th>
<th>1,000 Gross Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial (less than 300,000 sq.ft.)</td>
<td>0.00</td>
</tr>
<tr>
<td>Commercial (300,000 sq.ft. or more)</td>
<td>0.00</td>
</tr>
<tr>
<td>Freestanding Eating &amp; Drinking</td>
<td>0.00</td>
</tr>
</tbody>
</table>

NON-RETAIL DEVELOPMENT ACTIVITY

<table>
<thead>
<tr>
<th>Category</th>
<th>1,000 Gross Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lodging</td>
<td>0.00</td>
</tr>
<tr>
<td>Industrial</td>
<td>28.49</td>
</tr>
<tr>
<td>Office (less than 50,000 sq.ft.)</td>
<td>6.10</td>
</tr>
<tr>
<td>Office (50,000-299,999 sq.ft.)</td>
<td>0.00</td>
</tr>
<tr>
<td>Office (300,000 sq.ft. or more)</td>
<td>0.00</td>
</tr>
<tr>
<td>Medical</td>
<td>0.00</td>
</tr>
<tr>
<td>Government</td>
<td>0.00</td>
</tr>
<tr>
<td>Institutional/Educational</td>
<td>0.00</td>
</tr>
<tr>
<td>University (# of students)</td>
<td>0.00</td>
</tr>
</tbody>
</table>

OTHER DEVELOPMENT ACTIVITY

<table>
<thead>
<tr>
<th>Description</th>
<th>Daily Trips (Enter &quot;0&quot; if none)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Attach additional sheets if necessary)</td>
<td></td>
</tr>
</tbody>
</table>

ENTER IF APPLICABLE

<table>
<thead>
<tr>
<th>Description</th>
<th>0.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENTER IF APPLICABLE</td>
<td>0.00</td>
</tr>
<tr>
<td>ENTER IF APPLICABLE</td>
<td>0.00</td>
</tr>
</tbody>
</table>
### CITY OF EL SEGUNDO

**2015 CMP Local Development Report**  
**Reporting Period: JUNE 1, 2015 - MAY 31, 2016**

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

### PART 3: EXEMPTED DEVELOPMENT ACTIVITY  
(NOT INCLUDED IN NEW DEVELOPMENT ACTIVITY TOTALS)

<table>
<thead>
<tr>
<th>Category</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low/Very Low Income Housing</td>
<td>0 Dwelling Units</td>
</tr>
<tr>
<td>High Density Residential Near Rail Stations</td>
<td>0 Dwelling Units</td>
</tr>
<tr>
<td>Mixed Use Developments Near Rail Stations</td>
<td>0 1,000 Gross Square Feet</td>
</tr>
<tr>
<td>Development Agreements Entered into Prior to July 10, 1989</td>
<td>0 Dwelling Units</td>
</tr>
<tr>
<td>Reconstruction of Buildings Damaged due to &quot;calamity&quot;</td>
<td>0 1,000 Gross Square Feet</td>
</tr>
<tr>
<td>Reconstruction of Buildings Damaged in Jan. 1994 Earthquake</td>
<td>0 1,000 Gross Square Feet</td>
</tr>
</tbody>
</table>

**Total Dwelling Units**  

**Total Non-residential sq. ft. (in 1,000s)**  

---

**Exempted Development Definitions:**

1. **Low/Very Low Income Housing:** As defined by the California Department of Housing and Community Development as follows:
   - Low-Income: equal to or less than 80% of the County median income, with adjustments for family size.
   - Very Low-Income: equal to or less than 50% of the County median income, with adjustments for family size.

2. **High Density Residential Near Rail Stations:** Development located within 1/4 mile of a fixed rail passenger station and that is equal to or greater than 120 percent of the maximum residential density allowed under the local general plan and zoning ordinance. A project providing a minimum of 75 dwelling units per acre is automatically considered high density.

3. **Mixed Uses Near Rail Stations:** Mixed-use development located within 1/4 mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed use development is used for high density residential housing.

4. **Development Agreements:** Projects that entered into a development agreement (as specified under Section 65864 of the California Government Code) with a local jurisdiction prior to July 10, 1989.

5. **Reconstruction or replacement of any residential or non-residential structure which is damaged or destroyed, to the extent of > or = to 50% of its reasonable value, by fire, flood, earthquake or other similar calamity.**

6. **Any project of a federal, state or county agency that is exempt from local jurisdiction zoning regulations and where the local jurisdiction is precluded from exercising any approval/disapproval authority.** These locally precluded projects do not have to be reported in the LDR.
### 2014 DEFICIENCY PLAN STATUS SUMMARY

1. Total Current Congestion Mitigation Goal  
   [from Section I]  
   -3,259

2. Transportation Improvements Credit Claims  
   [from Section II]  
   -3,259

3. Subtotal Current Credit (Goal)  
   0

4. Carryover Credit from Last Year's (1999) Local Implementation Report  
   2,017

Net Deficiency Plan Credit Balance:  
-1,242

### SECTION I - NEW DEVELOPMENT ACTIVITY REPORT

#### PART 1: NEW DEVELOPMENT ACTIVITY

**RESIDENTIAL DEVELOPMENT ACTIVITY**

<table>
<thead>
<tr>
<th>Category</th>
<th>Dwelling Units</th>
<th>Debit Value</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group Quarters</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### COMMERCIAL DEVELOPMENT ACTIVITY

<table>
<thead>
<tr>
<th>Category</th>
<th>Dwelling Units</th>
<th>Debit Value</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial (less than 300,000 sq.ft.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial (300,000 sq.ft. or more)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freestanding Eating &amp; Drinking</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### NON-RETAIL DEVELOPMENT ACTIVITY

<table>
<thead>
<tr>
<th>Category</th>
<th>Dwelling Units</th>
<th>Debit Value</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lodging</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office (less than 50,000 sq.ft.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office (50,000-299,999 sq.ft.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office (300,000 sq.ft. or more)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Government</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional/Educational</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**OTHER DEVELOPMENT ACTIVITY (Lakeside Facility)**

<table>
<thead>
<tr>
<th>Description</th>
<th>Debit Value</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily Trips: 1,259</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ENTER IF APPLICABLE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Debit Value</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Current Congestion Mitigation Goal (Points)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SECTION I - NEW DEVELOPMENT ACTIVITY REPORT (Continued)

PART 2: NEW DEVELOPMENT ADJUSTMENTS

**IMPORTANT:** Adjustments may be claimed only for 1) development permits that were both issued and revoked, expired or withdrawn during the reporting period, and 2) demolitions of any structure within the reporting period.

### RESIDENTIAL DEVELOPMENT ADJUSTMENTS

<table>
<thead>
<tr>
<th>Category</th>
<th>Dwelling Units</th>
<th>Adjustment Value</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential</td>
<td>1.00 x 6.80 = 6.80</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multi-family Residential</td>
<td>0.90 x 4.76 = 0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group Quarters</td>
<td>0.00 x 1.88 = 0.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### COMMERCIAL DEVELOPMENT ACTIVITY

<table>
<thead>
<tr>
<th>Category</th>
<th>Adjustment Value</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial (less than 300,000 sq ft.)</td>
<td>0.96 x 22.33 = 21.97</td>
<td></td>
</tr>
<tr>
<td>Freestanding Eating &amp; Drinking</td>
<td>0.99 x 17.69 = 0.00</td>
<td></td>
</tr>
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</table>

### NON-RETAIL DEVELOPMENT ACTIVITY

<table>
<thead>
<tr>
<th>Category</th>
<th>Adjustment Value</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lodging</td>
<td>0.00 x 7.21 = 0.00</td>
<td></td>
</tr>
<tr>
<td>Office (less than 50,000 sq.ft.)</td>
<td>29.44 x 6.96 = 175.16</td>
<td></td>
</tr>
<tr>
<td>Office (50,000-250,000 sq.ft.)</td>
<td>6.10 x 16.16 = 96.66</td>
<td></td>
</tr>
<tr>
<td>Office (250,000 sq.ft. or more)</td>
<td>0.00 x 10.50 = 0.00</td>
<td></td>
</tr>
<tr>
<td>Medical</td>
<td>0.00 x 7.33 = 0.00</td>
<td></td>
</tr>
<tr>
<td>Government</td>
<td>0.00 x 10.60 = 0.00</td>
<td></td>
</tr>
<tr>
<td>Institutional/Educational</td>
<td>0.00 x 20.99 = 0.00</td>
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</tr>
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### OTHER DEVELOPMENT ADJUSTMENTS

<table>
<thead>
<tr>
<th>Description</th>
<th>Impact Value</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENTER HERE IF APPLICABLE</td>
<td>0.00 x 0.71 = 0.00</td>
<td></td>
</tr>
<tr>
<td>ENTER HERE IF APPLICABLE</td>
<td>0.00 x 0.71 = 0.00</td>
<td></td>
</tr>
</tbody>
</table>

**Total Mitigation Goal Adjustments (Points):**

= 293.20

SECTION I - NEW DEVELOPMENT ACTIVITY REPORT (Continued)

PART 3: EXEMPTED DEVELOPMENT ACTIVITY

(NOT INCLUDED IN NEW DEVELOPMENT ACTIVITY TOTALS)

<table>
<thead>
<tr>
<th>Description</th>
<th>Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low/Med Low Income Housing</td>
<td>0.00</td>
</tr>
<tr>
<td>High Density Residential near Rail Stations</td>
<td>0.00</td>
</tr>
<tr>
<td>Mixed Use Developments near Rail Stations</td>
<td>0.96</td>
</tr>
<tr>
<td>Development Agreements entered into Prior to July 10, 1989</td>
<td>0.00</td>
</tr>
<tr>
<td>Reconstruction of Buildings damaged in April 1992 Civil Unrest</td>
<td>0.00</td>
</tr>
<tr>
<td>Reconstruction of Buildings damaged in Jan 1994 Earthquake</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Dwelling Units:**

<table>
<thead>
<tr>
<th>Dwelling Units</th>
<th>1000 Gross Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Exempted Development Definitions:
## Non-Residential Building Permits issued

### June 1, 1994 - May 31, 2016

<table>
<thead>
<tr>
<th>Year</th>
<th>New Floor Area</th>
<th>Demo Floor Area</th>
<th>Net Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994-1995</td>
<td>53,275</td>
<td>12,000</td>
<td>41,275</td>
</tr>
<tr>
<td>1995-1996</td>
<td>104,770</td>
<td>187,030</td>
<td>(82,260)</td>
</tr>
<tr>
<td>1996-1997</td>
<td>183,340</td>
<td>64,300</td>
<td>119,040</td>
</tr>
<tr>
<td>1997-1998</td>
<td>433,930</td>
<td>51,020</td>
<td>382,910</td>
</tr>
<tr>
<td>1998-1999</td>
<td>297,290</td>
<td>141,520</td>
<td>155,770</td>
</tr>
<tr>
<td>1999-2000</td>
<td>273,380</td>
<td>25,960</td>
<td>247,420</td>
</tr>
<tr>
<td>2000-2001</td>
<td>757,780</td>
<td>57,650</td>
<td>700,130</td>
</tr>
<tr>
<td>2001-2002</td>
<td>74,530</td>
<td>183,400</td>
<td>(108,870)</td>
</tr>
<tr>
<td>2002-2003</td>
<td>70,669</td>
<td>-</td>
<td>70,669</td>
</tr>
<tr>
<td>2003-2004</td>
<td>79,428</td>
<td>118,815</td>
<td>(39,387)</td>
</tr>
<tr>
<td>2004-2005</td>
<td>94,570</td>
<td>118,402</td>
<td>(23,832)</td>
</tr>
<tr>
<td>2005-2006</td>
<td>287,340</td>
<td>4,590</td>
<td>282,750</td>
</tr>
<tr>
<td>2006-2007</td>
<td>438,980</td>
<td>74,780</td>
<td>364,200</td>
</tr>
<tr>
<td>2007-2008</td>
<td>10,288</td>
<td>7,745</td>
<td>2,543</td>
</tr>
<tr>
<td>2008-2009</td>
<td>266,700</td>
<td>101,780</td>
<td>164,920</td>
</tr>
<tr>
<td>2009-2010</td>
<td>46,478</td>
<td>130,980</td>
<td>(84,502)</td>
</tr>
<tr>
<td>2010-2011</td>
<td>1,473</td>
<td>660</td>
<td>813</td>
</tr>
<tr>
<td>2011-2012</td>
<td>150,845</td>
<td>38,479</td>
<td>112,366</td>
</tr>
<tr>
<td>2012-2013</td>
<td>121,840</td>
<td>700</td>
<td>121,140</td>
</tr>
<tr>
<td>2013-2014</td>
<td>348,709</td>
<td>9,300</td>
<td>339,409</td>
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<tr>
<td>2014-2015</td>
<td>28,820</td>
<td>12,030</td>
<td>16,790</td>
</tr>
<tr>
<td>2015-2016</td>
<td>484,151</td>
<td>34,595</td>
<td>449,556</td>
</tr>
</tbody>
</table>

**TOTAL** | **4,608,586** | **1,375,736** | **3,232,850**
AGENDA DESCRIPTION:
Consideration and possible action regarding approval of Environmental Assessment No. EA-1143, Zone Text Amendment No. ZTA 16-01, Conditional Use Permit No. CUP 16-01, Administrative Use Permit No. AUP 16-01, Adjustment No. ADJ 16-04, and Off-Site Parking Covenant No. MISC 16-05. The Project site is located at 2171-2191 Rosecrans Avenue, in the Urban Mixed Use South (MU-S) Zone (the “Site”).
(Applicant: Continental Development Corporation).

RECOMMENDED COUNCIL ACTION:
1. Conduct a public hearing;
2. Take testimony and other evidence as presented;
3. Introduce an Ordinance (Zone Text Amendment No. ZTA 16-01) amending four sections of the El Segundo Municipal Code;
4. Schedule second reading and adoption of the Ordinance for August 16, 2016;
5. Adopt a Resolution a) approving a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (MMRP), and b) approving Environmental Assessment No. EA-1143, Zone Text Amendment No. ZTA 16-01, Conditional Use Permit No. CUP 16-01, Adjustment No. ADJ 16-04, and Off-Site Parking Covenant No. 16-05 at 2171 – 2191 Rosecrans Avenue (Cozymel’s Mexican Grill site); and/or
6. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Proposed Ordinance
2. Proposed Ordinance (strike-out/underline version)
3. Resolution
4. Planning Commission Resolution No. 2798
5. Planning Commission Staff Report, dated July 14, 2016
6. Public Comments
7. Final Initial Study/Mitigated Negative Declaration
8. Plans

FISCAL IMPACT:
If approved, the proposed project will include a full-service restaurant, two new high-turnover restaurants and a new bank that would likely result in a nominal increase in sales tax revenue and business license tax revenue.

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

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

The proposed project is a request for:

A. A Zone Text Amendment (ZTA 16-01) to amend four sections of the El Segundo Municipal Code ("ESMC") to: a) allow onsite parking to encroach into interior side yard and rear yard setback and landscape areas; b) allow outdoor dining areas and outdoor gathering areas to be located within certain setback areas; and c) modify front and side yard building setback requirements.

B. A Conditional Use Permit (CUP 16-01) for 3,700 square feet of total outdoor dining area, which would be provided and distributed for the proposed restaurants.

C. A Master Administrative Use Permit (AUP 16-01) for the onsite sale and consumption of beer, wine and alcohol at the proposed new restaurants.

D. The Administrative Adjustment (ADJ 16-04) allowing one of the two proposed loading spaces to be along a parking lot drive aisle.

E. An Off-Site Parking Covenant (MISC 16-05) to allow 90 of the 177 required parking spaces to be located off-site, in a parking structure located on the abutting property to the north of the project site, which is also owned by the applicant.

The project site is located at 2171-2191 Rosecrans Avenue (currently the Cozymel’s Mexican Grill site), in the Urban Mixed-Use South (MU-S) zone.

II. BACKGROUND:

Continental Development Corporation (the Applicant) requested approval of Environmental Assessment No. EA-1143, Zone Text Amendment No. ZTA 16-01, Conditional Use Permit No. CUP 16-01, Administrative Use Permit No. AUP 16-01, Adjustment No. ADJ 16-04, and Off-Site Parking Covenant No. MISC 16-05 to:

- Amend four sections of the El Segundo Municipal Code pertaining to parking standards, site development standards, and open space areas and encroachments;
- Demolish an existing restaurant building, and construct three new buildings to accommodate a bank, a full service restaurant and two high-turnover restaurants;
- Provide a total of 3,700 square feet of outdoor dining;
- Allow the onsite sale and consumption of beer and wine, and alcohol;
- Allow a loading space within in the parking lot drive aisle; and,
- Allow 90 of the 177 required parking spaces to be located offsite through a parking covenant.

On July 14, 2016, the Planning Commission held a public hearing and considered the zone text amendment, the entitlement applications and the associated Mitigated Negative Declaration for the proposed development project. The Planning Commission received public testimony from the applicant and the general public at the hearing. A representative of Continental Development Corporation spoke in support of the project. At the July 14th meeting, Planning Commission discussed the following issues related to the project:

- Traffic impacts
- Location and number of trash enclosures
- Boundaries of the MU-S Zone
• Loading spaces and circulation
• Impacts to Police Department response times and personnel

During the Planning Commission’s review of the project, including the zone text amendment and the various entitlement applications, the Planning Commission determined that the necessary findings associated with the applications could be made in a positive manner to warrant approval of the project. Staff and the Applicant addressed the Commission’s issues and questions, and after discussing the merits of the project, the Planning Commission on a 4-0 vote (Commissioner Nisley absent) adopted Resolution No. 2798 (attached) recommending that the City Council approve the zone text amendment, the Mitigated Negative Declaration, and approve the entitlement applications associated with the development project. Since the project includes a zone text amendment (ZTA 16-01), the City Council is the decision-making body for the proposed project. As such, it is now before the City Council for consideration.

In addition to the Notice of Intent that was mailed to property owners and public agencies on June 23, 2016, a public hearing notice of tonight’s meeting was mailed to nine (9) property owners within a 300-foot radius from the subject property and interested parties on July 21, 2016. Further, the notice was also published in the El Segundo Herald on July 21st. As of the preparation of this Staff Report, one comment was received from the Los Angeles County Sanitation District in response to the notices.

III. ANALYSIS

Project Site and Vicinity

The proposed Zone Text Amendment would apply to properties within the Mixed-Use South (MU-S) Zone. The MU-S Zone consists of approximately 70 acres in the southeastern portion of the City. The existing uses in the MU-S Zone include primarily light industrial, office, restaurant, and some retail uses. Additionally, the MU-S Zone uses include a movie theater, a hotel, and a health club/fitness facility located in over 30 buildings (including parking structures) that were developed between 1964 and 2001.

The MU-S Zone is bounded by the Commercial Center (C-4) Zone to the west, the Light Industrial (M-1) and Heavy Industrial (M-2) Zones to the north, the Aviation Specific Plan (ASP) to the east, and a commercial Planned Development (PD) Zone in Manhattan Beach to the south.

The proposed redevelopment project is located at 2171-2191 Rosecrans Avenue, a 1.54-acre rectangular shaped parcel. The site is located along the north side of Rosecrans Avenue between Apollo Street and Continental Way. The General Plan Land Use designation is Urban Mixed Use South, and is consistently zoned Urban Mixed Use South (MU-S). The property is currently improved with an 8,195 square-foot, one-story full-service restaurant building (known as “Cozymel’s Mexican Grill”), and a surface parking lot with a total of 116 parking spaces onsite. Access to the property is currently provided via two driveways, one along Apollo Street and another along Continental Way (a private street).

The subject site is surrounded by a variety of commercial, office and light manufacturing uses. The surrounding land uses are summarized in Table 1, below:
Table 1

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Parking structure, and office</td>
<td>Urban Mixed Use South (MU-S)</td>
</tr>
<tr>
<td>East</td>
<td>High tech design and manufacturing</td>
<td>Urban Mixed Use South (MU-S)</td>
</tr>
<tr>
<td>South</td>
<td>Manhattan Marketplace commercial center</td>
<td>PD, City of Manhattan Beach</td>
</tr>
<tr>
<td>West</td>
<td>Six-story office, bank and restaurants</td>
<td>Urban Mixed Use South (MU-S)</td>
</tr>
</tbody>
</table>

Project Description

**Zone Text Amendment:** The proposal includes amending various sections of the El Segundo Municipal Code (ESMC), and would be applicable to properties within the MU-S Zone. ESMC Section 15-5.8-8(D), currently requires a minimum front yard building setback of 30 feet. The amendment would reduce the minimum building setback standard to 20 feet, which would apply to all front yards, except for those along Rosecrans Avenue.

ESMC Section 15-2-7(E) currently allows for encroachments of certain uses and structures into setback areas provided that a 10-foot setback is maintained. The requested amendment would allow for greater encroachments and further reduce the required setbacks to allow outdoor dining areas and outdoor gathering areas to be located up to 5 feet from a property line, rather than 10 feet. Additionally, these areas would be permitted to be covered by non-solid trellises, pergolas, retractable awnings or other similar non-permanent covers. The proposed amendments would provide for enhanced building features and amenities, and would bring more pedestrian activity outside the buildings and closer to the street. The improved appearance, enhanced building amenities, and more pedestrian-friendly environment would make the properties more attractive to restaurant, retail and other similar uses.

Lastly, the proposed amendment to ESMC Sections 15-2-14(B)(3)(a) and 15-15-5(D)(2) would allow for parking spaces to encroach further into interior side and rear setbacks on properties located in the MU-S zone, provided that the corresponding side and rear property lines do not abut a public or private street or driveway. The ESMC currently allows parking to encroach up to 50% of the required setback area, provided a minimum landscaped setback of 5 feet is maintained. The proposed amendment would allow onsite parking on properties within the MU-S Zone to encroach up to interior side and rear property lines (zero setback), provided that the interior side and rear property lines do not abut a public or private street.

**Development Project:** The applicant is proposing to redevelop the subject property, which includes demolishing the existing 8,195 square foot (gross) restaurant building, and constructing three new buildings totaling 13,570 square feet (gross) in area and associated parking. The project would result in a net increase of 5,375 square feet (gross) in floor area to the project site. The new buildings will accommodate three restaurants, associated outdoor dining areas, and a bank. The new buildings will be clustered towards the street and the dining areas will be visible from along
the roadways. Other features include new pedestrian access to the site directly from the street; bicycle parking; an additional ingress/egress driveway along Continental Way; and both onsite and offsite parking.

Table 2 provides a summary of the project components.

<table>
<thead>
<tr>
<th>Building Areas</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building A (full-service restaurant)</td>
<td>4,060 sf</td>
</tr>
<tr>
<td>Building B (fast-food or full-service restaurant)</td>
<td></td>
</tr>
<tr>
<td>restaurant space b-1</td>
<td>3,140 sf</td>
</tr>
<tr>
<td>restaurant space b-2</td>
<td>3,360 sf</td>
</tr>
<tr>
<td>Building C (bank)</td>
<td>3,010 sf</td>
</tr>
<tr>
<td>Total</td>
<td>13,570 sf</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Outdoor Dining Areas</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building A</td>
<td>1,500 sf</td>
</tr>
<tr>
<td>Building B</td>
<td>2,200 sf</td>
</tr>
<tr>
<td>Building C</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>3,700 sf</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking Stalls</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard (8'6&quot;x18&quot;)</td>
<td>59 stalls</td>
</tr>
<tr>
<td>Compact (8'6&quot;x15&quot;)</td>
<td>20 stalls</td>
</tr>
<tr>
<td>Accessible (9'x18')</td>
<td>8 stalls</td>
</tr>
<tr>
<td>Total</td>
<td>87 stalls (plus, 90 stalls provided off-site on adjacent property through parking covenant)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Loading Spaces</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Truck (12'x25&quot;)</td>
<td></td>
</tr>
<tr>
<td>Building A</td>
<td>1 space</td>
</tr>
<tr>
<td>Building B</td>
<td>1 space</td>
</tr>
<tr>
<td>Total</td>
<td>2 spaces</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bicycle Parking</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Between Buildings A and B</td>
<td>4 stalls</td>
</tr>
<tr>
<td>Between Buildings B and C</td>
<td>8 stalls</td>
</tr>
<tr>
<td>Total</td>
<td>12 stalls</td>
</tr>
</tbody>
</table>

For a more in-depth analyses for each component of the project, please refer to the attached Planning Commission Staff Report of July 14, 2016.
IV. ENVIRONMENTAL REVIEW

In accordance with the provisions of the California Environmental Quality Act (CEQA), an Initial Study was prepared of the project’s environmental impacts (see attached Draft IS/MND). Although CEQA identifies a number of categorical exemptions that would exempt a proposed project from the preparation of environmental documents, the IS/MND were prepared since the proposed project did not qualify for a CEQA exemption. The IS/MND was prepared by Staff, while the technical studies were prepared by the applicant. The technical studies for the IS/MND included air quality and greenhouse gas modeling, and a traffic impact report. To ensure the adequacy of the technical studies, the City retained Michael Baker International, a consulting firm pre-approved and retained by the City, to conduct a peer review of the technical studies. Michael Baker found that the technical studies were prepared in accordance with industry standards and were adequate for use in the IS/MND document.

As shown in the attached Final IS/MND (Attachment “7”), the project will not result in or create any significant impacts, or have less than significant impacts to aesthetics, agriculture and forestry resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, land use, mineral resources, noise, population and housing, public services, recreation, biological resources, cultural resources, and transportation/traffic; and, utilities. However, the Initial Study identified that the project may create potentially significant impacts to hydrology/water quality, air quality, and aesthetics, unless mitigated with appropriate measures. The mitigation measures are identified in the Final IS/MND document, and have been included in the associated Mitigation Monitoring and Reporting Program (MMRP) that is attached to the Resolution.

As indicated above, Staff received a comment letter from Los Angeles County Sanitation Districts during the MND circulation period. The comments offer clarification to the Utilities and Service Systems section of the IS/MND document, and do not substantially alter the analyses or findings of the IS/MND. Consequently, recirculation of the IS/MND is not required pursuant to section 15073.5 of the CEQA Guidelines.

V. ADDITIONAL INFORMATION

An additional condition of approval (no. 23) has been included in the attached Resolution that was not part of Planning Commission Resolution No. 2798. The new condition (no. 23) requires the applicant to submit and record an irrevocable offer to dedicate a portion of the property along Rosecrans Avenue. The intent is to give the City the ability to widen the right-of-way to install a bike lane or other public improvement that necessitates widening of Rosecrans Avenue. Further, such irrevocable offer is necessary to ensure conformance with exhibit C-8 in the circulation element of the City’s General Plan. Lastly, inclusion of a condition requiring an irrevocable offer is consistent with ESMC Section 15-24A-3A.

VI. RECOMMENDATION

Planning Staff recommends that the Council introduce an Ordinance (Zone Text Amendment No. ZTA 16-01) amending four sections of the El Segundo Municipal Code; schedule second reading and adoption of the Ordinance for August 16, 2016; and adopt Resolution No. _____, approving a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program, and
approving Environmental Assessment No. EA-1143, Zone Text Amendment No. ZTA 16-01, Conditional Use Permit No. CUP 16-01, Adjustment No. 16-04, and Off-Site Parking Covenant No. 16-05 at 2171 – 2191 Rosecrans Avenue (Cozymel’s site).
ATTACHMENT 1
PROPOSED ORDINANCE
ORDINANCE NO. ___

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE §§ 15-2-7, 15-2-14, 15-5F-8, AND 15-15-5 TO ALLOW OUTDOOR DINING AREAS AND OUTDOOR GATHERING AREAS TO BE LOCATED UP TO 5- FEET FROM A PROPERTY LINE IN THE MU-S ZONE; TO MODIFY THE FRONT AND SIDE YARD SETBACK REQUIREMENTS FOR BUILDINGS IN THE MU-S ZONE; AND TO ALLOW ONSITE PARKING TO ENCROACH INTO INTERIOR SIDE YARD AND REAR YARD SETBACK AND LANDSCAPED SETBACK AREAS IN THE MU-S ZONE.

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

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

A. On January 19, 2016, Continental Development Corporation filed an application for Environmental Assessment No. EA-1143, Zone Text Amendment ("ZTA") 16-01, Conditional Use Permit ("CUP") No. 16-01, Administrative Use Permit ("AUP") No. 16-01, Administrative Adjustment ("ADJ") 16-04 and Off-Site Parking Covenant (MISC) 16-05 to amend several sections of the El Segundo Municipal Code, demolish an existing 8,195 square foot (gross) restaurant building and redevelop the site with three new buildings totaling 13,570 square feet to accommodate a bank, a full service restaurant and two high turn-over restaurants, 3,700 square feet of outdoor dining area, onsite sale and consumption of beer and wind, and alcohol, a loading space within the parking lot drive aisle, and a parking covenant for a portion of the required parking to be located offsite on an adjacent property to the north (at 860 Apollo Street);

B. The project applications were reviewed by the City’s Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code ("ESMC");

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

D. On July 14, 2016, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed amendments, including, without limitation, information provided to the Planning Commission by City staff and public testimony;
E. On July 14, 2016, the Planning Commission adopted Resolution No. 2798 recommending the City Council approve Environmental Assessment No. EA-1143 and Zone Text Amendment No. ZTA 16-01;

F. On August 2, 2016, the City Council held a public hearing and considered the information provided by City staff and public testimony regarding this Ordinance; and

G. This Ordinance and its findings are made based upon the entire administrative record including, without limitation, testimony and evidence presented to the City Council at its August 2, 2016 hearing and the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Environmental Assessment. Pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 et. seq. ("CEQA"), the State's CEQA Guidelines, California Code of Regulation, Title 14, Section 15000 et. seq., and the City's Local CEQA Guidelines, the City of El Segundo prepared an Initial Study and determined that the Amendments and related development project will have less than significant impact on the environment with incorporation of the mitigation measures included in the IS/MND and Mitigation Monitoring and Reporting Program.

A. The Initial Study/Mitigated Negative Declaration was available for public review and comment from June 23, 2016 through July 14, 2016, and throughout the public hearing process.

B. Copies of the draft Initial Study/Mitigated Negative Declaration were distributed to the City Council, and prior to taking action on the proposed Amendments and related development project, the City Council independently reviewed and considered the information and findings contained in the Mitigated Negative Declaration and determined that the document was prepared in compliance with the requirements of CEQA and local guidelines, with respect thereto.

SECTION 3: Findings. The City Council incorporates by reference all of the findings and conclusions set forth in Planning Commission Resolution No. 2798 as if fully set forth including, without limitation, the Initial Study/Mitigated Negative Declaration set forth in Section 3 of Planning Commission Resolution No. 2798.

SECTION 4: ESMC §15-2-7(E) “Open Space Areas and Encroachments” is amended to read as follows:

“15-2-7: OPEN SPACE AREAS AND ENCROACHMENTS:

The following open space and encroachment provisions are required for the indicated zones:
E. Urban Mixed-Use South (MU-S) Zone: In addition to other encroachments in nonresidential zoning districts, stairs; pedestrian ramps; and related safety guardrails; patios, decks, and similar outdoor areas used as gathering spaces; and outdoor dining areas, may be located within setback areas as follows:

1. Stairs, pedestrian ramps, and related safety guardrails must maintain at least a three-foot (3') distance to a lot line.

2. Patios, decks, and similar outdoor areas used as gathering spaces, and outdoor dining areas must be enclosed by walls, fences, and/or hedges. These may be up to three feet six inches (3'6") in height and maintain at least a five foot (5') distance to a property line. Walls, fences, and/or hedges may exceed three feet six inches (3'6") in height, provided that the portion exceeding three feet six inches in height is of a transparent or translucent material, subject to the review and approval of the Director of Planning and Building Safety. These areas may be covered by a non-solid trellis or pergola; or by a retractable awning, large umbrella or other similar non-permanent cover which provides protection from rain, subject to the approval by the Director of Planning and Building Safety."

SECTION 5: ESMC §15-2-14(B)(3)(a) "Landscaping (property perimeter)" is amended to read as follows:

"15-2-14: LANDSCAPING:

B. Components: To achieve these purposes, the landscape criteria is divided into the following components:

3. Property Perimeter: All required setback areas shall be fully landscaped including permanent irrigation systems. The landscaping shall incorporate the theme utilized for the public rights of way and one shade tree shall be provided for every twenty five feet (25') of street frontage. The following encroachments are permitted into the landscaped setback areas:

   a. Parking spaces may encroach into the landscaped setback area up to a maximum of fifty percent (50%) of the required setback area, provided a minimum landscaped setback of five feet (5') is maintained. For properties within the Mixed-Use South (MU-S) zone, parking spaces may be located in interior side and rear setbacks up to the interior side or rear property line, provided that the interior side or rear property line does not abut a public or private street or driveway."
SECTION 6: ESMC §15-5F-8(D) "Site Development Standards" is amended to read as follows:

"15-5F-8: SITE DEVELOPMENT STANDARDS:

All uses within the MU-S zone shall comply with the development standards contained in this section.

D. Setback:

1. Front Yard: Twenty feet (20') minimum; except that along Rosecrans Avenue, a minimum setback of thirty feet (30') must be provided. Off street parking may encroach upon the setback area, but may not diminish the required amount of landscaping.

2. Side Yard: Twenty feet (20') minimum, unless one of the following conditions exists:
   a. If the side yard abuts property with a different Zoning classification, the side yard setback shall be the average of the two (2) required side yard setbacks, but not less than ten feet (10').
   b. If the side yard abuts Rosecrans Avenue or Park Place, a minimum setback of thirty feet (30') must be provided.

3. Rear Yard: Five feet (5') minimum, unless the rear yard adjoins an alley, dedicated street, or public right of way, or if the primary access is through the rear yard. In these cases, a minimum of thirty feet (30') shall be provided.

SECTION 7: ESMC §15-15-5(D)(2) "Parking Area Development Standards (nonresidential spaces)" is amended to read as follows:

"15-15-5: PARKING AREA DEVELOPMENT STANDARDS:

D. Parking Space Location:

2. Nonresidential Spaces:

   a. Encroachment: Parking spaces may encroach into a required setback up to a maximum of fifty percent (50%) of the required setback area,
provided a minimum landscaped setback of five feet (5') is maintained. For properties within the Mixed-Use South (MU-S) zone, parking spaces may be located in interior side and rear setbacks up to the interior side or rear property line, provided that the interior side and rear property line does not abut a public or private street or driveway.

b. Minimum Landscaped Setback: Parking spaces that back up directly into a driveway entrance must maintain a minimum landscaped setback of twenty feet (20') from any street facing property line.

c. Access By Alley: Where vehicular access is provided by an alley, parking may intrude into the required rear yard; provided, however, the amount of setback intruded upon must be replaced by increasing the other required yards on site by an equivalent amount.

SECTION 8: CONSTRUCTION. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council’s intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 9: ENFORCEABILITY. Repeal of any provision of the ESMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 10: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 11: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 12: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 13: This Ordinance will go into effect and be in full force and effect on the thirty-first (31st) day after its passage and adoption.
PASSED AND ADOPTED this ___ day of ____________, 2016.

Suzanne Fuentes, Mayor

ATTEST:

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

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. ___ was duly introduced by said City Council at a regular meeting held on the ___ day of ____________, 2016, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the ___ day of ____________, 2016, and the same was so passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Tracy Weaver, City Clerk

APPROVED AS TO FORM:

Mark D. Hensley, City Attorney
ATTACHMENT 2
PROPOSED ORDINANCE
(STRIKE-OUT/UNDERLINE VERSION)
ORDINANCE NO. ____

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE §§ 15-2-7, 15-2-14, 15-5F-8, AND 15-15-5 TO ALLOW OUTDOOR DINING AREAS AND OUTDOOR GATHERING AREAS TO BE LOCATED UP TO 5- FEET FROM A PROPERTY LINE IN THE MU-S ZONE; TO MODIFY THE FRONT AND SIDE YARD SETBACK REQUIREMENTS FOR BUILDINGS IN THE MU-S ZONE; AND TO ALLOW ONSITE PARKING TO ENCROACH INTO INTERIOR SIDE YARD AND REAR YARD SETBACK AND LANDSCAPED SETBACK AREAS IN THE MU-S ZONE.

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

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

A. On January 19, 2016, Continental Development Corporation filed an application for Environmental Assessment No. EA-1143, Zone Text Amendment (“ZTA”) 16-01, Conditional Use Permit (“CUP”) No. 16-01, Administrative Use Permit (“AUP”) No. 16-01, Administrative Adjustment (“ADJ”) 16-04 and Off-Site Parking Covenant (MISC) 16-05 to amend several sections of the El Segundo Municipal Code, demolish an existing 8,195 square foot (gross) restaurant building and redevelop the site with three new buildings totaling 13,570 square feet to accommodate a bank, a full service restaurant and two high turn-over restaurants, 3,700 square feet of outdoor dining area, onsite sale and consumption of beer and wine, and alcohol, a loading space within the parking lot drive aisle, and a parking covenant for a portion of the required parking to be located offsite on an adjacent property to the north (at 860 Apollo Street);

B. The project applications were reviewed by the City’s Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code (“ESMC”);

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

D. On July 14, 2016, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed amendments, including, without limitation, information provided to the Planning Commission by City staff and public testimony;
E. On July 14, 2016, the Planning Commission adopted Resolution No. 2798 recommending the City Council approve Environmental Assessment No. EA-1143 and Zone Text Amendment No. ZTA 16-01;

F. On August 2, 2016, the City Council held a public hearing and considered the information provided by City staff and public testimony regarding this Ordinance; and

G. This Ordinance and its findings are made based upon the entire administrative record including, without limitation, testimony and evidence presented to the City Council at its August 2, 2016 hearing and the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Environmental Assessment. Pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 et. seq. ("CEQA"), the State's CEQA Guidelines, California Code of Regulation, Title 14, Section 15000 et. seq., and the City's Local CEQA Guidelines, the City of El Segundo prepared an Initial Study and determined that the Amendments and related development project will have less than significant impact on the environment with incorporation of the mitigation measures included in the IS/MND and Mitigation Monitoring and Reporting Program.

A. The Initial Study/Mitigated Negative Declaration was available for public review and comment from June 23, 2016 through July 14, 2016, and throughout the public hearing process.

B. Copies of the draft Initial Study/Mitigated Negative Declaration were distributed to the City Council, and prior to taking action on the proposed Amendments and related development project, the City Council independently reviewed and considered the information and findings contained in the Mitigated Negative Declaration and determined that the document was prepared in compliance with the requirements of CEQA and local guidelines, with respect thereto.

SECTION 3: Findings. The City Council incorporates by reference all of the findings and conclusions set forth in Planning Commission Resolution No. 2798 as if fully set forth including, without limitation, the Initial Study/Mitigated Negative Declaration set forth in Section 3 of Planning Commission Resolution No. 2798.

SECTION 4: ESMC §15-2-7(E) "Open Space Areas and Encroachments" is amended to read as follows (strike through is language deleted, and underlined is language added):

"15-2-7: OPEN SPACE AREAS AND ENCROACHMENTS:

The following open space and encroachment provisions are required for the indicated zones:
E. Urban Mixed-Use South (MU-S) Zone: In addition to other encroachments in nonresidential zoning districts, stairs; pedestrian ramps; and related safety guardrails; and unroofed patios, and decks, and similar outdoor areas used as gathering spaces; and outdoor dining areas, may be located within setback areas as follows:

1. Stairs, pedestrian ramps, and related safety guardrails must maintain at least a three-foot (3') distance to a lot line.

2. Unroofed patios, and decks, and similar outdoor areas used as gathering spaces, and outdoor dining areas must be enclosed by walls, fences, and/or hedges. These may be up to three feet six inches (3'6") in height and maintain at least a five ten-foot (10'5") distance to a property line. Unroofed patios and decks enclosed by walls, fences, and/or hedges may exceed three feet six inches (3'6") in height, provided that the portion exceeding three feet six inches in height is of a transparent or translucent material, subject to the review and approval of the Director of Planning and Building Safety must maintain at least a fifteen-foot (15') distance to a lot line. These areas may be covered by a non-solid trellis or pergola; or by a retractable awning, large umbrella or other similar non-permanent cover which provides protection from rain, subject to the approval by the Director of Planning and Building Safety.

SECTION 5: ESMC §15-2-14(B)(3)(a) “Landscaping (property perimeter)” is amended to read as follows (strikethrough is language deleted, and underlined is language added):

“15-2-14: LANDSCAPING:

* * * *

B. Components: To achieve these purposes, the landscape criteria is divided into the following components:

* * * *

3. Property Perimeter: All required setback areas shall be fully landscaped including permanent irrigation systems. The landscaping shall incorporate the theme utilized for the public rights of way and one shade tree shall be provided for every twenty five feet (25') of street frontage. The following encroachments are permitted into the landscaped setback areas:

a. Parking spaces may encroach into the landscaped setback area up to a maximum of fifty percent (50%) of the required setback area, provided a minimum landscaped setback of five feet (5') is maintained. For properties within the Mixed-Use South (MU-S) zone, parking spaces may be located in interior side and rear setbacks up to the interior side or rear property line, provided that the interior side or rear property line
does not abut a public or private street or driveway.

* * * *

SECTION 6: ESMC §15-5F-8(D) "Site Development Standards" is amended to read as follows (strikethrough is language deleted, and underlined is language added):

"15-5F-8: SITE DEVELOPMENT STANDARDS:

All uses within the MU-S zone shall comply with the development standards contained in this section.

* * * *

D. Setback:

1. Front Yard: Twenty feet (20') minimum; except that along Rosecrans Avenue and Park Place, a minimum setback of Thirty feet (30') must be provided minimum. Off street parking may encroach upon the setback area, but may not diminish the required amount of landscaping.

2. Side Yard: Twenty five feet (205') minimum, unless one of the following conditions exists:
   a. If the side yard adjoins a dedicated street, a minimum of thirty feet (30') shall be provided; and
   
   ab. If the side yard abuts property with a different Zoning classification, the side yard setback shall be the average of the two (2) required side yard setbacks, but not less than ten feet (10').

   b. If the side yard abuts Rosecrans Avenue or Park Place, a minimum setback of thirty feet (30') must be provided.

3. Rear Yard: Five feet (5') minimum, unless the rear yard adjoins an alley, dedicated street, or public right of way, or if the primary access is through the rear yard. In these cases, a minimum of thirty feet (30') shall be provided.

* * * *

SECTION 7: ESMC §15-15-5(D)(2) "Parking Area Development Standards (nonresidential spaces)" is amended to read as follows (strikethrough is language deleted, and underlined is language added):

"15-15-5: PARKING AREA DEVELOPMENT STANDARDS:

* * * *
D. Parking Space Location:

* * * *

2. Nonresidential Spaces:

a. Encroachment: Parking spaces may encroach into a required landscaped setback up to a maximum of fifty percent (50%) of the required setback area, provided a minimum landscaped setback of five feet (5') is maintained. For properties within the Mixed-Use South (MU-S) zone, parking spaces may be located in interior side and rear setbacks up to the interior side or rear property line, provided that the interior side and rear property line does not abut a public or private street or driveway.

b. Minimum Landscaped Setback: Parking spaces that back up directly into a driveway entrance must maintain a minimum landscaped setback of twenty feet (20') from any street facing property line.

c. Access By Alley: Where vehicular access is provided by an alley, parking may intrude into the required rear yard; provided, however, the amount of setback intruded upon must be replaced by increasing the other required yards on site by an equivalent amount.

SECTION 8: CONSTRUCTION. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council’s intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 9: ENFORCEABILITY. Repeal of any provision of the ESMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 10: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 11: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 12: The City Clerk is directed to certify the passage and adoption of this
Ordinance; cause it to be entered into the City of El Segundo’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 13: This Ordinance will go into effect and be in full force and effect on the thirty-first (31st) day after its passage and adoption.

PASSED AND ADOPTED this ___ day of __________, 2016.

__________________________
Suzanne Fuentes, Mayor

ATTEST:

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

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. ___ was duly introduced by said City Council at a regular meeting held on the ___ day of __________, 2016, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the ___ day of __________, 2016, and the same was so passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

__________________________
Tracy Weaver, City Clerk

APPROVED AS TO FORM:

__________________________
Mark D. Hensley, City Attorney
ATTACHMENT 3

RESOLUTION
RESOLUTION NO. ___


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

SECTION 1: The City Council does hereby finds and declares that:

A. On January 16, 2016, Continental Development Corporation filed an application for Environmental Assessment No. EA-1143, Zone Text Amendment ("ZTA") 16-01, Conditional Use Permit ("CUP") No. 16-01, Administrative Use Permit ("AUP") No. 16-01, Adjustment ("ADJ") 16-04 and Off-Site Parking Covenant (MISC) 16-05 to amend several sections of the El Segundo Municipal Code ("ESMC"), demolish an existing 8,195 square foot (gross) restaurant building and redevelop the site with three new buildings totaling 13,570 square feet to accommodate a bank, a full service restaurant and two high turn-over restaurants, 3,700 square feet of outdoor dining area, onsite sale and consumption of beer and wind, and alcohol, a loading space within the parking lot drive aisle, and a parking covenant for a portion of the required parking to be located offsite on an adjacent property to the north (at 860 Apollo Street);

B. The project site measures 1.54 acres in area, is zoned Urban Mixed Use South (MU-S), is located at 2171-2191 Rosecrans Avenue, and is commonly known as Assessor's Parcel Number 4138-011-021;
C. The project applications were reviewed by the City’s Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the ESMC;

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

E. The Planning Commission of the City of El Segundo held a noticed public hearing on July 14, 2016, to review and consider the staff report prepared for the Project, receive public testimony, and review all correspondence received on the Project;

F. On July 14, 2016, the Planning Commission of the City of El Segundo adopted Resolution No. 2798, recommending that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approve Environmental Assessment No. EA-1143, Zone Text Amendment No. ZTA 16-01, Conditional Use Permit No. CUP 16-01, Adjustment No. 16-04, and Off-Site Parking Covenant No. 16-05 at 2171 – 2191 Rosecrans Avenue (Cozymel’s site);

G. The City Council of the City of El Segundo held a duly noticed public hearing on August 2, 2016, to review and consider the staff report prepared for the project, receive public testimony, and review all correspondence received on the project; and,

H. This Resolution, and its findings, are made, in part, based upon the evidence presented to the Planning Commission at its July 14, 2016 public hearing and upon the evidence presented to the City Council at its August 2, 2016 public hearing including, without limitation, the staff reports and Initial Study/Mitigated Negative Declaration submitted by the Planning and Building Safety Department.

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

A. The subject site is located in the Urban Mixed Use South (MU-S) Zone, at 2171 Rosecrans Avenue. The subject property is a 1.54-acre site located on the north side of Rosecrans Avenue, between Apollo Street and Continental Way.

B. The property is currently improved with an 8,195 square-foot, full-service restaurant building, commonly known as “Cozymel’s Mexican Grill.”
C. The proposed project includes demolishing the existing restaurant building and constructing three new buildings totaling 13,570 square feet (gross) in area to accommodate a full-service restaurant, two high-turnover restaurants, and a bank. The following applications are necessary to accommodate the proposed project:

i. Zone Text Amendment No. 16-01 is to amend Section 15-15-5 (Parking Area Development Standards) and Section 15-2-14 (Landscaping) to allow onsite parking to encroach into interior side yard and rear yard setback and landscaped setback areas in the MU-S Zone; amend Section 15-2-7 (Open Space Areas and Encroachments) to allow outdoor dining areas and outdoor gathering areas to be located up to 5 feet from a property line in the MU-S Zone; and amend Section 15-5F-8 (Site Development Standards) to modify the front and side yard setback requirements for buildings in the MU-S zone.

ii. Conditional Use Permit No. 16-01 is to allow for a total of 3,700 square feet of outdoor dining areas with shade structures, associated with the proposed restaurant buildings, which cumulatively exceed 20% of the interior dining areas.

iii. Administrative Use Permit No. 16-01 is to allow for the onsite sale and consumption of beer and wine (Department of Alcoholic Beverage Control ("ABC") license Type 41), and distilled spirits (ABC license Type 47) at the new full-service restaurant and two high turnover restaurants. Specifically, the full-service restaurant building would measure 4,060 square feet (gross) in area, comprised of 2,436 square feet of interior dining area, 1,624 square feet of interior non-dining area, and 1,500 square feet of outdoor dining area. The high turnover restaurant building would measure 6,500 square feet (gross) in area to accommodate two high turnover restaurants, and 2,200 square feet of outdoor dining area would be dedicated for the building.

iv. Adjustment No. 16-04 is to allow one of the two loading spaces to be located along the parking lot drive aisle. The required minimum drive aisle width for 90-degree parking is 25 feet. The project provides a width of 14 feet when the loading space is in use.

v. Off-site Parking Covenant No. MISC 16-05 is to allow 90 of the 177 parking stalls to be located off-site, in a parking structure located on the abutting property to the north of the project site, which is owned by the Applicant.

D. An Initial Study/Mitigated Negative Declaration ("IS/MND") was prepared in accordance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the City of El Segundo’s Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993).
The IS/MND was circulated in accordance with CEQA from June 23, 2016 through July 14, 2016, and was available for public review and comment throughout the public hearing process.

SECTION 3: Environmental Assessment. The proposed project was analyzed for its environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the "CEQA Guidelines"), and the City's Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993). The City prepared an Initial Study of Environmental Impacts pursuant to CEQA Guidelines § 15063. A Mitigated Negative Declaration of Environmental Impacts is proposed for this project pursuant to CEQA Guidelines §15070.

The IS/MND concluded that the project will not result in or create any significant impacts, or have less than significant impacts to aesthetics, agriculture and forestry resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, land use, mineral resources, noise, population and housing, public services, recreation, biological resources, cultural resources, and transportation/traffic; and, utilities. Several areas of concern were noted as potentially significant if not mitigated. These areas include: Hydrology/Water Quality, Air Quality, Aesthetics, and Mandatory Findings of Significance. However, incorporation of the mitigation measures identified in the IS/MND and contained in the associated Mitigation Monitoring and Reporting Program (Exhibit B to this Resolution) would reduce the impacts for each of these areas to "Less Than Significant" when mitigated.

The IS/MND prepared for this Project reflects the City's independent judgment and analysis, and the City Council finds that there is no substantial evidence that the Project would have a significant impact on the environment with the inclusion of the mitigation measures set forth in the Mitigation Monitoring and Reporting Program attached as Exhibit B to this Resolution and incorporated into the Resolution by this reference.

SECTION 4: General Plan Findings. As required under Government Code § 65860, the ESMC amendments proposed by the Ordinance, and the proposed development project are consistent with the El Segundo General Plan as follows:

A. The proposed zone text amendment conforms with the Land Use Element Goals, Objectives and Policies. Specifically, the zone text amendment is consistent with Land Use Element Goal LU5 and Objectives LU5-1, LU5-2 and LU5-3 in that the amendment will help retain and attract clean and safe commercial and retail uses and will facilitate the rehabilitation of currently substandard properties by allowing property owners to efficiently use their properties when siting buildings, dining areas and shade structures, and parking.

B. The proposed zone text amendment is consistent with the Economic Development Element Goals, Objectives and Policies. Specifically, it is consistent with Economic Development Element Objective ED1-2 and Policies ED1-2.1 and ED1-2.2 in that siting buildings closer to the street
provides more visibility to the buildings and uses on the property, and allowing dining areas closer to the street also draws in the pedestrian traffic to the property. Further, it will help improve properties aesthetically and promote a more pedestrian oriented environment in the MU-S Zone. These physical improvements will help maintain existing uses and attract more retail and office uses, which expand the City's tax base and improve its fiscal condition.

C. The proposed development project is consistent with Land Use Element Objective LU4-4 in that it adds to the mixture of uses by providing for additional eating establishments and a bank, which have the potential to maximize economic benefit and reduce traffic impacts.

D. The underlying zoning for the site is Urban Mixed Use South (MU-S), where the purpose of said zoning is to "provide area(s) where a mixture of compatible commercial, offices, research and development, retail and hotel uses can locate and develop in a mutually beneficial manner...[and]...Businesses located within this zone are encouraged to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors." (ESMC §15-5F-1). The proposed project is mutually beneficial to the area since it provides for additional and varied uses. Further, the project provides for additional outdoor dining and situates buildings closer to the street to encourage pedestrian activity in the area.

SECTION 5: Zone Text Amendment Findings. In accordance with ESMC § 15-26-6 and based on the findings set forth in Section 2, the proposed Zone Text Amendment is consistent with the goals, policies, and objectives of the General Plan as follows:

A. The amendments are consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources. In addition, it is consistent with the purpose of the Urban Mixed-Use South (MU-S) Zone to provide an area where a mixture of compatible uses can locate and develop in a mutually beneficial manner. Furthermore, it is consistent with the intent of the MU-S Zone to encourage businesses to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors.

B. The amendments are necessary to facilitate the development process and ensure the orderly development of buildings, outdoor dining areas, and parking in the MU-S Zone that are compatible with surrounding properties and the public right-of-way.

SECTION 6: Conditional Use Permit Findings. After considering the above facts, the City Council finds as follows:

A. The proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located.
The zoning designation for the subject site is Urban Mixed Use South (MU-S). This zone allows outdoor dining areas which exceed 200 square feet or 20% of the indoor dining area, whichever is less, subject to the granting of a conditional use permit pursuant to ESMC Section 15-5F-5(l). The size of the outdoor dining areas are appropriate to their location as they will be part of the restaurants and distributed throughout the site. The permitted uses in the zone are a mixture of commercial, office, research and development, retail, restaurant and hotel uses. The current project site is currently developed with one freestanding building that accommodates a full service restaurant. The proposal includes constructing multiple buildings to accommodate more uses on the site and provide for inviting spaces through large outdoor dining areas and shade structures. The proposal is consistent with the purpose of the MU-S zone, in which businesses are encouraged to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors. The outdoor dining areas in support of the restaurants are in accord with the principal objectives of the zone.

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

The proposed location of the conditional use is in an urbanized area of the City that is developed with a variety of commercial, retail, office, restaurant, and light manufacturing uses. The outdoor dining areas will be distributed throughout the proposed new restaurants, and will be located along Rosecrans Avenue and along Apollo Street. No sensitive land uses are adjacent to or near the proposed outdoor dining areas that could be impacted by the operation of the outdoor dining areas. Further, outdoor dining activities are not anticipated to be detrimental to adjacent businesses and no residential uses are located in the vicinity. The use is also subject to certain conditions in the attached Exhibit A. Accordingly, given the commercial nature of the surrounding uses and immediate area, and the absence of any residential uses located in the vicinity, the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

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

Approval of the associated Zone Text Amendment modified the site development standards of Municipal Code Section 15-2-7.E, which allows outdoor dining areas and outdoor gathering areas to be located up to 5 feet from a property line in the MU-S zone. The proposed conditional use complies with the applicable provisions of ESMC Chapters 15-23 and 15-27 since proper notice was provided and proper hearing was conducted on July
14, 2016. In addition, proper hearing decision and records will be complied with, and the required findings considered and adopted. The proposed project complies with all of the current ESMC requirements.

SECTION 7: Administrative Use Permit Findings. After considering the above facts, the City Council finds as follows:

A. There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located for the following reasons:
   1. The applicant proposes to provide on-site sale and consumption of alcohol inside the restaurant, bar, and outdoor dining areas. Alcohol will be served from the bar and consumed within the restaurant, bar, and the outdoor patio.
   2. The area is situated in an urbanized area of the City that is developed with a variety of commercial, retail, office, restaurant, and light manufacturing uses. There are no residential uses in the immediate vicinity and the alcohol service will only be used by restaurant guests.
   3. There is sufficient parking available via a combination of onsite and offsite parking. Offsite parking is located in the parking structure to the north of the site, on a property that abuts the subject property. Further, the project includes a parking covenant that will ensure that offsite parking is available for the uses on the subject property. Lastly, the parking covenant will be recorded on the property to memorialize the availability and provision of parking.
   4. The General Plan Land Use designation for the site is Commercial, Urban Mixed Use South. The zoning for the site is Urban Mixed Use South (MU-S). On-site sale and consumption of alcohol is permitted in the Zone with the approval of an Administrative Use Permit.
   5. The MU-S Zone permits, and the surrounding land uses include: restaurant, commercial retail, office and light manufacturing uses. Given the commercial nature of the surrounding uses, and the absence of any residential uses in the immediate vicinity of the proposed restaurant, the proposed on-site sale and consumption of alcohol will be compatible with the surrounding uses.

B. The proposed uses are consistent and compatible with the purpose of the MU-S, which is to “provide area(s) where a mixture of compatible commercial, offices, research and development, retail and hotel uses can locate and develop in a mutually beneficial manner...[and]...Businesses located within this zone are encouraged to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors.” (ESMC §15-5F-1), for the following reasons:
   1. The onsite sale and consumption of alcohol is a method to augment the restaurants by affording patrons the opportunity to purchase an alcoholic beverage with their meal.
   2. The onsite sale and consumption of alcohol expands the development of a permitted restaurant use that is economically viable and provides a
stable tax base with appropriate conditions to minimize negative impacts in the City.

3. The zoning for the site is Urban Mixed Use South (MU-S). The proposed use on-site sale and consumption of alcohol requires an Administrative Use Permit in accordance with Municipal Code Section 15-5F-4.C.

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

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

6. The proposed use is consistent with Land Use Element Objective LU4-1 in that it promotes the development of high quality retail facilities in proximity to major employment centers. Therefore, for all of the foregoing reasons, the use is consistent and compatible with the purpose of the Urban Mixed Use South (MU-S) Zone.

C. The proposed location and uses, and the conditions under which the uses would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, for the following reasons:

1. The on-site sale of alcohol will be located both inside the proposed restaurants and in the outside patio areas, and will be conducted in accordance with all applicable codes and regulations. Sufficient parking will be provided onsite and offsite in compliance with ESMC Chapter 15-15.

2. The proposed hours of operation to serve alcohol is between 11:00 a.m. to 11:00 p.m. Monday through Sunday. Alcohol will be served within the restaurant, bar, and outdoor patio, and in accordance with ABC regulations. No live entertainment is proposed. The use is also subject to certain conditions outlined in this resolution.

3. Since the location of the proposed restaurants is in an urbanized area of the City and is surrounded by commercial uses (and not residential uses), and since the proposed on-site sale and consumption of alcohol will be contained to the restaurants and will not extend into the late-night hours, the proposed location and use, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

4. Appropriate conditions have been included to mitigate any potential impacts.

D. Potential impacts that could be generated by the proposed onsite sale, such as noise, smoke, dust, fumes, vibration, odors, traffic and hazards have been recognized and compensated for.

1. The onsite sale and consumption of alcohol is an accessory use to the permitted restaurant uses of the site.

2. Due to the uses, size, location and hours, impacts such as noise, smoke,
dust fumes, vibration, odors, traffic and hazards are not likely or anticipated.

3. The on-site sale and consumption of alcohol will not create any new impacts that would not be normally associated with the operation of a restaurant. Further, the proposed hours of operation and alcohol sales are limited from 11:00 a.m. to 11:00 p.m., daily.

4. Since 90 of the 177 required parking stalls cannot be accommodated onsite, the 90 spaces will be located off-site in a parking structure located on the abutting property to the north of the project site that is owned by the Applicant. Further, a City-approved parking covenant will be recorded on the properties to memorialize the availability and provision of the 90 offsite parking stalls.

5. In addition to complying with the requirements of the City of El Segundo and ABC, the restaurant is subject to County Health Department regulations that address and monitor impacts of fumes and odors.

E. ABC has issued or will issue a license to sell alcohol to the applicant.

1. The Applicant must obtain a license from ABC for on-site sale and consumption of alcohol for restaurants (Type 47), and for on-site sale and consumption of beer and wine for restaurants (Type 41).

SECTION 8: Adjustment Findings. After considering the above facts, the City Council finds as follows:

A. That the proposed adjustment would not be detrimental to the neighborhood or district in which the property is located.

The loading space would be located onsite, in the parking lot drive aisle. The space would not encroach into the public right of way, and would not affect other properties in the neighborhood or in the district. Deliveries to the restaurants will be conducted outside of the peak demands, thereby minimizing any potential conflicts onsite.

B. That the proposed adjustment is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of his property.

Since the buildings are situated towards the street in an effort to enhance the pedestrian experience, the parking lot and entrances to the buildings are situated to the rear of the site. To ensure that the restaurants are served by a loading space for delivery of goods, the proposed location ensures that required parking for patrons is not utilized as loading spaces by delivery trucks.

C. That the proposed adjustment is consistent with the legislative intent of the Zoning Code.

The legislative intent of Title 15 is “to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting
from an orderly planned use of land resources." The adjustment facilitate the site planning of the buildings so that it enhances the pedestrian experience for the area by situating buildings and outdoor dining areas closer to the street, thereby augmenting the public welfare and providing economic and social advantages.

SECTION 9: Off-Site Parking Covenant. After considering the above facts, the City Council finds as follows:

A. Proximity of the off-site parking facilities.

The off-site parking facility is located on the adjacent property to the north (at 860 Apollo Street). The parking structure provides parking for a variety of uses in the immediate vicinity and has excess parking available to accommodate the 90 spaces from the project site.

B. Ease of pedestrian access to the off-site parking facilities.

The offsite parking facility is located within 200-feet of the subject property and is connected via existing sidewalks along Continental Way. Although Americans with Disabilities Act (ADA)-accessible parking stalls are provided onsite as part of the proposed project, additional ADA accessible parking stalls are located in the parking structure where offsite parking will be provided, and adequate accessible paths of travel exist between the parking structure and the subject property. Further, additional paths of travel will be constructed onsite in accordance with ADA requirements.

C. Provisions for transportation to and from the off-site parking facility (e.g., shuttle or valet services).

There is no need for shuttle or valet services to and from this adjacent off-site parking facility since the facility is located within 200 feet of the subject property.

D. The type of use the offsite parking facilities are intended to serve (i.e., offsite parking) may not be appropriate for high turnover uses such as retail sales and services.

The proposed development project includes a mixture of high turnover restaurants, full service restaurants and a bank building. Further, the majority of the square footage would not be high turnover uses.

SECTION 10: Reliance On Record. Each and every one of the findings and determination in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.
SECTION 11: Limitations. The City Council’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council’s lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the city’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 12: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 13: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 14: A copy of this Resolution must be mailed to Continental Development Corporation, and to any other person requesting a copy.

SECTION 15: This Resolution is the City Council’s final decision and will become effective immediately upon adoption.
PASSED, APPROVED AND ADOPTED this 2nd day of August, 2016.

______________________________
Susan Fuentes, Mayor

ATTEST:

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

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. _____ was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the 2nd day of August 2016, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

______________________________
Tracy Weaver, City Clerk

APPROVED AS TO FORM:

______________________________
Mark D. Hensley, City Attorney
CITY COUNCIL RESOLUTION NO. ___

Exhibit A

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Continental Development Corporation (the "Applicant" or "Owner") agrees to comply with the following provisions as conditions for the City of El Segundo's approval of Environmental Assessment No. EA-1143, Zone Text Amendment No. 16-01, Conditional Use Permit No. 16-01, Administrative Use Permit No. 16-01, Administrative Adjustment No. 16-04 and Off-Site Parking Covenant No. MISC 16-05 ("Project Conditions"): 

**Zoning Conditions**

1. This approval is for the project as shown on the plans dated as received by the Planning Division on June 30, 2016, and on file. Before the City issues a building, grading, and/or demolition permit for the project, the applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Department. Any subsequent modification must be referred to the Planning and Building Safety Director for a determination regarding the need for Planning Commission review and approval of the proposed modification.

2. This approval allows for the following development:

   a. Demolition of the existing restaurant building at 2171 Rosecrans Avenue;
   b. Construction of three new buildings totaling 13,570 square feet (gross) in area and up to 3,700 square feet of outdoor dining area, as follows:
      - Building A at the southwest corner of the site, measuring 4,060 square feet in area to accommodate a full service restaurant, comprised of 2,436 square feet of interior dining area, 1,624 square feet of interior non-dining area, and 1,500 square feet of outdoor dining area along the south and west sides of the building.
      - Building B at the south of the site (between Buildings A and C), measuring 6,500 square feet in area to accommodate two high turnover restaurant tenants. A cumulative total of 2,200 square feet of outdoor dining area is dedicated for Building B.
      - Building C at the southeast corner of the site, measuring 3,010 square feet in area to accommodate a bank.

   A change in uses or changes in the square footages specified above, must be referred to the Planning and Building Safety Director for a determination regarding the need for Planning Commission review and approval of the proposed changes.

3. The onsite sale and consumption of beer and wine, and/or alcohol (ABC Type 41 and ABC Type 47, respectively) are allowed at the new full-service restaurant and the two high turnover restaurants. Specifically, the full-service restaurant building
would measure 4,060 square feet (gross) in area, comprised of 2,436 square feet of interior dining area, 1,624 square feet of interior non-dining area, and 1,500 square feet of outdoor dining area. The high turnover restaurant building would measure 6,500 square feet (gross) in area to accommodate two high turnover restaurants, and 2,200 square feet of outdoor dining area would be dedicated for said high turnover restaurant building.

4. The owner/applicant shall not permit any loitering on the subject site.

5. The owner/applicant shall comply with and strictly adhere to all conditions of any permit issued by ABC to the applicant, and with any applicable regulations of ABC.

6. A minimum of 87 parking spaces shall be maintained onsite. A maximum of 90 parking spaces are allowed to be provided offsite in the parking structure on the adjacent property to the north, located at 860 Apollo Street (APN 4138-011-022), provided that a parking covenant is recorded on the affected properties. The parking covenant shall be recorded prior to issuance of a certificate of occupancy.

7. Two loading spaces must be provided onsite to serve the restaurant buildings, with minimum dimensions of 12'x25'. One loading space must be provided along the northern side of Building A, as illustrated in the approved site plan. One loading space is allowed within the parking lot drive aisle, located north of Building B, as illustrated in the approved site plan, which shall be clearly evident with appropriate striping and yellow curbing.

8. Building A (full service restaurant building) shall maintain a minimum setback of 20-feet as measured from the west building façade to the western property line along Apollo Street, and a minimum setback of 30' as measured from the south building façade to the southern property line along Rosecrans Avenue. The outdoor dining areas shall maintain a minimum setback of 5-feet to a property line.

9. Building B (high turnover restaurants building) shall maintain a minimum setback of 30-feet as measured from the south building façade to the southern property line along Rosecrans Avenue. The outdoor dining areas shall maintain a minimum setback of 5-feet to a property line.

10. Building C (bank building) shall maintain a minimum setback of 5-feet as measured from the east building façade to the edge of the street easement along Continental Way, and a minimum setback of 30-feet as measured from the south building façade to the southern property line along Rosecrans Avenue.

11. Any signs shown on the site and elevation plans are conceptual only. Signs proposed for the project, including monument signs, shall be designed to conform to the sign provisions of the ESMC and shall require separate application and approval by the Planning and Building Safety Director or designee. A master sign program must be approved by the Planning and Building Safety Director prior to issuance of any Certificate of Occupancy.
12. All rooftop mechanical equipment shall be architecturally screened in accordance with ESMC Section 15-2-8(C), to the satisfaction of the Planning and Building Safety Director.

13. All utilities to and on the property shall be provided underground.

14. Pedestrian walkways within the project shall be provided with admixture colored concrete and/or design that enhance and complement the project.

15. A trellis must be maintained over any trash enclosure on the property.

16. Prominent signage shall be posted throughout the parking lot that informs motorists that additional overflow parking is available in the parking structure on the adjacent property to the north, located at 860 Apollo Street.

17. The applicant shall submit a photometric lighting plan that illustrates that there is no light spillover beyond the project property line for review and approval by the Planning and Building Safety Department. Exterior building and parking lot lights shall be provided with decorative lighting fixtures. Exterior lighting for the project shall be designed to be confined to within the project site. Light shields shall be used to block light and reduce spill over light and glare as necessary. Light spill over on the property shall be zero foot-candles at the property line. Prior to the final inspection and issuance of a certificate of occupancy, the applicant shall schedule an evening inspection with the Planning Division to verify compliance with this requirement.

18. The project site shall be fenced and screened during construction. Signage to report dust shall be posted on site at a location clearly visible to the public from both Rosecrans Avenue and Apollo Street.

19. All areas within the project site shall be maintained free of trash and debris.

20. The applicant shall comply with all requirements of Federal, State, County, and local agencies as are applicable to this project.

21. A Notice of Determination will be filed for this project; the applicant is responsible for paying all filing fees, including any fees required by the California Department of Fish and Wildlife. Within two (2) days of approval by the City Council, the applicant shall submit to the Planning and Building Safety Department a check or money order in the amount of $2,260.25, payable to the Los Angeles County Clerk. The Planning and Building Safety Department shall then file the Notice of Determination. Proof of the fee payment will be required prior to the issuance of grading or building permits required under Section 711.4 of the Fish and Game Code.

22. The development of the project shall comply with the Mitigation Monitoring and Reporting Program (MMRP) attached and incorporated by reference as adopted by the City Council on August 2, 2016. Prior to any demolition, clearing, grubbing or grading or as otherwise appropriate, the applicant shall demonstrate compliance
with all of the Mitigation Measures contained in the MMRP. In the event of a conflict between the adopted mitigation measures and these conditions of approval, the stricter of the two shall govern. The applicant is responsible to bear all costs should a consultant be required to manage and implement the MMRP.

23. The applicant must record an Irrevocable Offer to Dedicate up to a 21-foot-wide portion of the property paralleling the southern property line along Rosecrans Avenue for the possible future widening of the Rosecrans Avenue public right of way. The Irrevocable Offer to Dedicate must be submitted to the Director of Planning and Building Safety for review and recorded by the applicant prior to issuance of a certificate of occupancy.

Building Safety Conditions

24. The applicant shall obtain a building, grading, mechanical, plumbing, electrical, demolition permit for the project.

Fire Department Conditions

25. The applicant must comply with the applicable requirements of the 2103 California Building and Fire Codes and the 2012 International Fire Code as adopted by the City of El Segundo and El Segundo Fire Department Regulations. On January 1, 2017, the City will be adopting the 2016 California Residential, Building and Fire Codes. Any project submitted after January 1, 2017 will need to comply with the locally adopted codes of the 2016 editions.

26. The applicant must submit and have approved by the Fire Department a Fire/Life Safety Plan, identifying fire safety precautions during demolition and construction, emergency site access during construction, permanent fire department access, fire hydrant locations and any existing or proposed fire sprinkler systems and fire alarm systems prior to issuance of the building permit.

27. The applicant must provide an automatic fire sprinkler system throughout each building, installed in accordance with California Fire Code Chapter 9 and the currently adopted edition of NFPA 13.

28. The building fire sprinkler systems shall have a system fire department connection on each building, with a loop system fire department connection at each double detector check assembly.

29. The applicant must provide the following conditions for all fire features:
   a. A barrier must be provided around the fire feature to prevent accidental access into the fire feature.
   b. The distance between the fire feature and combustible material and furnishings must meet the fire feature's listing and manufacturer's requirements.
   c. If the fire feature's protective barrier exceeds ambient temperatures, all exit paths and occupant seating must be a minimum 36 inches from the
fire feature.

Police Department Conditions

The following checklist is only general guidelines on building security and crime prevention issues from the El Segundo Police Department. Specific comments will be made upon a formal submittal.

Lighting

30. All parking lots shall be illuminated with a maintained minimum of 1.25 footcandles of light on the ground surface during hours of darkness.

31. The addressing, all exterior entry doors, bicycle racks and trash dumpsters shall be illuminated with a maintained minimum of 1 footcandle of light on the ground surface during hours of darkness.

32. Walkways in retail applications shall use light standards with lighting mounted 12 to 14 feet for a better spread of light. Bollards cannot accomplish this.

33. Lighting devices shall be enclosed and protected by weather and vandal resistant covers.

34. A photometric study, which includes all of the above, shall be provided prior to issuing the Building Permit. A site plan shall be provided showing buildings, parking areas, walkways, and the point-by-point photometric calculation of the required light levels. Foot-candles shall be measured on a horizontal plane and conform to a uniformity ratio of 4:1 average/minimum.

35. Street lighting shall not be included in the calculations.

Doors/Hardware

36. Entry and Mechanical/Electrical/Fire doors:
   a. See El Segundo Police Department Approved Security Hardware list.

Security Cameras

37. Security cameras shall be installed in all new commercial/retail establishments if the Police Department deems it necessary due to the type of business, hours of operation, location and propensity to crime.

38. The Police Department shall determine the monitoring and recording location of the security cameras, which include, but are not limited to: all exterior and interior entry doors, cash handling/counting areas, the manager’s office, the safe, parking lots and parking lot entries/exits and any other areas deemed necessary by the Police Department.
39. Monitor and recording equipment shall be stored in a secure area.

40. The Police Department's minimum camera requirements shall be listed after the Camera Specifications upon a formal submittal.

41. Camera Specifications:
   - All security cameras shall be in color.
   - The recording equipment shall be digital and shall have a minimum of twenty one (21) days of storage capacity.
   - Cameras shall be of the highest resolution.
   - There shall be a monitor connected to the recording equipment to play back and review the video. The equipment shall be stored in a secure area.
   - Security camera recordings shall be made available to law enforcement.
   - The minimum security camera locations for this project shall be:
     - Sufficient cameras on the exterior to cover the walkways and all exit doors.
     - Sufficient cameras to cover the driveways and parking lot, capturing vehicle occupants and license plate numbers.

Public Works

42. The applicant must ensure that encroachment permits required by the City are secured from the Public Works Department before commencing any and all work in the public right-of-way, including lane closure.

43. The applicant to verify if the new sidewalk along Continental Way north of Rosecrans Avenue will include new curb & gutter. Areas of the existing curb & gutter are broken and need to be repaired.

44. The applicant to verify if the existing curb ramps meet ADA requirements. The existing curb ramps at the northeast corner of Apollo Street & Rosecrans Avenue as well as existing curb ramp at the northwest corner of Continental Way & Rosecrans Avenue appear to not meet ADA requirements. If they do not meet ADA requirements, these existing curb ramps are to be demolished and constructed per Standard Plans for Public Works Construction (SPPWC) standard plan 111-5.

45. All proposed curb ramps to be constructed per SPPWC standard plan 111-5.

46. The applicant to verify if curb ramps are to be constructed at the existing driveway location on Apollo Street north of Rosecrans Avenue. There appears to be a curb along the driveway entering the site but no curb ramps at both ends of the driveway adjacent to the sidewalk.

47. The applicant to construct new sidewalk per SPPWC standard plan 111-5.

48. The applicant must provide a minimum 4' sidewalk clearance behind any sign posts, power poles, etc.
49. The applicant to verify if existing driveway approaches meet ADA requirements. If they do not meet ADA requirements, the existing driveways are to be demolished and constructed per SPPWC 110-2.

50. All proposed driveway approaches to be constructed per SPPWC standard plan 110-2.

51. All unused driveways should be closed off with full-height curb, gutter and sidewalk per SPPWC standards.

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

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

54. The applicant must submit plans for water system upgrades to the City of El Segundo Public Works Department for review and approval, including traffic control plans for work in the public right-of-way.

55. The applicant shall verify if separate water meters are to be installed for individual buildings.

56. The proposed improvement will affect the existing sewer main lines. The applicant must submit a sewer study that shows the capacity deficiency in the affected existing sewer lines. Necessary sewer upgrades will be determined once the sewer study is reviewed and approved.

57. Any unused water or sanitary sewer laterals shall be abandoned and properly capped at the City main. The contractor is to obtain necessary permits and licenses, and provide traffic control plans and shoring plans.

58. A grading and drainage plan shall be provided and stamped by a registered civil engineer.

59. Hydrologic and hydraulic calculations shall be submitted to size appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. Refer to the most recent Los Angeles County Hydrology Manual. Instructions and the manual are available at the County website at: http://dpw.lacounty.gov/wrd/Publication/index.cfm. Calculations shall be signed by a registered civil engineer.

60. A utility plan shall be provided that shows all existing and proposed utility lines and their sizes (sewer, water, gas, storm drain, electrical, etc.) including easements,
around the project site. The required fees will be determined based upon the information provided on the site plan.

61. All construction-related parking must be accommodated on-site. No construction related parking shall be permitted off-site.

62. The project shall comply with the National Pollutant Discharge Elimination System (NPDES) requirements and shall provide Best Management Practices (BMPs) for sediment control, construction material control and erosion control.

63. The project shall comply with the latest MS4 permit requirements.

64. All record drawings (As-built drawings) and supporting documentation shall be submitted to the Public Works Engineering Division prior to scheduling the project’s final inspection.

Miscellaneous Conditions

65. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the El Segundo Municipal Code shall apply.

66. Failure to comply with and adhere to all of these conditions of approval may be cause to revoke the approval of the project by the Planning Commission, pursuant to the provisions of the El Segundo Municipal Code.

67. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City Department, the stricter standard shall apply.

68. The applicant and its successors in interest shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including reasonable attorney’s fees and disbursements (collectively “Claims”) arising out of or in any way relating this project, any discretionary approvals granted by the City related to the development of the project, or the environmental review conducted under California Environmental Quality Act, Public Resources Code Section 21000 et seq., for the project. If the City Attorney is required to enforce any conditions of approval, all costs, including attorney’s fees, shall be paid for by the applicant. The Applicant agrees to defend the City (at the City’s request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section “the City” includes the City of El Segundo’s elected officials, appointed officials, officers, and employees.
By signing this document, ___________, on behalf of Continental Development Corporation, certifies that he/she has read, understands, and agrees to the Project Conditions listed in this document.

________________________
Name, Title

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}
Mitigation Monitoring and Reporting Program
(Exhibit B to City Council Resolution No. ____)

2171 – 2191 Rosecrans Avenue Project

Prepared by:

City of El Segundo
Planning and Building Safety Department
350 Main Street
El Segundo, CA 90245
Contact: Eduardo Schonborn, Contract Senior Planner
(310) 524-2312

August 2016
Mitigation Monitoring and Reporting Program

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the 2171 – 2191 Rosecrans Avenue project, proposed in the City of El Segundo. The purpose of the MMRP is to ensure that for each mitigation measure recommended in the Initial Study - Mitigated Negative Declaration (IS-MND), specifications are made herein that identify the action required and the monitoring that must occur. In addition to ensuring implementation of mitigation measures, the MMRP provides feedback to agency staff and decision-makers during project implementation, and identifies the need for enforcement action before irreversible environmental damage occurs.

The following table summarizes the mitigation measures for each issue area identified in the IS-MND for the proposed project. The table identifies each mitigation measure; the action required for the measure to be implemented; the time at which the monitoring is to occur; the monitoring frequency; and the agency or party responsible for ensuring that the monitoring is performed (i.e., a “Coordinator”). The coordinator will be responsible for ensuring that the mitigation measures incorporated into the project are complied with during project implementation. The coordinator will also distribute copies of the MMRP to those responsible agencies identified in the MMRP, which have partial or full responsibility for implementing certain measures. Failure of a responsible agency to implement a mitigation measure will not in any way prevent the lead agency from implementing the proposed project.

In addition, the table includes columns for compliance verification. These columns will be filled out by the monitoring agency or party and would document monitoring compliance. Where an impact was identified to be less than significant, no mitigation measures were required.

This MMRP will be used by City staff or the City’s consultant to determine compliance with required mitigation measures.
<table>
<thead>
<tr>
<th>Mitigation Measure</th>
<th>Action Required</th>
<th>When Monitoring to Occur</th>
<th>Monitoring Frequency</th>
<th>Responsible Agency or Party</th>
<th>Compliance Verification</th>
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<tbody>
<tr>
<td>HYD-1: Prior to issuance of a grading and/or building permit, the City Building Official shall ensure that the project’s construction plans include features meeting the applicable construction activity best management practices (BMPs) and erosion and sediment control BMPs published in the <em>California Stormwater BMP Handbook—Construction Activity</em> or equivalent. If construction activities occur between October 1 and April 15, the project applicant shall prepare and submit a Wet Weather Erosion Control Plan to the City Building Official at least 30 days prior to commencement of construction activities.</td>
<td>Plan review and field verification during construction.</td>
<td>Prior to permit issuance and during construction.</td>
<td>Ongoing</td>
<td>City of El Segundo Planning and Building Safety Department.</td>
<td>Initial</td>
</tr>
<tr>
<td>HYD-2: Prior to issuance of a grading and/or building permit, the project applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City Building Official for review and approval. The SWPPP shall identify the best management practices (BMPs) to be implemented during project operation. The project SWPPP must also demonstrate compliance with the pollutant-specific Total Maximum Daily Load waste load allocations in effect for the downstream watersheds as well as the maximum extent practicable (MEP) standard for other pollutants of concern.</td>
<td>Plan review</td>
<td>Prior to permit issuance</td>
<td>Ongoing</td>
<td>City of El Segundo Planning and Building Safety Department.</td>
<td>Initial</td>
</tr>
<tr>
<td>HYD-3: Prior to issuance of a certification of occupancy, the project applicant shall provide the City Building Official with a best management practices (BMP) maintenance plan, consistent with Standard Urban Stormwater Management Plan (SUSMP) requirements, for review and approval.</td>
<td>Submittal of documentation.</td>
<td>Prior to issuance of Certificate of Occupancy (permit final)</td>
<td>One-time</td>
<td>City of El Segundo Planning and Building Safety Department.</td>
<td>Initial</td>
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**AIR QUALITY**

| AQ-1: Prior to issuance of a grading permit, the Director of Public Works and the Director of Planning and Building Safety must confirm that the Grading Plan, Building Plans, and specifications require that excessive fugitive dust emissions are controlled by regular watering. | Submittal of plans and documentation. | Prior to permit issuance. | Ongoing monitoring during construction. | City of El Segundo Planning and Building Safety Department. | Initial | Date | Comments |
or other dust prevention measures in compliance with SCAQMD's Rule 403. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts:

- All active portions of the construction site must be watered every three hours during daily construction activities and when dust is observed migrating from the project site to prevent excessive amounts of dust;
- Pave or apply water every three hours during daily construction activities or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas. More frequent watering must occur if dust is observed migrating from the site during site disturbance;
- Any on-site stockpiles of debris, dirt, or other dusty material must be enclosed, covered, or watered twice daily, or non-toxic soil binders must be applied;
- All grading and excavation operations must be suspended when wind speeds exceed 25 miles per hour;
- Disturbed areas must be replaced with ground cover or paved immediately after construction is completed in the affected area;
- Gravel bed trackout aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by rock berm or row of stakes) must be installed to reduce mud/dirt trackout from unpaved truck exit routes;
- On-site vehicle speed is limited to 15 miles per hour;
- All on-site roads must be paved as soon as feasible, watered twice daily, or chemically stabilized;
- Visible dust beyond the property line which emanates from the project must be prevented to the maximum extent feasible;
- All material transported off-site must be either sufficiently watered or securely covered to prevent excessive amounts of dust before departing the job site;

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<tr>
<th>Mitigation Measure</th>
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<th>When Monitoring to Occur</th>
<th>Monitoring Frequency</th>
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<td>and project applicant.</td>
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<td>• Reroute construction trucks away from congested streets or sensitive receptor areas;</td>
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<tr>
<td>• Track-out devices must be used at all construction site access points; and</td>
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<tr>
<td>• All delivery truck tires must be watered down and/or scraped down before departing the job site.</td>
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<tr>
<td><strong>AQ-2:</strong> All trucks hauling excavated or graded material must comply with Vehicle Code § 23114 regulating the means of preventing such material spilling onto public streets and roads. Compliance with the provision must be required in construction bid documents.</td>
<td>Visual monitoring of the hauled material.</td>
<td>During construction,</td>
<td>Ongoing during construction.</td>
<td>City of El Segundo Planning and Building Safety Department, and project applicant.</td>
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**AESTHETICS**

**AES-1:** Prior to issuance of a building permit, the applicant must submit a Lighting Plan to the City for review and approval by the Director of Planning and Building Safety. The Plan must include the location, height, number of lights, foot candles by area and, estimates of maximum illumination onsite with no spill at the property lines. The Plan must also demonstrate that all lighting fixtures on the buildings and throughout the entire project site be designed and installed so as to contain light on the subject property and not create spillover effects, or be directed toward adjacent properties or public rights-of-way.

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<thead>
<tr>
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<th>Monitoring Frequency</th>
<th>Responsible Agency or Party</th>
<th>Compliance Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting plan submittal.</td>
<td>Prior to issuance of permit.</td>
<td>During construction.</td>
<td>City of El Segundo Planning and Building Safety Department.</td>
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</tr>
</tbody>
</table>
ATTACHMENT 4

PLANNING COMMISSION RESOLUTION NO. 2798
RESOLUTION NO. 2798


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

SECTION 1: The Commission finds and declares that:

A. On January 16, 2016, Continental Development Corporation filed an application for Environmental Assessment No. EA-1143, Zone Text Amendment ("ZTA") 16-01, Conditional Use Permit ("CUP") No. 16-01, Administrative Use Permit ("AUP") No. 16-01, Adjustment ("ADJ") 16-04 and Off-Site Parking Covenant (MISC) 16-05 to amend several sections of the El Segundo Municipal Code ("ESMC"), demolish an existing 8,195 square foot (gross) restaurant building and redevelop the site with three new buildings totaling 13,570 square feet to accommodate a bank, a full service restaurant and two high turn-over restaurants, 3,700 square feet of outdoor dining area, onsite sale and consumption of beer and wine, and alcohol, a loading space within the parking lot drive aisle, and a parking covenant for a portion of the required parking to be located offsite on an adjacent property to the north (at 860 Apollo Street);

B. The project site measures 1.54 acres in area, is zoned Urban Mixed Use South (MU-S), is located at 2171-2191 Rosencrans Avenue, and is commonly known as Assessor’s Parcel Number 4138-011-021;

C. The project applications were reviewed by the City’s Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the ESMC;
D. In addition, the City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., “CEQA”), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the “CEQA Guidelines”), and the City’s Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);

E. The Planning Commission of the City of El Segundo held a noticed public hearing on July 14, 2016, to review and consider the staff report prepared for the Project, receive public testimony, and review all correspondence received on the Project; and,

F. This Resolution, and its findings, are made, in part, based upon the evidence presented to the Commission at its July 14, 2016 public hearing including, without limitation, the staff report and Initial Study/Mitigated Negative Declaration submitted by the Planning and Building Safety Department.

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

A. The subject site is located in the Urban Mixed Use South (MU-S) Zone, at 2171 Rosecrans Avenue. The subject property is a 1.54-acre site located on the north side of Rosecrans Avenue, between Apollo Street and Continental Way.

B. The property is currently improved with an 8,195 square-foot, full-service restaurant building, commonly known as “Cozymel's Mexican Grill.”

C. The proposed project includes demolishing the existing restaurant building and constructing three new buildings totaling 13,570 square feet (gross) in area to accommodate a full-service restaurant, two high-turnover restaurants, and a bank. The following applications are necessary to accommodate the proposed project:

i. Zone Text Amendment No. 16-01 is to amend Section 15-15-5 (Parking Area Development Standards) and Section 15-2-14 (Landscaping) to allow onsite parking to encroach into interior side yard and rear yard setback and landscaped setback areas in the MU-S Zone; amend Section 15-2-7 (Open Space Areas and Encroachments) to allow outdoor dining areas and outdoor gathering areas to be located up to 5 feet from a property line in the MU-S Zone; and amend Section 15-5F-8 (Site Development Standards) to modify the front and side yard setback requirements for buildings in the MU-S zone.

ii. Conditional Use Permit No. 16-01 is to allow for a total of 3,700 square feet of outdoor dining areas with shade structures, associated with the
proposed restaurant buildings, which cumulatively exceed 20% of the interior dining areas.

iii. Administrative Use Permit No. 16-01 is to allow for the onsite sale and consumption of beer and wine (Department of Alcoholic Beverage Control ("ABC") license Type 41), and distilled spirits (ABC license Type 47) at the new full-service restaurant and two high turnover restaurants. Specifically, the full-service restaurant building would measure 4,060 square feet (gross) in area, comprised of 2,436 square feet of interior dining area, 1,624 square feet of interior non-dining area, and 1,500 square feet of outdoor dining area. The high turnover restaurant building would measure 6,500 square feet (gross) in area to accommodate two high turnover restaurants, and 2,200 square feet of outdoor dining area would be dedicated for the building.

iv. Adjustment No. 16-04 is to allow one of the two loading spaces to be located along the parking lot drive aisle. The required minimum drive aisle width for 90-degree parking is 25 feet. The project provides a width of 14 feet when the loading space is in use.

v. Off-site Parking Covenant No. MISC 16-05 is to allow 90 of the 177 parking stalls to be located off-site, in a parking structure located on the abutting property to the north of the project site, which is owned by the Applicant.

D. An Initial Study/Mitigated Negative Declaration ("IS/MND") was prepared in accordance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the City of El Segundo's Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993). The IS/MND was available for public review and comment from June 23, 2016 through July 14, 2016.

SECTION 3: Environmental Assessment. The proposed project was analyzed for its environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the "CEQA Guidelines"), and the City's Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993). The City prepared an Initial Study of Environmental Impacts (Exhibit B) pursuant to CEQA Guidelines § 15063. A Mitigated Negative Declaration of Environmental Impacts is proposed for this project pursuant to CEQA Guidelines §15070.

The draft IS/MND concluded that the project will not result in or create any significant impacts, or have less than significant impacts to aesthetics, agriculture and forestry resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, land use, mineral resources, noise, population and housing, public services, recreation, biological resources, cultural resources, and transportation/traffic; and, utilities. Several areas of concern were noted as potentially significant if not mitigated. These areas include: Hydrology/Water Quality, Air Quality, Aesthetics, and Mandatory Findings of
Significance. However, incorporation of the mitigation measures identified in the draft IS/MND and contained in the associated Mitigation Monitoring and Reporting Program would reduce the impacts for each of these areas to “Less Than Significant” when mitigated.

SECTION 4: General Plan Findings. As required under Government Code § 65860, the ESMC amendments proposed by the Ordinance, and the proposed development project are consistent with the El Segundo General Plan as follows:

A. The proposed zone text amendment conforms with the Land Use Element Goals, Objectives and Policies. Specifically, the zone text amendment is consistent with Land Use Element Goal LU5 and Objectives LU5-1, LU5-2 and LU5-3 in that the amendment will help retain and attract clean and safe commercial and retail uses and will facilitate the rehabilitation of currently substandard properties by allowing property owners to efficiently use their properties when siting buildings, dining areas and shade structures, and parking.

B. The proposed zone text amendment is consistent with the Economic Development Element Goals, Objectives and Policies. Specifically, it is consistent with Economic Development Element Objective ED1-2 and Policies ED1-2.1 and ED1-2.2 in that siting buildings closer to the street provides more visibility to the buildings and uses on the property, and allowing dining areas closer to the street also draws in the pedestrian traffic to the property. Further, it will help improve properties aesthetically and promote a more pedestrian oriented environment in the MU-S Zone. These physical improvements will help maintain existing uses and attract more retail and office uses, which expand the City’s tax base and improve its fiscal condition.

C. The proposed development project is consistent with Land Use Element Objective LU4-4 in that it adds to the mixture of uses by providing for additional eating establishments and a bank, which have the potential to maximize economic benefit and reduce traffic impacts.

D. The underlying zoning for the site is Urban Mixed Use South (MU-S), where the purpose of said zoning is to “provide area(s) where a mixture of compatible commercial, offices, research and development, retail and hotel uses can locate and develop in a mutually beneficial manner...[and]...Businesses located within this zone are encouraged to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors.” (ESMC §15-5F-1). The proposed project is mutually beneficial to the area since it provides for additional and varied uses. Further, the project provides for additional outdoor dining and situates buildings closer to the street to encourage pedestrian activity in the area.

SECTION 5: Zone Text Amendment Findings. In accordance with ESMC § 15-26-4 and based on the findings set forth in Section 2, the proposed Zone Text Amendment is
consistent with the goals, policies, and objectives of the General Plan as follows:

A. The amendments are consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources. In addition, it is consistent with the purpose of the Urban Mixed-Use South (MU-S) Zone to provide an area where a mixture of compatible uses can locate and develop in a mutually beneficial manner. Furthermore, it is consistent with the intent of the MU-S Zone to encourage businesses to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors.

B. The amendments are necessary to facilitate the development process and ensure the orderly development of buildings, outdoor dining areas, and parking in the MU-S Zone that are compatible with surrounding properties and the public right-of-way.

SECTION 6: Conditional Use Permit Findings. After considering the above facts, the Commission finds as follows:

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

The zoning designation for the subject site is Urban Mixed Use South (MU-S). This zone allows outdoor dining areas which exceed 200 square feet or 20% of the indoor dining area, whichever is less, subject to the granting of a conditional use permit pursuant to ESMC Section 15-5F-5(I). The size of the outdoor dining areas are appropriate to their location as they will be part of the restaurants and distributed throughout the site. The permitted uses in the zone are a mixture of commercial, office, research and development, retail, restaurant and hotel uses. The current project site is currently developed with one freestanding building that accommodates a full service restaurant. The proposal includes constructing multiple buildings to accommodate more uses on the site and provide for inviting spaces through large outdoor dining areas and shade structures. The proposal is consistent with the purpose of the MU-S zone, in which businesses are encouraged to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors. The outdoor dining areas in support of the restaurants are in accord with the principal objectives of the zone.

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

The proposed location of the conditional use is in an urbanized area of the City that is developed with a variety of commercial, retail, office, restaurant, and light manufacturing uses. The outdoor dining areas will be distributed
throughout the proposed new restaurants, and will be located along Rosecrans Avenue and along Apollo Street. No sensitive land uses are adjacent to or near the proposed outdoor dining areas that could be impacted by the operation of the outdoor dining areas. Further, outdoor dining activities are not anticipated to be detrimental to adjacent businesses and no residential uses are located in the vicinity. The use is also subject to certain conditions in the attached Exhibit A. Accordingly, given the commercial nature of the surrounding uses and immediate area, and the absence of any residential uses located in the vicinity, the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

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

Approval of the associated Zone Text Amendment modified the site development standards of Municipal Code Section 15-2-7.E, which allows outdoor dining areas and outdoor gathering areas to be located up to 5 feet from a property line in the MU-S zone. The proposed conditional use complies with the applicable provisions of ESMC Chapters 15-23 and 15-27 since proper notice was provided and proper hearing was conducted on July 14, 2016. In addition, proper hearing decision and records will be complied with, and the required findings considered and adopted. The proposed project complies with all of the current ESMC requirements.

SECTION 7: Administrative Use Permit Findings. After considering the above facts, the Commission finds as follows:

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

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

2. The area is situated in an urbanized area of the City that is developed with a variety of commercial, retail, office, restaurant, and light manufacturing uses. There are no residential uses in the immediate vicinity and the alcohol service will only be used by restaurant guests.

3. There is sufficient parking available via a combination of onsite and offsite parking. Offsite parking is located in the parking structure to the north of the site, on a property that abuts the subject property. Further, the project includes a parking covenant that will ensure that offsite parking is available for the uses on the subject property. Lastly, the parking covenant will be recorded on the property to memorialize the availability and provision of parking.
4. The General Plan Land Use designation for the site is Commercial, Urban Mixed Use South. The zoning for the site is Urban Mixed Use South (MU-S). On-site sale and consumption of alcohol is permitted in the Zone with the approval of an Administrative Use Permit.

5. The MU-S Zone permits, and the surrounding land uses include: restaurant, commercial retail, office and light manufacturing uses. Given the commercial nature of the surrounding uses, and the absence of any residential uses in the immediate vicinity of the proposed restaurant, the proposed on-site sale and consumption of alcohol will be compatible with the surrounding uses.

B. The proposed uses are consistent and compatible with the purpose of the MU-S, which is to “provide area(s) where a mixture of compatible commercial, offices, research and development, retail and hotel uses can locate and develop in a mutually beneficial manner...[and]...Businesses located within this zone are encouraged to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors.” (ESMC §15-5F-1), for the following reasons:

1. The onsite sale and consumption of alcohol is a method to augment the restaurants by affording patrons the opportunity to purchase an alcoholic beverage with their meal.

2. The onsite sale and consumption of alcohol expands the development of a permitted restaurant use that is economically viable and provides a stable tax base with appropriate conditions to minimize negative impacts in the City.

3. The zoning for the site is Urban Mixed Use South (MU-S). The proposed use of on-site sale and consumption of alcohol requires an Administrative Use Permit in accordance with Municipal Code Section 15-5F-4.C.

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

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

6. The proposed use is consistent with Land Use Element Objective LU4-1 in that it promotes the development of high quality retail facilities in proximity to major employment centers. Therefore, for all of the foregoing reasons, the use is consistent and compatible with the purpose of the Urban Mixed Use South (MU-S) Zone.

C. The proposed location and uses, and the conditions under which the uses would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, for the following reasons:

1. The on-site sale of alcohol will be located both inside the proposed restaurants and in the outside patio areas, and will be conducted in accordance with all applicable codes and regulations. Sufficient parking
will be provided onsite and offsite in compliance with ESMC Chapter 15-15.

2. The proposed hours of operation to serve alcohol is between 11:00 a.m. to 11:00 p.m. Monday through Sunday. Alcohol will be served within the restaurant, bar, and outdoor patio, and in accordance with ABC regulations. No live entertainment is proposed. The use is also subject to certain conditions outlined in this resolution.

3. Since the location of the proposed restaurants is in an urbanized area of the City and is surrounded by commercial uses (and not residential uses), and since the proposed on-site sale and consumption of alcohol will be contained to the restaurants and will not extend into the late-night hours, the proposed location and use, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

4. Appropriate conditions have been included to mitigate any potential impacts.

D. Potential impacts that could be generated by the proposed onsite sale, such as noise, smoke, dust, fumes, vibration, odors, traffic and hazards have been recognized and compensated for.

1. The onsite sale and consumption of alcohol is an accessory use to the permitted restaurant uses of the site.

2. Due to the uses, size, location and hours, impacts such as noise, smoke, dust, fumes, vibration, odors, traffic and hazards are not likely or anticipated.

3. The on-site sale and consumption of alcohol will not create any new impacts that would not be normally associated with the operation of a restaurant. Further, the proposed hours of operation and alcohol sales are limited from 11:00 a.m. to 11:00 p.m., daily.

4. Since 90 of the 177 required parking stalls cannot be accommodated onsite, the 90 spaces will be located off-site in a parking structure located on the abutting property to the north of the project site that is owned by the Applicant. Further, a City-approved parking covenant will be recorded on the properties to memorialize the availability and provision of the 90 offsite parking stalls.

5. In addition to complying with the requirements of the City of El Segundo and ABC, the restaurant is subject to County Health Department regulations that address and monitor impacts of fumes and odors.

E. ABC has issued or will issue a license to sell alcohol to the applicant.

1. The Applicant must obtain a license from ABC for on-site sale and consumption of alcohol for restaurants (Type 47), and for on-site sale and consumption of beer and wine for restaurants (Type 41).

SECTION 8: Adjustment Findings. After considering the above facts, the Commission finds as follows:
A. That the proposed adjustment would not be detrimental to the neighborhood or district in which the property is located.

The loading space would be located onsite, in the parking lot drive aisle. The space would not encroach into the public right of way, and would not affect other properties in the neighborhood or in the district. Deliveries to the restaurants will be conducted outside of the peak demands, thereby minimizing any potential conflicts onsite.

B. That the proposed adjustment is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of his property.

Since the buildings are situated towards the street in an effort to enhance the pedestrian experience, the parking lot and entrances to the buildings are situated to the rear of the site. To ensure that the restaurants are served by a loading space for delivery of goods, the proposed location ensures that required parking for patrons is not utilized as loading spaces by delivery trucks.

C. That the proposed adjustment is consistent with the legislative intent of the Zoning Code.

The legislative intent of Title 15 is “to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources.” The adjustment facilitate the site planning of the buildings so that it enhances the pedestrian experience for the area by situating buildings and outdoor dining areas closer to the street, thereby augmenting the public welfare and providing economic and social advantages.

SECTION 9: Off-Site Parking Covenant. After considering the above facts, the Commission finds as follows:

A. Proximity of the off-site parking facilities.

The off-site parking facility is located on the adjacent property to the north (at 860 Apollo Street). The parking structure provides parking for a variety of uses in the immediate vicinity.

B. Ease of pedestrian access to the off-site parking facilities.

The offsite parking facility is located within 200-feet of the subject property and is connected via existing sidewalks along Continental Way. Although Americans with Disabilities Act (ADA)-accessible parking stalls are provided onsite as part of the proposed project, additional ADA accessible parking stalls are located in the parking structure where offsite parking will be provided, and adequate accessible paths of travel exist between the parking

9
structure and the subject property. Further, additional paths of travel will be constructed onsite in accordance with ADA requirements.

C. Provisions for transportation to and from the off-site parking facility (e.g., shuttle or valet services).

There is no need for shuttle or valet services to and from this adjacent off-site parking facility since the facility is located within 200 feet of the subject property.

D. The type of use the offsite parking facilities are intended to serve (i.e., offsite parking) may not be appropriate for high turnover uses such as retail sales and services.

The proposed development project includes a mixture of high turnover restaurants, full service restaurants and a bank building. Further, the majority of the square footage would not be high turnover uses.

SECTION 10: Recommendations. The Planning Commission recommends that the City Council:

A. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project located at 2171-2191 Rosecrans Avenue, attached as Exhibit B;
B. Adopt an Ordinance amending ESMC Sections 15-2-7, 15-2-14, 15-5F-8 and 15-15-5, pertaining to parking standards, site development standards in the MU-S Zone, and open space areas and encroachments in the MU-S Zone;
C. Approve Conditional Use Permit No. 16-01, Administrative Use Permit No. 16-01, Administrative Adjustment No. 16-04 and Off-Site Parking Covenant No. MISC 1-05, for construction of three new buildings to accommodate a bank, a full service restaurant and two high turnover restaurants, 3,700 square feet of outdoor dining area, onsite sale and consumption of beer, wine and alcohol, a loading space within the parking lot drive aisle, and a parking covenant to allow 90 of the 177 required parking spaces to be located offsite.

SECTION 11: Reliance On Record. Each and every one of the findings and determination in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 12: Limitations. The Planning Commission’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission’s lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the
city’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 13: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 14: The Commission secretary is directed to mail a copy of this Resolution to any person requesting a copy.

SECTION 15: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 16: Except as provided in Section 15, this Resolution is the Planning Commission’s final decision and will become effective on the tenth day after its adoption.

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

________________________________________
Ryan Baldino, Chair
City of El Segundo Planning Commission

ATTEST:

________________________________________
Sam Lee, Secretary

Baldino - Aye
Newman - Aye
Nicol - Aye
Nisley - Absent
Wingate - Aye

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

By: __________________________________________
    David King, Assistant City Attorney
PLANNING COMMISSION RESOLUTION NO. 2798

Exhibit A

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Continental Development Corporation (the "Applicant" or "Owner") agrees to comply with the following provisions as conditions for the City of El Segundo's approval of Environmental Assessment No. EA-1143, Zone Text Amendment No. 16-01, Conditional Use Permit No. 16-01, Administrative Use Permit No. 16-01, Administrative Adjustment No. 16-04 and Off-Site Parking Covenant No. MISC 16-05 ("Project Conditions"): 

Zoning Conditions

1. This approval is for the project as shown on the plans dated as received by the Planning Division on June 30, 2016, and on file. Before the City issues a building, grading, and/or demolition permit for the project, the applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Department. Any subsequent modification must be referred to the Planning and Building Safety Director for a determination regarding the need for Planning Commission review and approval of the proposed modification.

2. This approval allows for the following development:

a. Demolition of the existing restaurant building at 2171 Rosecrans Avenue;

b. Construction of three new buildings totaling 13,570 square feet (gross) in area and up to 3,700 square feet of outdoor dining area, as follows:
   - Building A at the southwest corner of the site, measuring 4,060 square feet in area to accommodate a full service restaurant, comprised of 2,436 square feet of interior dining area, 1,624 square feet of interior non-dining area, and 1,500 square feet of outdoor dining area along the south and west sides of the building.
   - Building B at the south of the site (between Buildings A and C), measuring 6,500 square feet in area to accommodate two high turnover restaurant tenants. A cumulative total of 2,200 square feet of outdoor dining area is dedicated for Building B.
   - Building C at the southeast corner of the site, measuring 3,010 square feet in area to accommodate a bank.

A change in uses or changes in the square footages specified above, must be referred to the Planning and Building Safety Director for a determination regarding the need for Planning Commission review and approval of the proposed changes.

3. The onsite sale and consumption of beer and wine, and/or alcohol (ABC Type 41 and ABC Type 47, respectively) are allowed at the new full-service restaurant and the two high turnover restaurants. Specifically, the full-service restaurant building
would measure 4,060 square feet (gross) in area, comprised of 2,436 square feet of interior dining area, 1,624 square feet of interior non-dining area, and 1,500 square feet of outdoor dining area. The high turnover restaurant building would measure 6,500 square feet (gross) in area to accommodate two high turnover restaurants, and 2,200 square feet of outdoor dining area would be dedicated for said high turnover restaurant building.

4. The owner/applicant shall not permit any loitering on the subject site,

5. The owner/applicant shall comply with and strictly adhere to all conditions of any permit issued by ABC to the applicant, and with any applicable regulations of ABC.

6. A minimum of 87 parking spaces shall be maintained onsite. A maximum of 90 parking spaces are allowed to be provided offsite in the parking structure on the adjacent property to the north, located at 860 Apollo Street (APN 4138-011-022), provided that a parking covenant is recorded on the affected properties. The parking covenant shall be recorded prior to issuance of a certificate of occupancy.

7. Two loading spaces must be provided onsite to serve the restaurant buildings, with minimum dimensions of 12'x25'. One loading space must be provided along the northern side of Building A, as illustrated in the approved site plan. One loading space is allowed within the parking lot drive aisle, located north of Building B, as illustrated in the approved site plan, which shall be clearly evident with appropriate striping and yellow curbing.

8. Building A (full service restaurant building) shall maintain a minimum setback of 20-feet as measured from the west building façade to the western property line along Apollo Street, and a minimum setback of 30' as measured from the south building façade to the southern property line along Rosecrans Avenue. The outdoor dining areas shall maintain a minimum setback of 5-feet to a property line.

9. Building B (high turnover restaurants building) shall maintain a minimum setback of 30-feet as measured from the south building façade to the southern property line along Rosecrans Avenue. The outdoor dining areas shall maintain a minimum setback of 5-feet to a property line.

10. Building C (bank building) shall maintain a minimum setback of 5-feet as measured from the east building façade to the edge of the street easement along Continental Way, and a minimum setback of 30-feet as measured from the south building façade to the southern property line along Rosecrans Avenue.

11. Any signs shown on the site and elevation plans are conceptual only. Signs proposed for the project, including monument signs, shall be designed to conform to the sign provisions of the ESMC and shall require separate application and approval by the Planning and Building Safety Director or designee. A master sign program must be approved by the Planning and Building Safety Director prior to issuance of any Certificate of Occupancy.
12. All rooftop mechanical equipment shall be architecturally screened in accordance with ESMC Section 15-2-8(C), to the satisfaction of the Planning and Building Safety Director.

13. All utilities to and on the property shall be provided underground.

14. Pedestrian walkways within the project shall be provided with admixture colored concrete and/or design that enhance and complement the project.

15. A trellis must be maintained over any trash enclosure on the property.

16. Prominent signage shall be posted throughout the parking lot that informs motorists that additional overflow parking is available in the parking structure on the adjacent property to the north, located at 860 Apollo Street.

17. The applicant shall submit a photometric lighting plan that illustrates that there is no light spillover beyond the project property line for review and approval by the Planning and Building Safety Department. Exterior building and parking lot lights shall be provided with decorative lighting fixtures. Exterior lighting for the project shall be designed to be confined to within the project site. Light shields shall be used to block light and reduce spill over light and glare as necessary. Light spill over on the property shall be zero foot-candles at the property line. Prior to the final inspection and issuance of a certificate of occupancy, the applicant shall schedule an evening inspection with the Planning Division to verify compliance with this requirement.

18. The project site shall be fenced and screened during construction. Signage to report dust shall be posted on site at a location clearly visible to the public from both Rosecrans Avenue and Apollo Street.

19. All areas within the project site shall be maintained free of trash and debris.

20. The applicant shall comply with all requirements of Federal, State, County, and local agencies as are applicable to this project.

21. A Notice of Determination will be filed for this project; the applicant is responsible for paying all filing fees, including any fees required by the California Department of Fish and Wildlife. Within two (2) days of approval by the City Council, the applicant shall submit to the Planning and Building Safety Department a check or money order in the amount of $2,260.25, payable to the Los Angeles County Clerk. The Planning and Building Safety Department shall then file the Notice of Determination. Proof of the fee payment will be required prior to the issuance of grading or building permits required under Section 711.4 of the Fish and Game Code.

22. The development of the project shall comply with the Mitigation Monitoring and Reporting Program (MMRP) attached and incorporated by reference as adopted by the City Council on ____________. Prior to any demolition, clearing, grubbing or grading or as otherwise appropriate, the applicant shall demonstrate compliance
with all of the Mitigation Measures contained in the MMRP. In the event of a conflict between the adopted mitigation measures and these conditions of approval, the stricter of the two shall govern. The applicant is responsible to bear all costs should a consultant be required to manage and implement the MMRP.

**Building Safety Conditions**

23. The applicant shall obtain a building, grading, mechanical, plumbing, electrical, demolition permit for the project.

**Fire Department Conditions**

24. The applicant must comply with the applicable requirements of the 2103 California Building and Fire Codes and the 2012 International Fire Code as adopted by the City of El Segundo and El Segundo Fire Department Regulations. On January 1, 2017, the City will be adopting the 2016 California Residential, Building and Fire Codes. Any project submitted after January 1, 2017 will need to comply with the locally adopted codes of the 2016 editions.

25. The applicant must submit and have approved by the Fire Department a Fire/Life Safety Plan, identifying fire safety precautions during demolition and construction, emergency site access during construction, permanent fire department access, fire hydrant locations and any existing or proposed fire sprinkler systems and fire alarm systems prior to issuance of the building permit.

26. The applicant must provide an automatic fire sprinkler system throughout each building, installed in accordance with California Fire Code Chapter 9 and the currently adopted edition of NFPA 13.

27. The building fire sprinkler systems shall have a system fire department connection on each building, with a loop system fire department connection at each double detector check assembly.

28. The applicant must provide the following conditions for all fire features:
   a. A barrier must be provided around the fire feature to prevent accidental access into the fire feature.
   b. The distance between the fire feature and combustible material and furnishings must meet the fire feature's listing and manufacturer's requirements.
   c. If the fire feature's protective barrier exceeds ambient temperatures, all exit paths and occupant seating must be a minimum 36 inches from the fire feature.

**Police Department Conditions**

The following checklist is only general guidelines on building security and crime prevention issues from the El Segundo Police Department. Specific comments will be made upon a formal submittal.
Lighting

29. All parking lots shall be illuminated with a maintained minimum of 1.25 footcandles of light on the ground surface during hours of darkness.

30. The addressing, all exterior entry doors, bicycle racks and trash dumpsters shall be illuminated with a maintained minimum of 1 footcandle of light on the ground surface during hours of darkness.

31. Walkways in retail applications shall use light standards with lighting mounted 12 to 14 feet for a better spread of light. Bollards can not accomplish this.

32. Lighting devices shall be enclosed and protected by weather and vandal resistant covers.

33. A photometric study, which includes all of the above, shall be provided prior to issuing the Building Permit. A site plan shall be provided showing buildings, parking areas, walkways, and the point-by-point photometric calculation of the required light levels. Foot-candles shall be measured on a horizontal plane and conform to a uniformity ratio of 4:1 average/minimum.

34. Street lighting shall not be included in the calculations.

Doors/Hardware

35. Entry and Mechanical/Electrical/Fire doors:
   a. See El Segundo Police Department Approved Security Hardware list.

Security Cameras

36. Security cameras shall be installed in all new commercial/retail establishments if the Police Department deems it necessary due to the type of business, hours of operation, location and propensity to crime.

37. The Police Department shall determine the monitoring and recording location of the security cameras, which include, but are not limited to: all exterior and interior entry doors, cash handling/counting areas, the manager’s office, the safe, parking lots and parking lot entries/exits and any other areas deemed necessary by the Police Department.

38. Monitor and recording equipment shall be stored in a secure area.

39. The Police Department’s minimum camera requirements shall be listed after the Camera Specifications upon a formal submittal.

40. Camera Specifications:
   * All security cameras shall be in color.
• The recording equipment shall be digital and shall have a minimum of twenty one (21) days of storage capacity.
• Cameras shall be of the highest resolution.
• There shall be a monitor connected to the recording equipment to play back and review the video. The equipment shall be stored in a secure area.
• Security camera recordings shall be made available to law enforcement.
• The minimum security camera locations for this project shall be:
  o Sufficient cameras on the exterior to cover the walkways and all exit doors.
  o Sufficient cameras to cover the driveways and parking lot, capturing vehicle occupants and license plate numbers.

Public Works

41. The applicant must ensure that encroachment permits required by the City are secured from the Public Works Department before commencing any and all work in the public right-of-way, including lane closure.

42. The applicant to verify if the new sidewalk along Continental Way north of Rosecrans Avenue will include new curb & gutter. Areas of the existing curb & gutter are broken and need to be repaired.

43. The applicant to verify if the existing curb ramps meet ADA requirements. The existing curb ramps at the northeast corner of Apollo Street & Rosecrans Avenue as well as existing curb ramp at the northwest corner of Continental Way & Rosecrans Avenue appear to not meet ADA requirements. If they do not meet ADA requirements, these existing curb ramps are to be demolished and constructed per Standard Plans for Public Works Construction (SPPWC) standard plan 111-5.

44. All proposed curb ramps to be constructed per SPPWC standard plan 111-5.

45. The applicant to verify if curb ramps are to be constructed at the existing driveway location on Apollo Street north of Rosecrans Avenue. There appears to be a curb along the driveway entering the site but no curb ramps at both ends of the driveway adjacent to the sidewalk.

46. The applicant to construct new sidewalk per SPPWC standard plan 111-5.

47. The applicant must provide a minimum 4’ sidewalk clearance behind any sign posts, power poles, etc.

48. The applicant to verify if existing driveway approaches meet ADA requirements. If they do not meet ADA requirements, the existing driveways are to be demolished and constructed per SPPWC 110-2.

49. All proposed driveway approaches to be constructed per SPPWC standard plan 110-2.
50. All unused driveways should be closed off with full-height curb, gutter and sidewalk per SPPWC standards.

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

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

53. The applicant must submit plans for water system upgrades to the City of El Segundo Public Works Department for review and approval, including traffic control plans for work in the public right-of-way.

54. The applicant shall verify if separate water meters are to be installed for individual buildings.

55. The proposed improvement will affect the existing sewer main lines. The applicant must submit a sewer study that shows the capacity deficiency in the affected existing sewer lines. Necessary sewer upgrades will be determined once the sewer study is reviewed and approved.

56. Any unused water or sanitary sewer laterals shall be abandoned and properly capped at the City main. The contractor is to obtain necessary permits and licenses, and provide traffic control plans and shoring plans.

57. A grading and drainage plan shall be provided and stamped by a registered civil engineer.

58. Hydrologic and hydraulic calculations shall be submitted to size appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. Refer to the most recent Los Angeles County Hydrology Manual. Instructions and the manual are available at the County website at: http://dwp.lacounty.gov/wrd/Publication/index.cfm. Calculations shall be signed by a registered civil engineer.

59. A utility plan shall be provided that shows all existing and proposed utility lines and their sizes (sewer, water, gas, storm drain, electrical, etc.) including easements, around the project site. The required fees will be determined based upon the information provided on the site plan.
60. All construction-related parking must be accommodated on-site. No construction related parking shall be permitted off-site.

61. The project shall comply with the National Pollutant Discharge Elimination System (NPDES) requirements and shall provide Best Management Practices (BMPs) for sediment control, construction material control and erosion control.

62. The project shall comply with the latest MS4 permit requirements.

63. All record drawings (As-built drawings) and supporting documentation shall be submitted to the Public Works Engineering Division prior to scheduling the project's final inspection.

Miscellaneous Conditions

64. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the El Segundo Municipal Code shall apply.

65. Failure to comply with and adhere to all of these conditions of approval may be cause to revoke the approval of the project by the Planning Commission, pursuant to the provisions of the El Segundo Municipal Code.

66. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City Department, the stricter standard shall apply.

67. The applicant and its successors in interest shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively "Claims") arising out of or in any way relating this project, any discretionary approvals granted by the City related to the development of the project, or the environmental review conducted under California Environmental Quality Act, Public Resources Code Section 21000 et seq., for the project. If the City Attorney is required to enforce any conditions of approval, all costs, including attorney's fees, shall be paid for by the applicant. The Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.

By signing this document, _____________, on behalf of Continental Development Corporation, certifies that he/she has read, understands, and agrees to the Project
Conditions listed in this document.

Name, Title

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}
ATTACHMENT 5
PLANNING COMMISSION STAFF REPORT, DATED JULY 14, 2016
AGENDA DESCRIPTION:
Consideration and possible action regarding approval of Environmental Assessment No. EA-1143, Zone Text Amendment No. ZTA 16-01, Conditional Use Permit No. CUP 16-01, Administrative Use Permit No. AUP 16-01, Adjustment No. ADJ 16-04, and Off-Site Parking Covenant No. MISC 16-05 to:

- Amend certain sections of the El Segundo Municipal Code pertaining to parking standards, site development standards, and open space areas and encroachments;
- Demolish an existing restaurant building, and construct three new buildings to accommodate a bank, a full service restaurant and two high turn-over restaurants;
- Provide a total of 3,700 square feet of outdoor dining;
- Allow the onsite sale and consumption of beer and wine, and alcohol;
- Allow a loading space within the parking lot drive aisle; and,
- Allow 90 of the 177 required parking spaces to be located offsite through a parking covenant.

The Project site is located at 2171-2191 Rosecrans Avenue, in the Urban Mixed Use South (MU-S) Zone (the “Site”).
(Applicant: Continental Development Corporation).

RECOMMENDED PLANNING COMMISSION ACTION: It is recommended that the Planning Commission, open the public hearing and take public testimony on the project; close the public hearing and consider the evidence; and, adopt Resolution No. 2798 recommending that the City Council a) adopt the Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program, and b) approve Environmental Assessment No. EA-1143, Zone Text Amendment No. ZTA 16-01, Conditional Use Permit No. CUP 16-01, Adjustment No. 16-04, and Off-Site Parking Covenant No. 16-05.

ATTACHED SUPPORTING DOCUMENTS:

1. Draft Ordinance
2. Draft Planning Commission Resolution No. 2798
   A. Conditions of Approval
   B. Mitigation Monitoring and Reporting Program
3. Initial Study/Mitigated Negative Declaration
4. Plans

ORIGINATED BY: Eduardo Schonborn, AICP, Contract Senior Planner
REVIEWED BY: Gregg McClain, Planning Manager
REVIEWED BY: Paul Samaras, Principal Planner
APPROVED BY: Sam Lee, Director of Planning and Building Safety
I. INTRODUCTION

The proposed project is a request for a Zone Text Amendment (ZTA 16-01) to amend several sections of the El Segundo Municipal Code ("ESMC") to allow onsite parking to encroach into interior side yard and rear yard setback and landscape areas; to allow outdoor dining areas and outdoor gathering areas to be located within certain setback areas; and modify front and side yard setback requirements. The associated Conditional Use Permit (CUP 16-01) includes a request for 3,700 square feet of total outdoor dining area, which would be provided and distributed for the proposed restaurants. A Master Administrative Use Permit (AUP 16-01) is for the onsite sale and consumption of beer, wine and alcohol at the proposed new restaurants. The Administrative Adjustment (ADJ 16-04) seeks to allow one of the two proposed loading spaces to be along a parking lot drive aisle. Lastly, the proposed project is a request for an Off-Site Parking Covenant (MISC 16-05) to allow 90 of the 177 required parking spaces to be located off-site, in a parking structure located on the abutting property to the north of the project site, which is also owned by the applicant. The project site is located at 2171-2191 Rosecrans Avenue, in the Urban Mixed-Use South (MU-S) zone.

II. BACKGROUND AND DISCUSSION

Background

On January 19, 2016, applications for an Environmental Assessment, Zone Text Amendment, Conditional Use Permit, Administrative Use Permit, Administrative Adjustment and Off-Site Parking Covenant were submitted to the Planning and Building Safety Department for processing. The applications request approval to demolish an existing 8,195 square-foot (gross) restaurant building at 2171 Rosecrans Avenue, and redevelop the site with three new buildings totaling 13,570 square feet (gross) in area and associated parking.

City staff prepared an Initial Study/Mitigated Negative Declaration (IS/MND) in accordance with the California Environmental Quality Act (CEQA) to assess the project’s environmental impacts. On June 23, 2016, a Notice of Intent (NOI) to Adopt the MND was filed with the Los Angeles County Clerk for a posting and review period of at least twenty days (as required by CEQA), and circulated to all appropriate public agencies for comment. Further, the City mailed notices to nine (9) property owners within a 300-foot radius from the subject property, 54 agencies and interested parties, and published the NOI in the El Segundo Herald on June 23, 2016. As of the preparation of this Staff Report, Staff has received no comments in response to the notice.

Project Site and Vicinity

The subject property is a 1.54-acre, rectangular shaped parcel located at 2171-2191 Rosecrans Avenue. The site is located along the north side of Rosecrans Avenue between Apollo Street and Continental Way. The General Plan Land Use designation is Urban Mixed Use South, and is consistently zoned Urban Mixed Use South (MU-S). The property is currently improved with an 8,195 square foot, one-story full-service restaurant
building (known as “Cozymel’s Mexican Grill”), and a surface parking lot with a total of 116 parking spaces onsite. Access to the property is currently provided via two driveways, one along Apollo Street and another along Continental Way (a private street).

The subject site is surrounded by a variety of commercial, office and light manufacturing uses. The surrounding land uses are summarized in Table 1, below:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Parking structure, and office</td>
<td>Urban Mixed Use South (MU-S)</td>
</tr>
<tr>
<td>East</td>
<td>High tech design and manufacturing</td>
<td>Urban Mixed Use South (MU-S)</td>
</tr>
<tr>
<td>South</td>
<td>Manhattan Marketplace commercial center</td>
<td>PD, City of Manhattan Beach</td>
</tr>
<tr>
<td>West</td>
<td>Six-story office, bank and restaurants</td>
<td>Urban Mixed Use South (MU-S)</td>
</tr>
</tbody>
</table>

**Discussion**

**General:** The applicant is proposing to redevelop the subject property, which includes demolishing the existing 8,195 square foot (gross) restaurant building, and constructing three new buildings totaling 13,570 square feet (gross) in area and associated parking. The project would result in a net increase of 5,375 square feet (gross) in floor area. The proposed buildings consist of the following:

- Building A: a new 4,060 square-foot building to accommodate a full service restaurant with a Department of Alcoholic Beverage (ABC) Type 47 license for on-site alcohol sales and consumption, and 1,500 square feet of covered outdoor dining area.
- Building B: a new 6,500 square-foot building to accommodate two, high turnover restaurant uses (fast-food or full-service) each with either an ABC Type 47 license for on-site alcohol sales and consumption or an ABC Type 41 license for on-site beer and wine, and 2,200 square feet of total covered outdoor dining area for the two restaurants.
- Building C: a new 3,010 square-foot building to accommodate a new bank.
- A total of 87 parking spaces will be provided on site, along with two loading spaces to serve the restaurant buildings.

Table 2, on the following page, provides a summary of the project components.
### Table 2
Project Summary

<table>
<thead>
<tr>
<th>Building Areas</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building A (full-service restaurant)</td>
<td>4,060 sf</td>
</tr>
<tr>
<td>Building B (fast-food or full-service restaurant)</td>
<td>3,140 sf</td>
</tr>
<tr>
<td></td>
<td>3,360 sf</td>
</tr>
<tr>
<td>Building C (bank)</td>
<td>3,010 sf</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>13,570 sf</strong></td>
</tr>
</tbody>
</table>

#### Outdoor Dining Areas

<table>
<thead>
<tr>
<th>Building</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building A</td>
<td>1,500 sf</td>
</tr>
<tr>
<td>Building B</td>
<td>2,200 sf</td>
</tr>
<tr>
<td>Building C</td>
<td>--</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3,700 sf</strong></td>
</tr>
</tbody>
</table>

#### Parking Stalls

<table>
<thead>
<tr>
<th>Type</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard (8’6”x18’)</td>
<td>59 stalls</td>
</tr>
<tr>
<td>Compact (8’6”x15’)</td>
<td>20 stalls</td>
</tr>
<tr>
<td>Accessible (9’x18’)</td>
<td>8 stalls</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>87 stalls</strong></td>
</tr>
</tbody>
</table>

(plus, 90 stalls provided off-site on adjacent property through parking covenant)

#### Loading Spaces

<table>
<thead>
<tr>
<th>Type</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Truck (12’X25’)</td>
<td>1 space</td>
</tr>
<tr>
<td>Building A</td>
<td>1 space</td>
</tr>
<tr>
<td>Building B</td>
<td>1 space</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2 spaces</strong></td>
</tr>
</tbody>
</table>

#### Bicycle Parking

| Between Buildings A and B | 4 stalls |
| Between Buildings B and C | 8 stalls |
| **Total**                 | **12 stalls** |

**Access and Parking:** Access to the site will be provided via the two existing driveways, one along Apollo Street and another along Continental Way. A new ingress/egress driveway will be installed along Continental Way to facilitate vehicular access to the site, and to facilitate onsite vehicular circulation.

Based upon the floor areas of the proposed uses and buildings, the project requires a total of 177 parking spaces. A total of 87 parking spaces will be provided onsite, resulting in a deficiency of 90 spaces onsite. To address the onsite parking deficiency, the project includes utilizing an existing multi-level parking structure at 860 Apollo Street,
immediately north of the project site to provide the 90 spaces through an off-site parking covenant. The adjacent property where the parking structure is located is also owned by the Applicant.

**Discretionary Entitlement Applications:**

The project includes discretionary approval for a Zone Text Amendment for properties in the Urban Mixed-Use South (MU-S) Zone, Conditional Use Permit, Master Administrative Use Permit, an Administrative Adjustment, and an Off-Site Parking Covenant. The Zone Text Amendment includes amending several sections of the ESMC, including a) Sections 15-2-14 (Landscaping) and 15-15-5 (Parking Area Development Standards) to allow onsite parking to encroach into interior side yard and rear yard setback areas; b) Section 15-2-7 (Open Space Areas and Encroachments) to allow outdoor dining areas and outdoor gathering areas to be located up to 5-feet from a property line; and, c) Section 15-5F-8 (Site Development Standards) to modify front and side yard setbacks for buildings in the MU-S zone.

The Master Conditional Use Permit includes a request for outdoor dining associated with the proposed restaurant buildings, which cumulatively exceed 20% of the interior dining areas. A total of 3,700 square feet would be provided and distributed for the proposed restaurants. Further, to augment the outdoor dining areas and provide a comfortable eating environment, the applicant is proposing shade structures over these areas.

The Master Administrative Use Permit is for the onsite sale and consumption of alcohol at the restaurants. Specifically, Building A would maintain an ABC Type 47 license for on-site alcohol sales and consumption of alcohol. However, since tenants for restaurant spaces B and C are currently unknown, the Master Administrative Use Permit would allow the user to maintain ABC Type 41 licenses for on-site sales and consumption of beer and wine or ABC Type 47 licenses for on-site alcohol sales and consumption of alcohol.

The Adjustment is to allow one of the two loading spaces to be located along the parking lot drive aisle. The required minimum drive aisle width for 90-degree parking is 25 feet. The project provides for a 14-foot wide drive aisle at the location of the loading space. Importantly, when the loading space is not in use, the drive aisle would comply with the 25-foot minimum width.

The Off-Site Parking Covenant is to allow 90 of the 177 parking stalls to be located off-site, in a parking structure located on the abutting property to the north of the project site, which is owned by the Applicant.

**III. ANALYSIS**

**Zone Text Amendment**

The applicant, Continental Development Corporation owns several properties in the Urban Mixed Use South (MU-S) zone, which combined comprise the Continental Park office and retail/entertainment campus. The applicant is proposing redevelopment of its property at
2171 Rosecrans Avenue, and is requesting a Zone Text Amendment to several sections of
the ESMC relating to setbacks and encroachments in the MU-S zone. The intent of the
requested amendments is to create conditions that allow enhanced building amenities and
outdoor spaces, and to allow additional flexibility for property owners to expand onsite
parking counts in order to make properties in the MU-S zone more attractive to today’s
office, restaurant, retail, and other uses.

The proposed amendment to Section 15-5F-8(D) would result in a reduction in building
setbacks from 30 feet to 20 feet, which would apply to all front yards, except for those
along Rosecrans Avenue. Further, Section 15-2-7(E) of the ESMC currently allows for
encroachments of certain uses and structures into setback areas provided that a 10-foot
setback is maintained. The requested amendment would allow for greater encroachments
and conversely reduce the required setbacks to allow outdoor dining areas and outdoor
gathering areas to be located up to 5 feet from a property line, rather than 10 feet.
Additionally, these areas would be permitted to be covered by non-solid trellises, pergolas,
retractable awnings or other similar non-permanent covers. The proposed amendments
would provide for enhanced building features and amenities, and would bring more
pedestrian activity outside the buildings and closer to the street. The improved appearance,
enhanced building amenities, and more pedestrian-friendly environment would make the
properties more attractive to restaurant, retail and other similar uses.

Lastly, the proposed amendment to Sections 15-2-14(B)(3)(a) and 15-15-5(D)(2) would
allow for parking spaces to encroach further into interior side and rear setbacks on
properties located in the MU-S zone, provided that the corresponding side and rear property
lines do not abut a public or private street or driveway. The ESMC currently allows parking
to encroach up to 50% of the required setback, provided a minimum landscaped setback of
5 feet is maintained. The proposed amendment would allow onsite parking on properties
within the MU-S Zone to encroach up to interior side and rear property lines (zero setback),
provided that the interior side and rear property lines do not abut a public or private street.
The amendment would allow for more flexibility in site planning and layout, but would not
reduce the minimum parking lot landscaping area requirements currently in place.

Zoning Consistency

The following table contains the development standards for the Urban Mixed-Use South
(MU-S), as specified in ESMC Chapter 15-5F.

<table>
<thead>
<tr>
<th>Permitted Uses</th>
<th>Urban Mixed-Use South (MU-S) Zone</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Financial institutions;</td>
<td>Bank, and restaurants with onsite consumption of alcohol and 3,700 sf of outdoor dining. (In compliance)</td>
</tr>
<tr>
<td></td>
<td>Restaurants, and AUP for alcohol;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CUP for outdoor dining when</td>
<td></td>
</tr>
<tr>
<td></td>
<td>exceeding 20% of dining area.</td>
<td></td>
</tr>
<tr>
<td>Lot Area</td>
<td>Minimum 10,000 square feet</td>
<td>Approx. 67,080 square feet. (Existing, complies)</td>
</tr>
<tr>
<td>Building Height</td>
<td>Urban Mixed-Use South (MU-S) Zone</td>
<td>Proposed</td>
</tr>
<tr>
<td>-----------------</td>
<td>----------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td></td>
<td>Maximum 175 feet</td>
<td>27 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(In compliance)</td>
</tr>
<tr>
<td>Building Size</td>
<td>Max size 87,207 square feet</td>
<td>13,570 square feet existing, cumulative.</td>
</tr>
<tr>
<td></td>
<td>(based on 1.3 FAR)</td>
<td>(In compliance)</td>
</tr>
<tr>
<td>Setbacks¹</td>
<td>Front: 30’</td>
<td>Front (Apollo Street): 20’</td>
</tr>
<tr>
<td></td>
<td>Side: 25’</td>
<td>Side: Approx. 67’, 30’ along Rosecrans Ave.</td>
</tr>
<tr>
<td></td>
<td>Rear: 5’</td>
<td>Rear: 25’-11’</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(In compliance)</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Building Perimeter: Minimum</td>
<td>Minimum 5 foot landscape areas around buildings</td>
</tr>
<tr>
<td></td>
<td>horizontal depth of 5 feet around building perimeter.</td>
<td>(In compliance)</td>
</tr>
<tr>
<td></td>
<td>Vehicle Use Area (VUA): Minimum</td>
<td>1,437 square feet of landscaping provided in VUA</td>
</tr>
<tr>
<td></td>
<td>5% of VUA (1,433 sf, based on proposed project)</td>
<td>(In compliance)</td>
</tr>
<tr>
<td>Parking</td>
<td>Per ESMC § 15-15-6, 177 onsite</td>
<td>177 spaces</td>
</tr>
<tr>
<td></td>
<td>spaces required. Offsite parking</td>
<td>(87 stalls provided onsite and 90 stalls provided off-site on adjacent property through parking covenant).</td>
</tr>
<tr>
<td></td>
<td>may be provided through a parking covenant)</td>
<td>(In compliance)</td>
</tr>
</tbody>
</table>

ESMC Section 15-1-1 (Purpose, Title) states that the Zoning Code (Title 15) is the primary tool for implementation of the goals, objectives, and policies of the El Segundo General Plan. Accordingly, the Planning Commission must find that the proposed Zone Text Amendment is consistent with those goals, objectives, and policies. Further, pursuant to the Zoning Code, Chapter 26 (Amendments) of the Zoning Code, in order to recommend City Council approval of the proposed amendments, the Planning Commission must find that the amendments are necessary to carry out the general purpose of Zoning Code. The purpose of this Title, as specified above, is to serve the public health, safety, and general welfare and to provide economic and social advantages resulting from an orderly planned use of land resources. As stated in the proposed Resolution, Planning staff believes that the Planning Commission can make the necessary findings to recommend City Council approval of the proposed amendments.

¹ The Zone Text Amendment associated with the proposed project would reduce the required setback requirements so that the project complies with the proposed setback requirements for the building and the outdoor dining.
Conditional Use Permit

The project includes a request to have three outdoor dining areas for the various restaurants. Because the project proposes a total of 3,700 square feet of outdoor dining area would be provided and distributed for the proposed restaurants, which exceeds 20% of the interior dining areas of the restaurants, and thereby requires approval of a Conditional Use Permit. The project also includes trellises over the outdoor dining areas to enhance and create inviting spaces.

Pursuant to ESMC Section 15-23-4, the Planning Commission is authorized to grant a conditional use permit if it makes the three required findings listed in ESMC Section 15-23-6. The required findings are as follows:

1. The proposed location of the conditional use permit is in accord with the objectives of the Title and the purposes of the zone in which the Property is located.
2. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
3. The proposed conditional use will comply with each of the applicable provisions of this Chapter. The required Conditional Use Permit Findings and facts in support of said findings are outlined in the attached resolution of approval.

Staff believes that there is adequate evidence to support the required Conditional Use Permit findings and is recommending approval of the Conditional Use Permit to allow outdoor dining areas greater than 20% of the restaurants’ dining areas, subject to the conditions of approval listed in Exhibit A of attached Resolution No. 2798. The Planning Commission may consider and impose additional conditions which it deems necessary, if it demonstrates a reasonable relationship between the condition it desires to impose and the project’s impact.

Administrative Use Permit

The project includes a request to serve alcohol in conjunction with the new restaurants, which requires approval of an Administrative Use Permit (AUP). Since a specific tenant has not been identified, the applicant is requesting that the AUP be flexible to allow for either a Type 41 or a Type 47 ABC license. Although both license types allow for on-site consumption, the distinction is that a Type 41 license is for onsite beer and wine, while a Type 47 license is for onsite general alcohol.

In considering an AUP application, ESMC Section 15-22-5.A requires the Planning Commission to make the following five findings in reference to the property and uses under consideration:

1. There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located.
2. The proposed use is consistent and compatible with the purpose of the zone in which the site is located.

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

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

5. In addition to the four findings listed above, before an alcohol-related administrative use permit may be granted, it shall also be found that the State Department of Alcohol Beverage Control has issued or will issue a license to sell alcohol to the applicant.

Staff believes that the required Administrative Use Permit Findings can be made based upon the facts in support of said findings, which are outlined in the attached Resolution. As such, Staff is recommending approval of the Administrative Use Permit, subject to the conditions of approval listed in Exhibit A of attached Resolution No. 2798. The Planning Commission may consider and impose additional conditions which it deems necessary, if it demonstrates a reasonable relationship between the condition it desires to impose and the project’s impact.

**Adjustment**

ESMC Section 15-15-5(N) requires a minimum aisle width of 25 feet to ensure adequate back up and maneuverability for two-way traffic. The proposed project includes locating one of the two required loading spaces within the parking lot drive aisle, resulting in a 14-foot wide drive aisle at the location of the loading space. When the loading space is not in use, the drive aisle would comply with the 25-foot minimum width. Notwithstanding, an Adjustment must be approved to allow any deviation from the loading space requirements. ESMC Section 15-24-4 provides that the following findings be made in order to approve an adjustment:

1. That the proposed adjustment would not be detrimental to the neighborhood or district in which the property is located;
2. That the proposed adjustment is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of his property; and
3. That the proposed adjustment is consistent with the legislative intent of this title (Zoning Code).

Staff believes that the required Adjustment Findings can be made based upon the facts in support of said findings, which are outlined in the attached Resolution. Although 14 feet could not accommodate 2-way traffic, it is sufficient width to maintain limited circulation on a temporary basis, allowing vehicles to continue to maneuver through the parking lot.

Potential impacts would be mitigated through operational conditions that limit the hours of specified in Exhibit A of the attached Resolution. As such, Staff is recommending approval of the Adjustment, subject to the conditions of approval listed in Exhibit A of attached Resolution No. 2798. The Planning Commission may consider and impose additional
conditions which it deems necessary, if it demonstrates a reasonable relationship between the condition it desires to impose and the project’s impacts.

**Off-Site Parking Covenant**

Pursuant to ESMC Section 15-15-3.H, the applicant is requesting an off-site parking covenant for more than 20 spaces. Off-site parking covenants in excess of 20 spaces are subject to Planning Commission review and conditions. The approval of the off-site parking covenant request will bring the proposed parking arrangement into compliance with current City regulations for off-site parking. Ninety (90) off-site parking spaces are requested to be located in the parking structure located on the adjacent property to the north, which is also owned by the owner of the subject property. The Findings for the off-site parking covenant can be made as identified in attached Resolution No. 2798.

**IV. INTER-DEPARTMENTAL COMMENTS**

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

**V. ENVIRONMENTAL REVIEW**

In accordance with the provisions of the California Environmental Quality Act (CEQA), an Initial Study was prepared of the project’s environmental impacts (see attached Draft IS/MND). Although CEQA identifies a number of categorical exemptions that would exempt a proposed project from the preparation of environmental documents, the IS/MND were prepared since the proposed project did not qualify for a CEQA exemption. The IS/MND was prepared by Staff, while the technical studies were prepared by the applicant. The technical studies for the IS/MND included air quality and greenhouse gas modeling, and a traffic impact report. To ensure the adequacy of the technical studies, the City retained Michael Baker International, a consulting firm pre-approved and retained by the City, to conduct a peer review of the technical studies. Michael Baker found that the technical studies were prepared in accordance with industry standards and were adequate for use in the IS/MND document.

As shown in the attached IS/MND (Exhibit “3”), the project will not result in or create any significant impacts, or have less than significant impacts to aesthetics, agriculture and forestry resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, land use, mineral resources, noise, population and housing, public services, recreation, biological resources, cultural resources, and transportation/traffic; and, utilities. However, the Initial Study identified that the project may create potentially significant impacts to hydrology/water quality, air quality, and aesthetics, unless mitigated with appropriate measures. The proposed Resolution, if adopted, recommends the City Council adopt both the MND and the associated Mitigation Monitoring and Reporting Program (MMRP).
VI. RECOMMENDATION

For the foregoing reasons, staff recommend that the Planning Commission adopt Resolution No. 2798 recommending that the City Council a) adopt the Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program, and b) approve Environmental Assessment No. EA-1143, Zone Text Amendment No. ZTA 16-01, Conditional Use Permit No. CUP 16-01, Adjustment No. 16-04, and Off-Site Parking Covenant No. 16-05.
ATTACHMENT 6
PUBLIC COMMENTS
Mr. Eduardo Schonborn  
Contract Senior Planner  
Planning and Building Safety Department  
City of El Segundo  
350 Main Street  
El Segundo, CA 90245

Dear Mr. Schonborn:

Comment Letter for the 2171-2191 Rosecrans Avenue Project

The Sanitation Districts of Los Angeles County (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration for the subject project on June 27, 2016. The proposed project is located within the jurisdictional boundaries of District No. 5. We offer the following comments:

12. UTILITIES AND SERVICE SYSTEMS

1. Explanation of Checklist Judgements, page 60, paragraph 1 of Item 12.a) – The explanation states the project would result in an increase in the site’s wastewater generation, and thus, an increase in the demand for wastewater treatment. Anyone increasing the improvement square footage of a commercial or institutional parcel is subject to pay a connection fee. The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts’ Sewerage System or for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and search for the appropriate link. In determining the impact to the Sewerage System and applicable connection fees, the Districts’ Chief Engineer will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel or facilities on the parcel. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at (562) 908-4288, extension 2727.

2. Explanation of Checklist Judgements, page 60, paragraph 1 of Item 12.a) – Before discharge, the treated wastewater at the Joint Water Pollution Control Plant, wastewater is disinfected with sodium hypochlorite and sent to the Pacific Ocean through a network of outfalls. These outfalls extend a mile and a half off the Palos Verdes Peninsula.
3. **Explanation of Checklist Judgements, page 61, paragraph 2 of Item 12.b, d, e)** – The proposed project results in a net increase of 5,375 square feet of additional floor area, comprised of a 3,010 square foot bank and 2,365 square feet of additional restaurant space. Based on this description, the expected increase in average wastewater flow from the proposed project is 2,967 gallons per day. For a copy of the Districts’ average wastewater generation factors, go to www.lacsd.org. Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1, Loadings for Each Class of Land Use link.

4. **Explanation of Checklist Judgements, page 62, paragraph 2 of Item 12.b, d, e** continued – The Joint Water Pollution Control Plant located in the City of Carson has a capacity of 400 million gallons per day (mgd) and currently processes an average flow of 256.8 mgd.

5. All other information concerning Districts’ facilities and sewerage service contained in the document is current.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Adriana Raza  
Customer Service Specialist  
Facilities Planning Department

AR:ar
July 26, 2016

City of El Segundo Planning and Building
Safety Department
350 Main Street
El Segundo, California 90245
Attn: Eduardo Schonborn

Re: 2171-2191 Rosecrans Avenue
Environmental Assessment No. EA-1143, Zone Text Amendment No. ZTA
16-01, Conditional Use Permit No. CUP 16-01, Administrative Use Permit
No. AUP 16-01, Administrative Adjustment No. ADJ 16-04, and Off-Site
Parking Covenant No. MISC 16-05

Dear Mr. Schonborn:

Thank you for the opportunity to comment on the above referenced project
proposed for construction within the City of El Segundo.

We represent St. Paul Fire and Marine Insurance Company, who is the owner of
the Manhattan Marketplace development, a 113,175 square foot shopping center
located in the City of Manhattan Beach. The client has asked us to offer comments on
their behalf, in order to assure that all possible impacts of the above project are
adequately considered and addressed during the review and approval process
undertaken by the City of El Segundo.

BACKGROUND:

Our client’s shopping center development is located at 1550-1590 Rosecrans
Avenue, Manhattan Beach, which is directly across the street from 2171-2191
Rosecrans Avenue, the address composing the lots where the proposed development
will be located.

Manhattan Marketplace was developed with strict consideration of the parking
requirements for its possible tenants who would occupy the commercial space within
the development. As an example, the initial development of Manhattan Marketplace
restricted the allowable restaurant square footage within the shopping center to ensure
ample on-site parking for all tenants so that none would be disadvantaged when their
patrons visited the development. As I know you are aware, the South Bay has
experienced rather explosive growth over the last two decades and continues to
experience increased demand for densification through the redevelopment of existing
properties, such as the proposed project, which add both square footage and the commensurate increased parking demands that come with densification.

Our client has done extensive study of its development vis a vie parking demands and has found that the Marketplace experiences peak parking demand every Monday through Friday from 11:00 a.m. to 1:30 p.m. All Marketplace parking is consistently utilized by patrons of the businesses located in our client's development during this time of day, often necessitating the patrons to wait for an available parking space. The Manhattan Marketplace also experiences other times where parking spaces are at a premium but the 11:00 a.m. to 1:30 p.m. weekday time frame appears to be the most consistent time where parking availability is most stressed. An informal survey of the area around both our client's development and the proposed redevelopment across Rosecrans Avenue has demonstrated that the Manhattan Marketplace is the last visible non-access controlled free parking lot in the immediate surrounding area. Unfortunately our client's property is already being improperly used by visitors, patrons and employees working in or visiting properties other than the Manhattan Marketplace, to the detriment of the tenant businesses who pay their rent, at least partially, with the understanding that the Marketplace parking will be available for their own patrons and employees.

RESULTS OF PROPOSED PROJECT REVIEW:

Our client has now carefully studied the details of the proposed redevelopment project. They have identified several material concerns regarding the probable adverse impacts the proposed redevelopment project will have on their property as a whole, and, most importantly, the potential adverse impact on their shopping center's parking. A legitimate concern of our client based on the increased size and configuration of the proposed project is the fact that people who work at and/or visit the new project after its completion will view the readily available and easily accessible street level parking at Manhattan Marketplace as more convenient and an easier option for parking as compared to the new project's rooftop parking alternatives (i.e., requiring people to spend the time navigating a parking structure to its top parking deck). Since the new project's ground floor parking is currently reserved for office tenants and Bay Club members and other floors are subject to similar restrictions, the only exception is the rooftop parking which is identified as freely available. (See the attached pictures depicting the current parking sign restrictions). Our client feels it is only equitable and also legally mandated that the new redevelopment project provide for and adequately address the parking impacts directly caused by the increase in useable square footage proposed within the redevelopment of the property.

It is certainly not our client's goal to prevent the development of this project and redevelopment of the property in question, but only to request that appropriate measures are put in place that will ensure that the new tenants, their customers and
their employees use only the allocated parking for the proposed project, either the parking immediately on site or in the adjacent parking structure. As we know you are aware, any proposed new development or redevelopment of existing property is legally required to provide adequate on-site parking based on the uses that the property will enjoy. Here, the redevelopment of the property in question is increasing the usable commercial space by approximately 5,000 square feet and that one of the “solutions” for parking is the utilization of an “off-site” adjacent parking structure that a reasonable person might find to be somewhat inconvenient for the tenants, their patrons and their employees of the proposed project. Our sole desire is to insure that the proposed project meet its obligations for reasonable parking “on-site” for those individuals using the development and that the proposed project not adversely impact parking at the Manhattan Marketplace.

PROPOSED MITIGATION OF PROBABLE PARKING IMPACTS ON THE MANHATTAN MARKETPLACE:

Based on existing parking impacts at the Marketplace from surrounding properties already utilizing our client’s development as a “parking alternative” and a review of the proposed project with its densification over the existing development as well as the lack of adequate “on-site” parking, our client believes that certain mitigation measures need to be put in place to protect their property from parking impacts from the proposed project. The Manhattan Marketplace hereby requests that the City of El Segundo put in place the following mitigation measures to ensure that there are no adverse impacts on the Manhattan Marketplace by the proposed project at 2171-2191 Rosecrans Avenue.

We propose the following mitigation:

1. The parking structure proposed for use by the project must be continually a non-gated structure to make its use as inviting as possible for those utilizing the businesses in the proposed development and be continually available at no cost to anyone who desires to park within the structure.

2. A valet parking system (offered at no cost) should always be operated during the day notwithstanding the proximity of the parking to the property.

3. Designated office parking should be required to use roof top parking.

4. All aspects of the planned 840-880 Apollo office or other/commercial improvements should be included in the current review/approval process.

5. Since multiple building/users are designated to utilize the parking structure, Tenants in all buildings that are designated to utilize the parking
structure with actual parking requirements that exceed the City Code parking requirements should be precluded from leasing spaces in those buildings.

6. Suitable parking signage must be required to ensure that all tenants, patrons and employees park in the correct areas with specific warnings of the consequences of improper off-site parking.

7. Parking restrictions must be imposed and enforced on all tenants (possibly through restrictive parking clauses in the retail leases) ensuring that employees and staff are required to park in the parking structure to insure that the most convenient surface parking is available for patrons of the proposed development.

8. The ingress and egress to the rooftop parking within the structure must be redesigned in an efficient manner to promote easy access to and from the retail/office property. A new stairway leading directly from the rooftop to the retail area must be required.

As you consider the final approval of this project, we seek your assistance to add these straightforward requirements to any other appropriate conditions that the City of El Segundo determines are necessary at this time.

Thank you in advance for your consideration of our proposed mitigation and sensitivity to the concerns of the Manhattan Marketplace.

Very truly yours,

Bruce M. Smiley, for
FREEMAN, FREEMAN & SMILEY, LLP

cc: Mr. Andy Sywak (via email)
   Mr. R. William Inserra
   Ms. Cassandra H. M. Headrick
   Mr. Eric Winquist
PERMIT PARKING IN STRUCTURE ONLY/ALL DAY VISITORS ON ROOF
Violators will be cited, booted or towed at vehicle owners expense CVC 22655-A
SPEED LIMIT 5

PARKING FOR REGISTERED VEHICLES ONLY

ALL OTHERS WILL BE TOWED AWAY AT OWNERS EXPENSE

CVC 22658 ESPD 322-2424
CONTINENTAL DEVELOPMENT 640-1520
ATTACHMENT 7

FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
FINAL
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

2171 – 2191 ROSECRANS AVENUE
(EA 1143, ZTA 16-01, CUP 16-01,
AUP 16-01, ADJ 16-04 AND MISC 16-05)

LEAD AGENCY:
CITY OF EL SEGUNDO
Planning and Building Safety Department
350 Main Street
El Segundo, California 90245
Contacts: Mr. Eduardo Schonborn, AICP
Mr. Paul Samaras
310.524.2380

August 2016
INITIAL STUDY

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3. Contact Person and Phone Number ..................................... 1
4. Project Location ............................................................ 1
5. Project Sponsor’s Name and Address .................................... 1
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7. Zoning ........................................................................... 2
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APPENDICES

A. Air Quality and Greenhouse Gas Emissions Technical Study Traffic Impact Analysis
B. Geotechnical Report
C. SWPPP
D. Traffic Impact Analysis Report

August 2016
INITIAL STUDY

1. Project Title:

2171-2191 Rosecrans Avenue Project

2. Lead Agency Name/Address:

City of El Segundo
350 Main Street
El Segundo, CA 90245

3. Contact Person and Phone Number:

Eduardo Schonborn, AICP, Contract Senior Planner
(310) 524-2312

4. Project Location:

The project site is located in the southeast quadrant of the City of El Segundo, in the County of Los Angeles. Specifically, the site is located at 2171 Rosecrans Avenue, along the north side of Rosecrans between Apollo Street (on the west) and Continental Way (on the east). In greater context, the project site is located two miles south of Los Angeles International Airport (LAX), and approximately 18 miles southwest of Downtown Los Angeles. Regional access to the site is provided via the San Diego Freeway (Interstate 405) located approximately 1.5 mile to the east and Interstate 105 located approximately 1.5 miles to the north.

Assessor's Parcel Number: 4138-011-021

Lot Size: Approximately 67,083 square feet, or ±1.54 acres

Figures: Figure 1 shows the location of the project site in the region, and Figure 2 shows the project site in its local context. Figure 3 is an aerial of the project site.

Site Description: The project site is a ±1.54-acre rectangular shaped parcel of land that is currently developed with an 8,195 square foot, one-story full-service restaurant building (currently named “Cozymel’s Mexican Grill”) and a surface parking lot that provides a total of 116 parking spaces onsite. Access to the project site is provided via two driveways, one along Apollo Street and another along Continental Way (a private street). Figure 4 presents photos of the project site in its existing condition.

5. Project Sponsor’s Name and Address:

Continental Development Corporation
Attn: Tori Reina
2041 Rosecrans Avenue, Suite 200
El Segundo, CA 90245
6. General Plan Designation:

Commercial, Urban Mixed Use South

7. Zoning:

Urban Mixed Use South (MU-S)

8. Proposed Project Description:

Continental Development Corporation (the "Applicant") owns several properties in the Urban Mixed-Use South (MU-S) Zone in the City of El Segundo. These properties comprise the Continental Park office and retail/entertainment campus. The Applicant is proposing redevelopment of its Continental Park property located at 2171 Rosecrans Avenue, which would include demolishing an existing restaurant and constructing three restaurants with outdoor seating/dining areas, and a new bank building. The applicant is requesting approval of Environmental Assessment (EA) No. 1143, Zone Text Amendment (ZTA) No. 16-01, Conditional Use Permit (CUP) No. CUP 16-01, Master Administrative Use Permit (AUP) No. 16-01, Adjustment (ADJ) No. 16-04, and Off-Site Parking Covenant No. MISC 16-05.

The proposed project consists of demolishing the existing 8,195 square foot (gross) restaurant building, and constructing three new buildings totaling 13,570 square feet (gross) in area and associated parking. The project would result in a net increase of 5,375 square feet (gross) in floor area. The three proposed buildings consist of the following:

- Building A: a new 4,060 square foot building to accommodate a full service restaurant with ABC Type 47 license for on-site alcohol sales and consumption, and 1,500 square feet of covered outdoor dining area.
- Building B: a new 6,500 square foot building to accommodate two restaurant uses (fast-food or full-service) each with ABC Type 47 license for on-site alcohol sales and consumption or ABC Type 41 license for on-site beer and wine, and 2,200 square feet of total covered outdoor dining area for the two restaurants.
- Building C: a new 3,010 square foot building to accommodate a new bank.
- A total of 87 parking spaces will be provided on site, along with two loading spaces to serve the restaurant buildings.

Table 1 on the following page provides a summary of the project components.

Access and Parking

Access to the site will be provided via the two existing driveways, one along Apollo Street and another along Continental Way. A new ingress/egress driveway will be installed along Continental Way to facilitate vehicular access to the site, and to facilitate onsite vehicular circulation, resulting in three driveways to the site.

Based upon the floor areas of the proposed uses and buildings, the project requires a total of 177 parking spaces. A total of 87 parking spaces will be provided on site, resulting in a deficiency of 90 spaces on site. To address the onsite parking deficiency, the project includes utilizing an existing multi-level parking structure at 860 Apollo Street, immediately north of the project site to provide the 90 spaces through an off-site parking covenant. The parking structure is owned by the Applicant.
### Table 1
Project Summary

<table>
<thead>
<tr>
<th>Building Areas</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building A (full-service restaurant)</td>
<td>4,060 sf</td>
</tr>
<tr>
<td>Building B (fast-food or full-service restaurant)</td>
<td>3,140 sf</td>
</tr>
<tr>
<td>restaurant space b-1</td>
<td>3,360 sf</td>
</tr>
<tr>
<td>restaurant space b-2</td>
<td></td>
</tr>
<tr>
<td>Building C (bank)</td>
<td>3,010 sf</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>13,570 sf</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Outdoor Dining Areas</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building A</td>
<td>1,500 sf</td>
</tr>
<tr>
<td>Building B</td>
<td>2,200 sf</td>
</tr>
<tr>
<td>Building C</td>
<td>--</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3,700 sf</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking Stalls</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard (8’6”x18’)</td>
<td>59 stalls</td>
</tr>
<tr>
<td>Compact (8’6”x15’)</td>
<td>20 stalls</td>
</tr>
<tr>
<td>Accessible (9’x18’)</td>
<td>8 stalls</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>87 stalls</strong> (plus, 90 stalls provided off-site on adjacent property through parking covenant)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Loading Spaces</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Truck (12’X25’)</td>
<td></td>
</tr>
<tr>
<td>At Building A</td>
<td>1 space</td>
</tr>
<tr>
<td>In Front of Building B</td>
<td>1 space</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2 spaces</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bicycle Parking</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Between Buildings A and B</td>
<td>4 stalls</td>
</tr>
<tr>
<td>Between Buildings B and C</td>
<td>8 stalls</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>12 stalls</strong></td>
</tr>
</tbody>
</table>

*Figure 5* provides a site plan of the proposed project, and *Figure 6* are elevations of the proposed buildings.

**Construction Activities**

Construction of the proposed project is anticipated to be done in one development phase. Construction would start in 2016, and would occur over approximately nine months. Grading would consist of approximately 3,350 cubic yards, consisting of export. Consistent with the City’s Noise Ordinance, construction would occur Monday through Saturday between the hours of 7:00 a.m. and 6:00 p.m.
Discretionary Entitlement Applications

The project includes discretionary approval for a Zone Text Amendment for properties in the Mixed-Use South (MU-S) Zone, Conditional Use Permit, Master Administrative Use Permit, an Administrative Adjustment, and an Off-Site Parking Covenant. The Zone Text Amendment includes amending several sections of the El Segundo Municipal Code. Specifically, amend Section 15-15-5 (Parking Area Development Standards) to allow onsite parking to encroach into interior side yard and rear yard setback areas in the MU-S Zone; amend Section 15-2-7 (Open Space Areas and Encroachments) to allow outdoor dining areas and outdoor gathering areas to be located up to 5-feet from a property line in the MU-S Zone; and amend Section 15-50-8 (Site Development Standards) to modify the front and side yard setback requirements for buildings in the MU-S zone.

The Master Conditional Use Permit includes a request for outdoor dining associated with the proposed restaurant buildings, which cumulatively exceed 200 square feet. A total of 3,700 square feet would be provided and distributed for the proposed restaurants.

The Master Administrative Use Permit is for the onsite sale and consumption of alcohol at the proposed restaurants. Specifically, Building A would maintain an ABC Type 47 license for on-site alcohol sales and consumption of alcohol; users for restaurant spaces B and C are currently unknown. The Master Administrative Use Permit would allow the user to maintain ABC Type 41 licenses for on-site sales and consumption of beer and wine or ABC Type 47 licenses for on-site alcohol sales and consumption of alcohol.

The Administrative Adjustment is to allow one of the two required loading spaces to be located along the parking lot drive aisle, rather than to the side or rear of the building.

The Off-Site Parking Covenant is to allow 90 of the 177 required parking stalls to be located off-site, in a parking structure located on the abutting property to the north of the project site, which is owned by the Applicant.

9. Surrounding Land Uses and Setting:

The surrounding areas are built out, and include the following land uses:

- North: A parking structure on the abutting parcel to the north, owned by the applicant
- East: A high tech design and manufacturer of performance wire, cable and interconnect systems,
- South: A commercial shopping center known as the Manhattan Marketplace, located in the City of Manhattan Beach,
- West: A six-story building, consisting of restaurant, office and bank uses.

Figure 3 presents an aerial photograph of the project site and the surrounding land uses.

10. Required Approvals:

The City as Lead Agency for the Project has discretionary authority over the Project proposal. To implement this Project, the following entitlements are required for the proposed development:

- Zone Text Amendment,
- Conditional Use Permit,
11. Other Public Agencies Whose Approval is Required (e.g., permits, financing approval, or particular agreement):

The City of El Segundo is the lead agency with responsibility for approving the proposed project. At this time, no discretionary public agency approvals are known to be required for the project, other than those required by the City of El Segundo as noted above in section 10.

12. References

The documents listed below are incorporated into this document by reference and are available for review in the Planning and Building Safety Department of the City of El Segundo, which is located in City Hall at 330 Main Street, El Segundo, CA 90245, or as shown in the reference.


Los Angeles County Metro. https://www.metro.net/#. Accessed June 1, 2016


FIGURE 2: LOCAL CONTEXT
FIGURE 3: AERIAL PHOTOGRAPH OF PROJECT SITE
Figure 4: Existing Site Photos

Photo 1: View of project site looking north from Rosecrans Avenue

Photo 2: View of project site looking east from Apollo Street

Photo 3: View of project site looking southwest from Continental Way
FIGURE 6: PROPOSED BUILDING ELEVATIONS
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- Land Use and Planning
- Biological Resources
- Agriculture and Forest Resources
- Population and Housing
- Mineral Resources
- Aesthetics
- Geology and Soils
- Hazards/Hazardous Materials
- Cultural Resources
- Hydrology and Water Quality
- Noise
- Recreation
- Air Quality
- Public Services
- Greenhouse Gas Emissions
- Transportation/Traffic
- Utilities and Service Systems
- Mandatory Findings of Significance

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact!" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact!" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact!" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, Earlier Analysis, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration, Section 15063(c)(3)(D). Earlier analyses are discussed in Section 19, at the end of the checklist, if utilized.
DETERMINATION:

On the basis of this initial evaluation:

☐ I find that the project COULD NOT have a significant effect on the environment, and a
NEGATIVE DECLARATION will be prepared.

☒ I find that, although the proposed project could have a significant effect on the
environment, there will not be a significant effect in this case because the mitigation
measures described on an attached sheet have been added to the project. A MITIGATED
NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an
ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a significant effect(s) on the environment, but at
least one effect (1) has been adequately analyzed in an earlier document pursuant to
applicable legal standards, and (2) has been addressed by mitigation measures based on
earlier analysis as described on attached sheets, if the effect is a “potentially significant
impact” or “potentially significant unless mitigated.” An ENVIRONMENTAL IMPACT REPORT is
required but must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the
environment, there WILL NOT be a significant effect in this case because all potentially
significant effect (a) have been analyzed adequately in an earlier EIR pursuant to
applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR,
including revisions or mitigation measures that are imposed on the proposed project.

Signature: __________________________________________ Date: __________________________

Printed Name: __________________________ For: City of El Segundo

Title: ________________

Director of Planning and Building
Safety
1. LAND USE AND PLANNING

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Physically divide an established community?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c. Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation of Checklist Judgments

1.a) The Project site is bounded by commercial, retail, office and institutional uses, within a developed area of the City. In its existing condition, the project site is developed with an 8,195 square foot full-service restaurant building, which operates as Cozymel's Mexican Grill. The project involves redeveloping the site with 3 buildings that would accommodate a smaller full-service restaurant, two fast-food restaurants and a bank. Further, the project site is designated and zoned as Commercial and Urban Mixed Use-South in the City’s General Plan and Zoning Ordinance, respectively, and no general plan amendment or zone change is required for project implementation. Due to the built-out nature of the surrounding area and the project site, and since all proposed improvements would occur within the property limits, Project implementation would not physically divide an established community. Thus, no impact would occur.

1.b) Development of the proposed project would not conflict with the environmental plans or policies of the City or other agencies. No changes are proposed to the land use designation of the area and the subject site, and the project would offer additional services and uses. The development, as proposed, does not comply with the current development standards of the City’s Zoning Code; specifically, the standards that regulate encroachments of onsite parking into interior side yard and rear yard setback areas in the MU-S Zone, setbacks requirements for outdoor dining areas and outdoor gathering areas, and front and side yard setback requirements for buildings in the MU-S zone. However, the proposed project includes a Zone Text Amendment that would modify the development standards and result in a project that complies with the City’s Zoning Code. The proposed amendments are not found to be inconsistent with the goals and policies of the City’s General Plan, the underlying zoning and land use designations. Further, the City has determined that the amendments would continue to facilitate and expand the commercial opportunities in the MU-S zoning district. As such, there would be a less than significant impact.

1.c) There is presently no adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat
conservation plan in the City. Implementation of the proposed project would not interfere with any current local, regional, or State HCPs or NCCPs. Further, the project site is currently developed with a restaurant use and no agricultural operations or community gardens are conducted on the project site. Therefore, Project implementation would not conflict with any local policies or ordinances relating to habitat or natural community conservation. Therefore, no impact would occur.
2. POPULATION AND HOUSING

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Explanation of Checklist Judgments**

2.a) A project could induce population growth in an area, either directly (through development of new homes and/or businesses) or indirectly (through extension of roads or other infrastructure). No residential uses would be developed as part of the Project. Therefore, the Project would not induce direct population growth in the City through new housing development, nor indirectly since the project site and surrounding areas are developed with urban uses and infrastructure is already in place.

The proposed project involves demolition of an existing 8,195 square foot restaurant, and constructing three restaurants with outdoor seating/dining areas, and a new bank building totaling 13,570 square feet in area, and associated parking. Due to the proposed increase in square footage and uses on the site, the proposed project would generate an increase in the number of employees. However, since the project would result in a net increase in size (5,375 square feet), it is anticipated that the increase in employees would be negligible and would not serve to induce significant population growth either locally or regionally. As such, there would be a less than significant impact.

2.b-c) There is no existing housing on the project site, and project implementation would not displace any housing or persons. Thus, the project would not necessitate the construction of replacement housing elsewhere. As such, there would be no impact.
3. GEOLOGY AND SOILS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>2) Strong seismic ground shaking?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3) Seismic-related ground failure, including liquefaction?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4) Landslides?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b. Result in substantial soil erosion or the loss of topsoil?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d. Be located on expansive soil, as defined in Table 18:1-1-B of the California Building Code (2004), creating substantial risks to life or property?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

This section is based, in part, on the Report of Geotechnical Investigation [for] Proposed Retail Development, (Amec Foster Wheeler Environment & Infrastructure, Inc., December 2, 2015), which is included as Appendix B.

Explanation of Checklist Judgments

3.a.i) The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Act’s main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act requires the State Geologist to establish regulatory zones, known as...
"Alquist Priolo (AP) Earthquake Fault Zones," around the surface traces of active faults and to issue appropriate maps. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically 50 feet). Alquist-Priolo Zone Special Studies Act defines active faults as those that have experienced surface displacement or movement during the last 11,000 years. According to the project’s geotechnical report, the project site is not affected by a State-designated AP Earthquake Fault Zone. Accordingly, no active faults are known to traverse the project site and the project site is not located within or immediately adjacent to the Alquist-Priolo Earthquake Fault Zone. Therefore, Project implementation would not expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault. As such, the proposed project would have no impact related to the rupture of a known earthquake fault.

3.a.ii) As with most locations in Southern California, the project site is susceptible to ground shaking emanating from causative faults during an earthquake. The two faults located nearest the City are the Palos Verdes and Newport-Inglewood Faults. According to General Plan EIR Table 4.1-1, Maximum Credible Earthquake for Selected Southern California Faults, the maximum credible earthquakes along the Palos Verdes and Newport-Inglewood Faults would register 7.0 on the Richter scale. Although located approximately 45 miles northeast of the City, the maximum credible earthquake along the San Andreas Fault, the dominant active fault in California, would register 8.25 on the Richter scale. Seismic activity along these faults, or on any other of the numerous faults in the Southern California area would cause seismic ground shaking in the city, and consequently would be considered during project design.

Numerous controls would be imposed on the project through the permitting process. In general, the City regulates development (and reduces potential seismic and geologic impacts) under the requirements of the 2010 California Building Code (CBC), the Alquist-Priolo Earthquake Fault Zoning Act, local land use policies and ESMC standards, and project specific mitigation measures. As a result, the effects of ground shaking would be sufficiently mitigated for the project since the structures would be designed and constructed in compliance with current building codes and engineering standards. Compliance with the CBC and ESMC would ensure that Project implementation would result in a less than significant impact regarding the exposure of people or structures to potential substantial adverse effects involving strong seismic ground shaking. As such, impacts would be less than significant.

3.a.iii) Liquefaction is a phenomenon in which saturated silt and cohesionless soil below the groundwater table are subject to a temporary loss of strength due to the buildup of excess pore pressure during cyclic stresses induced by an earthquake. These soils may acquire a high degree of mobility and lead to structurally damaging deformations. Liquefaction begins below the water table, but after liquefaction has developed, the groundwater table will rise and cause the overlying soil to mobilize. Liquefaction typically occurs in areas where groundwater is less than 30 feet from the surface and where the soils are composed of poorly consolidated fine- to medium-grained sand. In addition to the necessary soil conditions, the ground acceleration and duration of the earthquake must also be of a sufficient level to initiate liquefaction. According to the Department of Conservation Division of Mines and Geology Seismic Hazard Zones Map, the project site is not within a liquefaction hazard zone as shown on the seismic hazard zone maps for the city (California Geological Survey 1999). Further, according to the geotechnical report, groundwater is anticipated to be deeper than 50 feet below ground surface and the relatively dense soils are not susceptible to liquefaction. Lastly, as indicated above,
numerous controls would be imposed on the project through the permitting process to reduce potential impacts (including geologic impacts) under the requirements of the 2010 California Building Code (CBC). Therefore, project implementation is not anticipated to result in the exposure of people or structures to potential impacts related to seismic ground failure or liquefaction. As such, impacts would be less than significant.

3.a.iv) According to the seismic hazard zone maps for the city (California Geological Survey 1999), the project site is not located within a landslide hazard area. The project site is characterized by relatively flat topography. No unusual geographic features exist on the site or in its vicinity, and thus, the site does not have the potential to slide, or experience sliding from adjacent areas. Therefore, Project implementation would not expose people or structures to landslides. Thus, no impact would occur.

3.b) Project implementation would result in ground-disrupting activities such as excavation and trenching for foundations and utilities; soil compaction and site grading; and the erection of a new structures. During construction of the proposed project, the soils on-site may become exposed for a limited time, allowing for possible erosion. However, the project is required to comply with existing regulations that reduce erosion potential and would be required to comply with all requirements set forth in the National Pollutant Discharge Elimination System (NPDES) permit for construction activities and the regulatory requirements contained in ESMC Chapter 5-4-9. In accordance with the NPDES permitting process requirements, the applicant has prepared a stormwater pollution prevention plan (SWPPP) to be administered throughout project construction. As part of the permitting process, the SWPPP will be submitted for review and approval by the City’s Building Safety Division prior to issuance of a building or grading permit.

Further, the proposed project is required to comply with South Coast Air Quality Management District (SCAQMD) Rule 403, which would reduce the potential for wind erosion by requiring the implementation of dust control measures during construction. Thus, the potential to increase erosion during any construction activity would be effectively mitigated through the required compliance activities. Operation of the proposed project would not cause wind or water erosion or the loss of topsoil. Thus, impacts would be less than significant.

3.c) The project site is level and there are no hillside onsite or in the abutting areas. Further, the project site is not located on a cliff, mountainside, bluff, or other geographic feature with stability concerns. The site is not susceptible to liquefaction, landslide, subsidence, or collapse. Therefore, the proposed project would have no impact related to unstable geologic units or soils.

3.d) The project site is currently developed and has already been subject to extensive disruption, and may contain artificial fill materials. The effects of expansive soils, if any, would be sufficiently mitigated for the project, since the structures would be designed and constructed in conformance with the CBC, ESMC, and engineering standards. Thus, modern engineering practices and compliance with established building standards, including the California Building Code, would reduce any potential impacts to a less than significant level.

3.e) No septic tanks or alternative wastewater disposal systems are proposed as part of the implementation of the proposed development. Since the project site is currently developed, sewer and wastewater infrastructure are currently in place. Further, the site is
connected to the public sewer system. Thus, no impact would occur with regards to sewers or alternative wastewater disposal systems.
# 4. Hydrology and Water Quality

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Violate any water quality standards or waste discharge requirements?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. Otherwise substantially degrade water quality?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>j. Inundation by seiche, tsunami, or mudflow?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
Explanation of Checklist Judgments

4.a, c, f) Section 402 of the federal Clean Water Act requires National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharges from storm drain systems to waters of the United States. The City of El Segundo is a co-permittee in the Los Angeles County storm drain system permit or "municipal permit" (Order No. R4-2012-0175; NPDES No. CAS004001), which was adopted November 8, 2012 and amended June 16, 2015 by the State Water Board (WQ2015-0075).

As a special provision, the Los Angeles County Municipal Permit requires permittees to maintain and implement a Standard Urban Stormwater Mitigation Plan (SUSMP). Development and redevelopment activities that are deemed “priority” projects (based on the type and scale of the project) are further required to develop and implement project-specific SUSMPS or Urban Stormwater Mitigation Plans that identify the specific design features and best management practices (BMPs) that will be implemented for the project and are applicable to the project.

Implementation of the proposed project would be subject to the requirements of the Municipal NPDES Permit (implemented through the SUSMP) and the City’s Municipal Code. Both the Municipal Code and the SUSMP require application of erosion and sedimentation control BMPs during construction for proper water quality management. Erosion control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. BMPs will be specifically identified in the project-specific Wet Weather Erosion Control Plan and designed to prevent erosion and construction pollutants from entering the City’s storm drain and receiving waters. By requiring implementation of a Wet Weather Erosion Control Plan and implementation of BMPs during construction activities, the City is ensuring that these activities would not violate standards or degrade water quality. As part of its normal project approval and construction oversight activities, the City of El Segundo monitors compliance with these requirements.

The Los Angeles County Municipal Permit also requires that stormwater pollution prevention plans (SWPPPs) be prepared for all construction projects with disturbed areas of 1 acre or greater. The statewide NPDES construction permit maintained by the State Water Resources Control Board also requires a SWPPP for construction projects that involve 1 or more acres of land disturbance. The SWPPP is required to outline the best management practices that will be incorporated during construction. These BMPs will minimize construction-induced water pollutants by controlling erosion and sediment, establishing waste handling/disposal requirements, and providing non-stormwater management procedures.

In addition to Section 402, Section 303 of the Clean Water Act requires states to designate uses for all bodies within state boundaries (instate waters) and to establish water quality criteria for those water bodies. Those water bodies that do not satisfy the water quality criteria for their designated uses are identified as impaired. In order to improve the quality of impaired water bodies and thus achieve the water quality criteria, the US Environmental Protection Agency (EPA) requires states to establish Total Maximum Daily Load (TMDL) standards that apply to tributary sources for impaired water bodies.

---

1 Storm drainage systems are described as Municipal Separate Storm Sewer Systems (MS4s) and include streets, gutters, conduits, natural or artificial drains, channels, and watercourses or other facilities that are owned, operated, maintained, or controlled by a permittee and used for purposes of collecting, storing, transporting, or disposing of storm water.
Although the proposed project may result in some alteration of existing drainage patterns, stormwater would continue to be directed toward Apollo Street, and the storm drain system that serves the current project site will remain. The drainage systems connect to local pump stations, and water not retained onsite would be treated prior to entering the storm drain system, which would continue to end up in the Dominguez Channel and discharge to either Santa Monica Bay or San Pedro Bay.

Both construction and operation activities associated with the project could generate additional water pollutants that could adversely affect stormwater quality and the water quality downstream. Construction-related activities can release sediments from exposed soils into local storm drains. In addition, construction waste materials such as chemicals, liquid products, and petroleum products may make their way into local storm drains. However, as indicated above and as required by Mitigation Measure HYD-1, the project would be subject to the requirements of the Municipal NPDES Permit and the City’s Municipal Code. Pursuant to these requirements, best management practices (BMPs) would be instituted to effectively offset these potential sources of water pollution.

Operationally, stormwater or urban runoff from the developed project site could collect sediment, trash, metals, and oils as it flows through the site’s parking lot and other site surfaces. These potential post-construction pollutants would be addressed through treatment control BMPs that would be incorporated into the final site design of the project, as required by Mitigation Measures HYD-1 through HYD-3. These BMPs would be implemented to treat runoff from the proposed project’s new buildings, including roof runoff.

In summary, with the incorporation of Mitigation Measures HYD-1 through HYD-3, the proposed project would not result in significant impacts related to a violation of water quality standards or waste discharge requirements, erosion or siltation, or any other degradation of water quality.

**Mitigation Measure HYD-1:** Prior to issuance of a grading and/or building permit, the City Building Official shall ensure that the project’s construction plans include features meeting the applicable construction activity best management practices (BMPs) and erosion and sediment control BMPs published in the California Stormwater BMP Handbook—Construction Activity or equivalent. If construction activities occur between October 1 and April 15, the project applicant shall prepare and submit a Wet Weather Erosion Control Plan to the City Building Official at least 30 days prior to commencement of construction activities.

**Timing/Implementation:** Prior to issuance of building and/or grading permit

**Monitoring/Enforcement:** El Segundo Planning and Building Safety Department

**Mitigation Measure HYD-2:** As required by Municipal Code Section 5-4-9, prior to issuance of a building and/or grading permit, the project applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City Building Official for review and approval. The SWPPP shall identify the best management practices (BMPs) to be implemented during project operation. The project SWPPP must also demonstrate compliance with the pollutant-specific Total Maximum Daily Load waste load allocations in effect for the downstream watersheds as well as the maximum extent practicable (MEP) standard for other pollutants of concern.

August 2016

2171 – 2191 Rosecrans Avenue
Final Initial Study – Mitigated Negative Declaration

25
Timing/Implementation: Prior to issuance of building permits

Monitoring/Enforcement: El Segundo Planning and Building Safety Department

Mitigation Measure HYD-3: Prior to issuance of a certification of occupancy, the project applicant shall provide the City Building Official with a best management practices (BMP) maintenance plan, consistent with Standard Urban Stormwater Management Plan (SUSMP) requirements, for review and approval.

Timing/Implementation: Prior to issuance of certificate of occupancy

Monitoring/Enforcement: El Segundo Planning and Building Safety Department

As such, with implementation of Mitigation Measures HYD-1 thru HYD-3, impacts would be less than significant.

4.b) The Project site is located within the jurisdiction of the West Basin Municipal Water District (WBMWD). WBMWD purchases imported water from the Metropolitan Water District of Southern California (MWD) and wholesales the imported water to cities and private companies in southwest Los Angeles County, including El Segundo. Water utility service to the Project site is provided by the El Segundo Public Works Department Water Division. WBMWD relies on the following mix of water resources: 21 percent groundwater; 65 percent imported water; seven (7) percent recycled water; and seven (7) percent conservation efforts.

The groundwater supply is extracted from the West Coast Groundwater Basin (Basin), which underlies much of the WBMWD service area including El Segundo. The average amount of water extracted from the Basin is approximately 36,000 acre-feet per year. Because the Basin is adjudicated (i.e., the amount to be extracted each year has been determined by a court decision), the rights to the amount of groundwater extracted each year remain virtually the same. Total adjudicated pumping rights in the Basin remain at approximately 55,000 acre-feet per year. The Water Replenishment District of Southern California (WRD) is responsible for maintaining and replenishing the Basin. Natural replenishment of the Basin’s groundwater supply occurs through the underflow from the Central Groundwater Basin and limited local precipitation. Artificial replenishment of the Basin, which is the responsibility of WRD, occurs through a mix of imported water and recycled water. Groundwater recharge through surface spreading occurs at the following locations: Montebello Forebay Spreading Grounds adjacent to the Rio Hondo and the San Gabriel River; within the unlined portion of the San Gabriel River; and behind the Whittier Narrows Dam in the Whittier Narrows Reservoir.

The project would not install any groundwater wells, and the project would continue to connect to the existing water system. In addition, there are no aquifer conditions or recharge features at the project site or in the surrounding area, which could be affected by excavation or development of the project. Stormwater that percolates into the substrate in the project area remains in the upper layers of soil. Therefore, the proposed project would not physically interfere with any groundwater supplies. Similarly, the proposed project would add a negligible amount of impervious surface to the project site, but would not impede percolation of stormwater into the underlying substrate. Therefore, impacts would be less than significant.
4.d, e) The City's storm water collection system includes catch basins, drainage basins, pumping stations, and force mains. The drainage areas located along of Sepulveda Boulevard and Mariposa Avenue, where the Project site is located, are collected by Los Angeles County Flood Control District and City of El Segundo drainage systems that connect to local pump stations. Water not retained on-site eventually ends up in the Dominguez Channel and discharges to either Santa Monica Bay or San Pedro Bay.

The project would result in a negligible increase of impermeable surfaces, and the proposed conditions would be similar to existing conditions. Additionally, per the requirements of the City's NPDES permit, the Project would be required to meet pre-development hydrologic conditions and retain runoff onsite, typically by providing onsite basins and facilities. Therefore, the proposed project would not result in flooding, would not create runoff that would exceed the capacity of the storm drain system, and would not provide a substantial additional source of polluted runoff. Thus, impacts would be less than significant.

4.g, h, i) According to the General Plan, the project site is not located within the 100-year floodplain boundaries, as identified by the Flood Insurance Rate Maps. Since the project would not be located within a 100-year flood hazard area, development of the proposed project would not expose people or structures to significant flood hazards and would not impede or redirect flood flows. In addition, no levees or dams present flooding risks to the site or surrounding area, and the project site is not located within the City's coastal areas that are subject to coastal storm surges. Thus, there would be no impact.

4.j) The project site is not located near any major bodies of surface water; therefore, impacts from seiche is not expected. A tsunami is a sea wave generated by an earthquake, landslide, volcanic eruption, or even by a large meteor hitting the ocean. An event such as an earthquake creates a large displacement of water resulting in a rise or standing at the ocean surface that moves away from this center as a sea wave. Tsunamis generally affect coastal communities and low-lying (low-elevation) river valleys in the vicinity of the coast. Buildings closest to the ocean and near sea level are most at jeopardy. According to the California Geological Survey Los Angeles County Tsunami Inundation Maps, the Project site is not located within a tsunami inundation area. Thus, there would be no impact.
5. AIR QUALITY

<table>
<thead>
<tr>
<th>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d. Expose sensitive receptors to substantial pollutant concentrations?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>e. Create objectionable odors affecting a substantial number of people?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

PlaceWorks, Inc. prepared an Air Quality and Greenhouse Gas Emissions Study for the proposed project in May 2016. The complete study is contained in Appendix A. The following analysis is based on the results of this study.

The project site is within the South Coast Air Basin (the Basin), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). As the local air quality management agency, the SCAQMD is required to monitor air pollutant levels to ensure that state and federal air quality standards are met and, if they are not met, to develop strategies to meet the standards. Depending on whether or not the standards are met or exceeded, the Basin is classified as being in "attainment" or "nonattainment." The health effects associated with criteria pollutants upon which attainment of state and federal air quality standards is measured are described in Table 2.
Table 2
Health Effects Associated with Criteria Pollutants

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Adverse Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ozone (O₃)</td>
<td>(a) Pulmonary function decrements and localized lung edema in humans and animals; (b) Risk to public health implied by alterations in pulmonary morphology and host defense in animals; (c) Increased mortality risk; (d) Risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (e) Vegetation damage; (f) Property damage</td>
</tr>
<tr>
<td>Carbon monoxide (CO)</td>
<td>(a) Aggravation of angina pectoris and other aspects of coronary heart disease; (b) Decreased exercise tolerance in persons with peripheral vascular disease and lung disease; (c) Impairment of central nervous system functions; (d) Possible increased risk to fetuses</td>
</tr>
<tr>
<td>Nitrogen dioxide (NO₂)</td>
<td>(a) Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; (b) Risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; (c) Contribution to atmospheric discoloration</td>
</tr>
<tr>
<td>Sulfur dioxide (SO₂)</td>
<td>Bronchoconstriction accompanied by symptoms that may include wheezing, shortness of breath, and chest tightness during exercise or physical activity in persons with asthma</td>
</tr>
<tr>
<td>Suspended particulate matter (PM₁₀)</td>
<td>(a) Exacerbation of symptoms in sensitive patients with respiratory or cardiovascular disease; (b) Decline in pulmonary function or growth in children; (c) Increased risk of premature death</td>
</tr>
</tbody>
</table>

Source: SCAQMD 2012 Air Quality Management Plan, February 2013

* More detailed health effect information can be found in the 2012 AQMP Appendix I or the U.S. EPA NAAQS documentation at [http://www.epa.gov/ttn/naaqs/](http://www.epa.gov/ttn/naaqs/)

The Basin is designated as nonattainment for the federal and state one-hour and eight-hour ozone standards, the state PM₁₀ standards, and the federal and state PM₂.₅ standard. Thus, the Basin currently exceeds state and federal ambient air quality standards for these pollutants and is required to implement strategies to reduce pollutant levels to acceptable standards. This non-attainment status is a result of several factors, the primary ones being the naturally adverse meteorological conditions that limit the dispersion and diffusion of pollutants, the limited capacity of the local airshed to eliminate air pollutants, and the number, type, and density of emission sources within the Basin.

The SCAQMD has adopted an Air Quality Management Plan (AQMP) that provides a strategy for the attainment of state and federal air quality standards.

The SCAQMD recommends the use of quantitative thresholds to determine the significance of temporary construction-related pollutant emissions and project operations. These thresholds are shown in Table 3, SCAQMD Air Quality Significance Thresholds.
Table 3
SCAQMD Air Quality Significance Thresholds

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Mass Daily Thresholds</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Operation Thresholds</td>
<td>Construction Thresholds</td>
</tr>
<tr>
<td>NOx</td>
<td>55 lbs/day</td>
<td>100 lbs/day</td>
</tr>
<tr>
<td>ROG(^1)</td>
<td>55 lbs/day</td>
<td>75 lbs/day</td>
</tr>
<tr>
<td>PM(_{10})</td>
<td>150 lbs/day</td>
<td>150 lbs/day</td>
</tr>
<tr>
<td>PM(_{2.5})</td>
<td>55 lbs/day</td>
<td>55 lbs/day</td>
</tr>
<tr>
<td>SOx</td>
<td>150 lbs/day</td>
<td>150 lbs/day</td>
</tr>
<tr>
<td>CO</td>
<td>550 lbs/day</td>
<td>550 lbs/day</td>
</tr>
<tr>
<td>Lead</td>
<td>3 lbs/day</td>
<td>3 lbs/day</td>
</tr>
</tbody>
</table>

\(^1\) Reactive Organic Gases (ROG) are formed during combustion and evaporation of organic solvents. ROG are also referred to as Volatile Organic Compounds (VOC).


In addition to the above thresholds, the SCAQMD has developed Localized Significance Thresholds (LSTs) in response to the Governing Board’s Environmental Justice Enhancement Initiative (1-4), which was prepared to update the CEQA Air Quality Handbook. LSTs were devised in response to concerns regarding exposure of individuals to criteria pollutants in local communities. LSTs represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor, taking into consideration ambient concentrations in each source receptor area (SRA), project size, and distance to the sensitive receptor, etc. However, LSTs only apply to emissions within a fixed stationary location, including idling emissions during both project construction and operation. LSTs have been developed for NO\(_x\), CO, PM\(_{10}\), and PM\(_{2.5}\). LSTs do not apply to mobile sources such as cars on a roadway (SCAQMD, 2003). As such, LSTs for operational emissions do not apply to on-site development, as the majority of emissions would be generated by cars on the roadways.

LSTs have been developed for emissions within areas up to five acres in size, with air pollutant modeling recommended for activity within larger areas. The SCAQMD provides lookup tables for project sites that measure one, two, or five acres. The proposed project involves a 4.87-acre parcel of land and is therefore measured against the five-acre LST threshold for construction emissions. According to the SCAQMD’s publication, Final Localized Significant Thresholds Methodology, the use of LSTs is voluntary, to be implemented at the discretion of local agencies. LSTs for construction on a 2-acre site are provided for receptors at a distance of 82 to 1,640 feet from the project site boundary. According to the SCAQMD’s publication Final Localized Significant (LST) Thresholds Methodology, projects with boundaries located closer than 82 feet to the nearest receptor should use the LSTs for receptors located at 82 feet. The construction thresholds for SCAQMD LSTs is shown below in Table 4, SCAQMD LSTs for Construction.
Table 4
SCAQMD LSTs for Construction (SRA 3)

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Allowable Emissions (lbs/day) from a 2-acre Site as a Function of Receptor Distance from Site Boundary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>25 feet</td>
</tr>
<tr>
<td>Gradual conversion of NOx to NO2</td>
<td>131</td>
</tr>
<tr>
<td>CO</td>
<td>967</td>
</tr>
<tr>
<td>PM_{10}</td>
<td>8</td>
</tr>
<tr>
<td>PM_{2.5}</td>
<td>5</td>
</tr>
</tbody>
</table>


Explanation of Checklist Judgments

5.a) The 2012 Air Quality Management Plan (AQMP) was prepared to accommodate growth, to reduce the high levels of pollutants in the areas under the jurisdiction of the South Coast Air Quality Management District (SCAQMD), and to attain clean air in the region. Projects that are considered consistent with the AQMP would not interfere with attainment of the ambient air quality standards, because this growth is included in the projections used to formulate the plan. Therefore, projects, uses, and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD’s recommended daily emissions thresholds.

A consistency determination with the AQMP plays an important role in local agency project review by linking local planning and individual projects to the AQMP. It fulfills the CEQA goal of informing decision makers of the environmental effects of the project under consideration early enough to ensure that air quality concerns are fully addressed. It also provides the local agency with ongoing information as to whether they are contributing to the clean air goals in the AQMP.

The regional emissions inventory for the SoCAB is compiled by SCAQMD and SCAG. Regional population, housing, and employment projections developed by SCAG are based, in part, on cities’ general plan land use designations. These projections form the foundation for the emissions inventory of the AQMP. These demographic trends are incorporated into the RTP/SCS, compiled by SCAG to determine priority transportation projects and vehicle miles traveled in the SCAG region. The AQMP strategy is based on projections from local general plans. Projects that are consistent with the local general plan are considered consistent with the air quality-related regional plan.

Changes in population, housing, or employment growth projections have the potential to affect SCAG’s demographic projections and therefore the assumptions in SCAQMD’s AQMP. The land uses proposed under the project would be consistent with the types of uses permitted under the “Urban Mixed-Use South” land use designation. Furthermore, only large, regionally significant projects have the potential to affect the regional growth.
projections. The proposed project is not considered a regionally significant project that would warrant intergovernmental Review by SCAG under CEQA Guidelines section 15206. Thus, it would not have the potential to substantially affect the regional growth projections. Additionally, the regional emissions generated by construction and operation of the proposed project would be less than the SCAQMD emissions thresholds, and SCAQMD would not consider the project a substantial source of air pollutant emissions that would have the potential to affect the attainment designations in the SoCAB. Therefore, project impacts would be less than significant.

5.b) The proposed project would generate project-specific temporary construction emissions and long-term operational emissions, which are discussed below.

Construction Emissions

Construction emissions are calculated by estimating the types and number of pieces of equipment that would be used to grade, excavate, and balance fill at the project site and to construct the proposed uses. These are analyzed according to the thresholds established by the SCAQMD. Construction activities associated with the proposed project would temporarily increase vehicle and equipment emissions and would generate particulate matter (dust). Construction equipment on the project site that would generate volatile organic compounds (VOC), nitrogen oxide (NOx), carbon monoxide (CO), and particulate matter could include graders, cement trucks, and loaders. Some of this equipment would be used during grading activities and during construction of the amenities on the project site. This environmental assessment assumes that all construction equipment used would be diesel-powered. Construction of the proposed project is anticipated to start in 2016, occurring over approximately 9 months. Grading would consist of approximately 3,500 cubic yards, which would be exported offsite. Consistent with the City’s Noise Ordinance, construction would occur Monday through Saturday between the hours of 7:00 a.m. and 6:00 p.m.

Emissions for the construction activities were calculated using CalEEMod, a computer program developed by the SCAQMD that calculates emissions for construction and operation of development projects. For on-road vehicular emissions, CalEEMod utilizes the Emission Factor 2014 (EMFAC2014) emission rates developed by CARB. Equipment for each phase of construction activity is based on data provided by the project applicant.

Regional Construction Emissions

Construction activities produce combustion emissions from various sources, such as onsite heavy-duty construction vehicles, vehicles hauling materials to and from the site, and motor vehicles transporting the construction crew. Site preparation activities produce fugitive dust emissions (PM10 and PM2.5) from demolition and soil-disturbing activities, such as grading and excavation. Air pollutant emissions from construction activities onsite would vary daily as construction activity levels change. The proposed project is anticipated to be constructed over one development phase approximately 9 months in duration, starting in 2016 and ending in 2017. Construction air pollutant emissions are based on information provided by Continental Development Corporation. Construction would entail demolition of the existing building and surface parking lot; grading, including 3,350 cubic yards of soil export; construction of the proposed three buildings; architectural coating; landscaping; and asphalt paving. An estimate of maximum daily construction emissions for the proposed project is provided in Table 5, Maximum Daily
Regional Construction Emissions. As shown in this table, construction emissions would be below the SCAQMD thresholds and are therefore less than significant.

<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>Pollutants (pounds per day)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>VOC</td>
</tr>
<tr>
<td><strong>Year 2016</strong></td>
<td></td>
</tr>
<tr>
<td>Building demolition</td>
<td>1</td>
</tr>
<tr>
<td>Building demolition and building demolition debris haul overlap</td>
<td>1</td>
</tr>
<tr>
<td>Building demolition, building demolition debris haul, and asphalt demolition overlap</td>
<td>1</td>
</tr>
<tr>
<td>Building demolition debris haul, asphalt demolition debris haul overlap</td>
<td>1</td>
</tr>
<tr>
<td>Asphalt demolition and asphalt demolition debris haul overlap</td>
<td>1</td>
</tr>
<tr>
<td>Grading</td>
<td>1</td>
</tr>
<tr>
<td>Grading and grading soil haul overlap</td>
<td>2</td>
</tr>
<tr>
<td>Grading, grading soil haul, and utility trenching overlap</td>
<td>3</td>
</tr>
<tr>
<td>Grading soil haul and utility trenching overlap</td>
<td>2</td>
</tr>
<tr>
<td>Utility trenching</td>
<td>1</td>
</tr>
<tr>
<td>Building construction and utility trenching</td>
<td>2</td>
</tr>
<tr>
<td>Building construction</td>
<td>1</td>
</tr>
<tr>
<td>Building construction and architectural coating overlap</td>
<td>3</td>
</tr>
<tr>
<td>Building construction, architectural coating, and finishing/landscaping overlap</td>
<td>4</td>
</tr>
<tr>
<td><strong>Year 2017</strong></td>
<td></td>
</tr>
<tr>
<td>Asphalt paving</td>
<td>2</td>
</tr>
<tr>
<td>Maximum daily emissions</td>
<td>4</td>
</tr>
<tr>
<td>SCAQMD Regional Construction Threshold</td>
<td>75</td>
</tr>
<tr>
<td>Significant?</td>
<td>No</td>
</tr>
</tbody>
</table>


Operational Emissions

Long-term air pollutant emissions generated by the project would be generated by transportation sources (e.g., employee and patron vehicle trips), area sources (e.g., landscape fuel use, aerosols, and architectural coatings), and energy use (natural gas) associated with the proposed buildings. Table 6, Net Maximum Daily Regional Operational Phase Emissions, identifies the criteria air pollutant emissions that would result from implementation of the proposed project. As shown in the table, project-related air
pollutant emissions would be below the SCAQMD thresholds and are therefore less than significant.

Table 6
Net Maximum Daily Regional Operational Phase Emissions (Proposed Project)

<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>Criteria Air Pollutants (pounds per day)</th>
<th>ROG (VOC)</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
<th>PM2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Land Use</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td></td>
<td>1</td>
<td>0</td>
<td>&lt;1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Energy</td>
<td></td>
<td>&lt;1</td>
<td>1</td>
<td>1</td>
<td>&lt;1</td>
<td>&lt;1</td>
<td>&lt;1</td>
</tr>
<tr>
<td>Mobile</td>
<td></td>
<td>3</td>
<td>10</td>
<td>40</td>
<td>&lt;1</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>4</td>
<td>11</td>
<td>40</td>
<td>&lt;1</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Proposed Project</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td></td>
<td>1</td>
<td>0</td>
<td>&lt;1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Energy</td>
<td></td>
<td>&lt;1</td>
<td>1</td>
<td>1</td>
<td>&lt;1</td>
<td>&lt;1</td>
<td>&lt;1</td>
</tr>
<tr>
<td>Mobile</td>
<td></td>
<td>8</td>
<td>23</td>
<td>90</td>
<td>&lt;1</td>
<td>15</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>9</td>
<td>24</td>
<td>91</td>
<td>&lt;1</td>
<td>15</td>
<td>4</td>
</tr>
<tr>
<td>Net Change</td>
<td></td>
<td>(&lt;1)</td>
<td>(&lt;1)</td>
<td>(&lt;1)</td>
<td>0</td>
<td>(&lt;1)</td>
<td>(&lt;1)</td>
</tr>
<tr>
<td>Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy</td>
<td></td>
<td>(&lt;1)</td>
<td>(&lt;1)</td>
<td>(&lt;1)</td>
<td>0</td>
<td>(&lt;1)</td>
<td>(&lt;1)</td>
</tr>
<tr>
<td>Mobile</td>
<td></td>
<td>5</td>
<td>13</td>
<td>51</td>
<td>&lt;1</td>
<td>9</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>5</td>
<td>13</td>
<td>51</td>
<td>&lt;1</td>
<td>9</td>
<td>2</td>
</tr>
<tr>
<td>SCAQMD Threshold</td>
<td></td>
<td>55</td>
<td>55</td>
<td>550</td>
<td>150</td>
<td>150</td>
<td>55</td>
</tr>
<tr>
<td>Exceeds Threshold?</td>
<td></td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>


Fugitive Dust Emissions

Construction activities are a source of fugitive dust (PM10 and PM2.5) emissions that may have a substantial, although temporary, impact on local air quality. These particles are either directly emitted or are formed in the atmosphere from the combustion of gasses such as NOx and SOx combining with ammonia. Fugitive dust emissions are associated with land clearing, excavation, cut and fill, and truck travel on unpaved roadways. Fugitive dust from demolition, grading, and construction is expected to be short-term and would cease upon Project completion.

During construction, the property owner, developer, and contractors are required to comply with regional rules, which assist in reducing short-term construction-related air pollutant emissions. Rule 403 requires that fugitive dust be controlled with the best available control measures to reduce dust so that it does not remain visible in the atmosphere beyond the Project's property line. The applicable control measures target various construction operations such as backfilling, clearing and grubbing, crushing, cut and fill, demolition, earth-moving activities, bulk material import and export, construction staging, stockpiles/bulk material handling, trenching, and loading. These measures
suggest methods such as covering stockpiles with tarps, and the application of water to stabilize materials. Rule 403 also prohibits projects from allowing track-outs to extend 25 feet or more in cumulative length from the point of origin from an active operation. All track-outs are required to be removed at the conclusion of each workday or evening shift. Any project with a disturbed surface area of five or more acres or with a daily import or export of 100 cubic yards or more of bulk materials must utilize at least one of the specified track-out control measures at each vehicle egress from the site to a paved public road. The specified track-out control measures consist of installation of washed gravel pads, paving project ingress/egress, wheel shakers, wheel washing systems, and any other approved control measures.

Implementation of the Mitigation Measures AQ-1 and AQ-2, regarding dust control techniques (e.g., daily watering), limitations on construction hours, and adherence to standard construction practices (watering of inactive and perimeter areas, track-out requirements, etc.), would reduce impacts from fugitive dust to a less than significant level.

Mitigation Measure AQ-1: Prior to issuance of a grading and/or building permit, the Director of Public Works and the Director of Planning and Building Safety must confirm that the Grading Plan, Building Plans, and specifications require that excessive fugitive dust emissions are controlled by regular watering or other dust prevention measures in compliance with SCAQMD’s Rule 403. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts:

- All active portions of the construction site must be watered every three hours during daily construction activities and when dust is observed migrating from the project site to prevent excessive amounts of dust;
- Pave or apply water every three hours during daily construction activities or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas. More frequent watering must occur if dust is observed migrating from the site during site disturbance;
- Any on-site stockpiles of debris, dirt, or other dusty material must be enclosed, covered, or watered twice daily, or non-toxic soil binders must be applied;
- All grading and excavation operations must be suspended when wind speeds exceed 25 miles per hour;
- Disturbed areas must be replaced with ground cover or paved immediately after construction is completed in the affected area;
- Gravel bed trackout aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by rock berm or row of stakes) must be installed to reduce mud/dirt trackout from unpaved truck exit routes;
- On-site vehicle speed is limited to 15 miles per hour;
- All on-site roads must be paved as soon as feasible, watered twice daily, or chemically stabilized;
- Visible dust beyond the property line which emanates from the project must be prevented to the maximum extent feasible;
- All material transported off-site must be either sufficiently watered or securely covered to prevent excessive amounts of dust before departing the job site;
- Reroute construction trucks away from congested streets or sensitive receptor areas;
- Track-out devices must be used at all construction site access points; and
All delivery truck tires must be watered down and/or scraped down before departing the job site.

**Timing/Implementation:** Prior to issuance of grading and/or building permit, and during construction

**Monitoring/Enforcement:** El Segundo Planning and Building Safety Department; project applicant

**Mitigation Measure AQ-2:** All trucks hauling excavated or graded material must comply with Vehicle Code § 23114 regulating the means of preventing such material spilling onto public streets and roads. Compliance with the provision must be required in construction bid documents.

**Timing/Implementation:** During construction

**Monitoring/Enforcement:** El Segundo Planning and Building Safety Department; project applicant

As such, with implementation of Mitigation Measures AQ-1 and AQ-2, impacts associated with fugitive dust would be less than significant.

5.c) The project is located in the South Coast Air Basin, a designated non-attainment area. The project does not represent significant growth, because it includes restaurant and bank uses to serve the current area population. The project would not result in any significant short-term (construction-related) impacts or long-term air quality impacts as indicated above. Therefore, cumulative air quality impacts would be less than significant.

5.d) Sensitive populations (i.e., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than the general population. Land uses considered sensitive receptors typically include residences, schools, playgrounds, child care centers, hospitals, convalescent homes, and retirement homes. Although the Halstrom Academy (school) occupies a tenant space in the existing five-story building across the street from the project site to the west, it is a non-traditional school offering one-to-one classes and flexible scheduling.

Air quality impacts on sensitive receptors are assessed by evaluating the potential for the project to cause localized concentrations of pollutants. Land use development projects, like the proposed project, have the potential to increase pollutant levels at or near the project site during construction. The SCAQMD has developed methodologies for analyzing the potential effects related to localized significance thresholds and carbon monoxide hotspots. The following paragraphs describe and evaluate the project's potential impacts pursuant to the SCAQMD's guidance.

The SCAQMD developed localized significance threshold (LST) methodologies and mass rate look-up tables by source receptor area (SRA) that can be used to determine whether a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or substantially contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard. They are developed based on the ambient concentrations of that pollutant for each SRA. The SCAQMD's LST methodology is described in Final Localized
Significance Threshold Methodology and is based on LST tables published by the SCAQMD (2009); both documents are available on the SCAQMD website.

The LST mass rate look-up tables screening thresholds provided by the SCAQMD allow a determination as to whether the daily emissions for proposed construction or operational activities could result in significant localized air quality impacts. If the calculated on-site emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables, the proposed construction or operation activity is not significant for air quality.

Construction-Phase LSTs

Table 7, Maximum Daily Onsite Localized Construction Emissions, shows the maximum daily construction emissions (pounds per day) generated during onsite construction activities compared with the SCAQMD's LSTs. As shown in the table, maximum daily construction emissions would not exceed the SCAQMD LSTs for NOx, CO, PM10, or PM2.5. Therefore, construction emissions would not exceed the California AAQS, and project construction would not expose sensitive receptors to substantial pollutant concentrations.

<table>
<thead>
<tr>
<th>Source</th>
<th>Pollutants (pounds per day)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NOx</td>
</tr>
<tr>
<td>Building demolition</td>
<td>6</td>
</tr>
<tr>
<td>Building demolition and building demolition debris haul overlap</td>
<td>64</td>
</tr>
<tr>
<td>Building demolition, building demolition debris haul, and asphalt</td>
<td>8</td>
</tr>
<tr>
<td>demolition overlap</td>
<td></td>
</tr>
<tr>
<td>Building demolition debris haul, asphalt demolition, and asphalt</td>
<td>5</td>
</tr>
<tr>
<td>demolition debris haul overlap</td>
<td></td>
</tr>
<tr>
<td>Asphalt demolition and asphalt demolition debris haul overlap</td>
<td>5</td>
</tr>
<tr>
<td>Grading</td>
<td>6</td>
</tr>
<tr>
<td>Grading and grading soil haul overlap</td>
<td>6</td>
</tr>
<tr>
<td>Grading soil haul and utility trenching overlap</td>
<td>4</td>
</tr>
<tr>
<td>Utility trenching</td>
<td>4</td>
</tr>
<tr>
<td>Building construction and utility trenching</td>
<td>13</td>
</tr>
<tr>
<td>Building construction</td>
<td>9</td>
</tr>
<tr>
<td>Building construction and architectural coating overlap</td>
<td>18</td>
</tr>
<tr>
<td>Building construction, architectural coating, and finishing/landscaping</td>
<td>26</td>
</tr>
<tr>
<td>1.00-acre or less LST</td>
<td>91</td>
</tr>
<tr>
<td>Exceeds LST?</td>
<td>No</td>
</tr>
<tr>
<td>Grading, grading soil haul, and utility trenching overlap</td>
<td>10</td>
</tr>
<tr>
<td>1.50-acre or less LST</td>
<td>111</td>
</tr>
<tr>
<td>Exceeds LST?</td>
<td>No</td>
</tr>
</tbody>
</table>

Operational-Phase LSTs

Operation of the proposed project would not generate substantial quantities of emission from onsite, stationary sources. Land uses that have the potential to generate substantial stationary sources of emissions that would require a permit from SCAQMD include industrial land uses, such as chemical processing and warehousing operations where substantial truck idling could occur onsite. The proposed project does not fall within these categories of uses. While operation of the proposed project could result in the use of standard onsite mechanical equipment such as heating, ventilation, and air conditioning units in addition to occasional use of landscaping equipment for project site maintenance, air pollutant emissions generated from these activities would be nominal (see Table 6, Net Maximum Daily Regional Operational Phase Emissions). Therefore, localized air quality impacts related to stationary-source emissions would not expose sensitive receptors to pollutant concentrations.

CO Hotspots

Areas of vehicle congestion have the potential to create pockets of CO called hotspots. These pockets have the potential to exceed the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9.0 ppm. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to ambient air quality standards is typically demonstrated through an analysis of localized CO concentrations. Hotspots are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds. Typically, for an intersection to exhibit a significant CO concentration, it would need operate at level of service (LOS) E or worse without improvements (Caltrans 1997).

A project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal air does not mix—in order to generate a significant CO impact (BAAQMD 2011). The proposed project would generate up to approximately 78 net peak hours trips (Fehr and Peers 2016). Therefore, the proposed project would not produce the volume of traffic required to generate a CO hotspot.

Therefore, the proposed project would not exceed any threshold, and air quality impacts would be less than significant.

5.e) According to the SCAQMD CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The Project does not include any uses identified by SCAQMD as being associated with odors. Additionally, the existing trash receptacles would remain and would continue to be utilized pursuant to ESMC requirements.

During construction-related activities, some odors (not substantial pollutant concentrations) that may be detected are those typical of construction vehicles (e.g., diesel exhaust from grading and construction equipment). These odors are not unusual and do not pose a health risk, and are impacts that are short-term and localized. Overall, the Project would not create objectionable odors affecting a substantial number of people. Therefore, impacts would be less than significant.
### 6. TRANSPORTATION/TRAFFIC

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Result in inadequate emergency access?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Traffic**

The discussion and analysis provided in this section are based on the traffic impact analysis for the proposed project prepared by Fehr and Peers (May 2016, see Appendix D). Trip generation estimates for the project were estimated using standard rates developed in Trip Generation, 9th Edition (Institute of Transportation Engineers [ITE], 2012). Credits for transit, biking and walking were included in the trip generation due to the site's close proximity to several office buildings and retail complexes. Pass-by trip credits were also included in accordance with data from ITE. Credits for the existing land use, CozyMei's Mexican Grill, were also factored into the trip generation estimates.

**6.a) A summary of the trip generation potential of the project is summarized in Table 8, Project Trip Generation Estimates.** As illustrated in Table 8, the project is expected to generate a net increase of 744 daily trips, including 86 trips (47 inbound/39 outbound) during the AM peak hour, and 58 trips (29 inbound/29 outbound) during the PM peak hour.
Table 8
Trip Generation Estimates

<table>
<thead>
<tr>
<th>Existing</th>
<th>Land Use</th>
<th>E&amp;L Land Use Code</th>
<th>Size</th>
<th>Trip Generation Rates (pk)</th>
<th>Estimated Trip Generation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Daily</td>
<td>AM Peak Hour</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Rate</td>
<td>% In</td>
</tr>
<tr>
<td>Quality Restaurant (To be demolished)</td>
<td>911</td>
<td>9,526 ksf</td>
<td>99.95</td>
<td>0.81</td>
<td>49%</td>
</tr>
<tr>
<td>Alternative Mode Credit (5%) (d)</td>
<td>911</td>
<td>9,526 ksf</td>
<td>99.95</td>
<td>0.81</td>
<td>49%</td>
</tr>
<tr>
<td>Pass-By Credit (2%)</td>
<td>911</td>
<td>9,526 ksf</td>
<td>99.95</td>
<td>0.81</td>
<td>49%</td>
</tr>
<tr>
<td>Subtotal</td>
<td>911</td>
<td>9,526 ksf</td>
<td>99.95</td>
<td>0.81</td>
<td>49%</td>
</tr>
<tr>
<td>Existing Trip Credit</td>
<td>911</td>
<td>9,526 ksf</td>
<td>99.95</td>
<td>0.81</td>
<td>49%</td>
</tr>
<tr>
<td>Work in Bank</td>
<td>911 [3]</td>
<td>1,000 ksf</td>
<td>14.45</td>
<td>12.0</td>
<td>57%</td>
</tr>
<tr>
<td>Alternative Mode Credit (15%) (d)</td>
<td>911</td>
<td>9,526 ksf</td>
<td>99.95</td>
<td>0.81</td>
<td>49%</td>
</tr>
<tr>
<td>Pass-By Credit (2%)</td>
<td>911</td>
<td>9,526 ksf</td>
<td>99.95</td>
<td>0.81</td>
<td>49%</td>
</tr>
<tr>
<td>Subtotal</td>
<td>911</td>
<td>9,526 ksf</td>
<td>99.95</td>
<td>0.81</td>
<td>49%</td>
</tr>
<tr>
<td>Quality Restaurant (5%)</td>
<td>911</td>
<td>5,000 ksf</td>
<td>82.65</td>
<td>33.1</td>
<td>83%</td>
</tr>
<tr>
<td>Alternative Mode Credit (15%) (d)</td>
<td>911</td>
<td>5,000 ksf</td>
<td>82.65</td>
<td>33.1</td>
<td>83%</td>
</tr>
<tr>
<td>Pass-By Credit (2%)</td>
<td>911</td>
<td>5,000 ksf</td>
<td>82.65</td>
<td>33.1</td>
<td>83%</td>
</tr>
<tr>
<td>Subtotal</td>
<td>911</td>
<td>5,000 ksf</td>
<td>82.65</td>
<td>33.1</td>
<td>83%</td>
</tr>
<tr>
<td>Proposed</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>High Turnover Restaurant (5%)</td>
<td>912</td>
<td>8,500 ksf</td>
<td>120.25</td>
<td>106.4</td>
<td>93%</td>
</tr>
<tr>
<td>Alternative Mode Credit (15%) (d)</td>
<td>912</td>
<td>8,500 ksf</td>
<td>120.25</td>
<td>106.4</td>
<td>93%</td>
</tr>
<tr>
<td>Pass-By Credit (2%)</td>
<td>912</td>
<td>8,500 ksf</td>
<td>120.25</td>
<td>106.4</td>
<td>93%</td>
</tr>
<tr>
<td>Subtotal</td>
<td>912</td>
<td>8,500 ksf</td>
<td>120.25</td>
<td>106.4</td>
<td>93%</td>
</tr>
<tr>
<td>Gross New Project Trips</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net New Trips</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Fehr and Peers, May 2016

August 2016

2171 – 2191 Rosecrans Avenue
Final Initial Study – Mitigated Negative Declaration
The following six key study intersections were selected for evaluating existing, “existing plus project”, and cumulative projects traffic conditions:

1. Rosecrans Avenue at Sepulveda Boulevard;
2. Rosecrans Avenue at Village Drive;
3. Rosecrans Avenue at Nash Street;
4. Rosecrans Avenue at Apollo Street;
5. Rosecrans Avenue at Douglas Street; and,
6. Rosecrans Avenue at Aviation Boulevard;

According to the City of El Segundo, a project impact would be considered significant and would require mitigation if one of the following conditions is met at a signalized intersection:

- Project-generated trips cause a change in LOS from an acceptable operation (LOS A, B, C, or D to deficient operation (LOS E or F); or,
- Project-generated trips cause an Intersection Capacity Utilization (ICU) increase of 0.02 or more when the “With Project” intersection LOS is at LOS E or F.

Since the study intersections are along Rosecrans Avenue, which serves as El Segundo’s border with the City of Manhattan Beach, all study intersections were also analyzed using the significant impact criteria from the City of Manhattan Beach, which has established the following thresholds of significance:

- A significant impact occurs at a study intersection when the addition of project-generated trips causes an ICU increase of 0.02 while operating at LOS D; or,
- A significant impact occurs at a study intersection when the addition of project-generated trips causes an ICU increase of 0.01 while operating at LOS E or F.

Table 9 summarizes the peak hour level of services results at the six study intersections for existing plus project traffic conditions. Table 9 indicates that the traffic associated with the project would not directly impact any of the six key study intersections, when compared to the LOS standards and significant impact criteria specified above. The intersection of Rosecrans Avenue at Sepulveda Boulevard currently operates at LOS D during AM peak hour and LOS E during PM peak hour, while the intersection of Rosecrans Avenue at Aviation Boulevard currently operates at LOS D during PM peak hour. These intersections are forecast to continue to operate at their respective Levels of Service under “existing plus project” traffic conditions. Further, as illustrated in Table 9, after applying the aforementioned significant impact criteria, it was determined that the ICU increase resulting from the project-related traffic volumes would not exceed the threshold; thus, it was determined that the proposed project would not result in significant impacts to any of the six study intersections.
**2171 - 2191 Rosecrans Avenue Initial Study – Mitigated Negative Declaration**

### Table 9

**Existing and “Existing Plus Project” Intersection Conditions**

<table>
<thead>
<tr>
<th>N/S Street Name</th>
<th>E/W Street Name</th>
<th>Analyzed Period</th>
<th>Existing</th>
<th>Existing + Project</th>
<th>Project Increase in VIC</th>
<th>El Segundo Significant Impact?</th>
<th>Manhattan Beach Significant Impact?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>V/C or Delay</td>
<td>LOS</td>
<td>V/C or Delay</td>
<td>LOS</td>
<td></td>
</tr>
<tr>
<td>Sepulveda Blvd</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.828</td>
<td>D</td>
<td>0.833</td>
<td>D</td>
<td>0.005</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.915</td>
<td>E</td>
<td>0.917</td>
<td>E</td>
<td>0.002</td>
</tr>
<tr>
<td>Village Drive</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.499</td>
<td>A</td>
<td>0.499</td>
<td>A</td>
<td>0.005</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.0640</td>
<td>B</td>
<td>0.643</td>
<td>B</td>
<td>0.003</td>
</tr>
<tr>
<td>Nash Street</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.447</td>
<td>A</td>
<td>0.452</td>
<td>A</td>
<td>0.005</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.518</td>
<td>A</td>
<td>0.521</td>
<td>A</td>
<td>0.003</td>
</tr>
<tr>
<td>Apollo Street</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.525</td>
<td>A</td>
<td>0.543</td>
<td>A</td>
<td>0.018</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.585</td>
<td>A</td>
<td>0.591</td>
<td>A</td>
<td>0.006</td>
</tr>
<tr>
<td>Douglas Street</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.678</td>
<td>B</td>
<td>0.682</td>
<td>B</td>
<td>0.004</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.766</td>
<td>C</td>
<td>0.769</td>
<td>C</td>
<td>0.003</td>
</tr>
<tr>
<td>Aviation Blvd</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.795</td>
<td>C</td>
<td>0.798</td>
<td>C</td>
<td>0.003</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.833</td>
<td>D</td>
<td>0.835</td>
<td>D</td>
<td>0.002</td>
</tr>
</tbody>
</table>

Source: Fehr and Peers, May 2016

---

Table 10, on the following page, summarizes the peak hour level of services resulting from cumulative traffic projections. The cumulative traffic projections reflect growth in traffic from two primary sources, ambient growth in the existing traffic volumes to reflect the effects of overall regional growth both in and outside the study area, and traffic generated by other development projects in the vicinity of the study area. The cumulative project volumes were then added to the project-generated volumes to create the cumulative plus project volumes. Table 10 indicates that traffic associated with a "cumulative plus project" scenario would not reduce the LOS at the study intersections. Further, after applying the aforementioned significant impact criteria, the ICU increases would not exceed the thresholds of significance established by El Segundo and Manhattan Beach.
Table 10
Cumulative and “Cumulative Plus Project” Intersection Conditions

<table>
<thead>
<tr>
<th>N/S Street Name</th>
<th>E/W Street Name</th>
<th>Analyzed Period</th>
<th>Cumulative V/C or Delay</th>
<th>LOS</th>
<th>Cumulative + Project V/C or Delay</th>
<th>LOS</th>
<th>Project Increase in V/C</th>
<th>El Segundo Significant Impact?</th>
<th>Manhattan Beach Significant Impact?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sepulveda Blvd</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.842</td>
<td>D</td>
<td>0.848</td>
<td>D</td>
<td>0.006</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.932</td>
<td>E</td>
<td>0.935</td>
<td>E</td>
<td>0.003</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Village Drive</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.501</td>
<td>A</td>
<td>0.506</td>
<td>A</td>
<td>0.005</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.651</td>
<td>B</td>
<td>0.654</td>
<td>B</td>
<td>0.003</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Nash Street</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.455</td>
<td>A</td>
<td>0.460</td>
<td>A</td>
<td>0.005</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.526</td>
<td>A</td>
<td>0.529</td>
<td>A</td>
<td>0.003</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Apollo Street</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.533</td>
<td>A</td>
<td>0.552</td>
<td>A</td>
<td>0.019</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.595</td>
<td>A</td>
<td>0.601</td>
<td>B</td>
<td>0.006</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Douglas Street</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.589</td>
<td>B</td>
<td>0.693</td>
<td>B</td>
<td>0.004</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.780</td>
<td>C</td>
<td>0.783</td>
<td>C</td>
<td>0.003</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Aviation Blvd</td>
<td>Rosecrans Ave</td>
<td>AM</td>
<td>0.808</td>
<td>D</td>
<td>0.810</td>
<td>D</td>
<td>0.002</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PM</td>
<td>0.847</td>
<td>D</td>
<td>0.848</td>
<td>D</td>
<td>0.001</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

Source: Fehr and Peers, May 2016

Therefore, the LOS analysis for the “Existing plus Project” scenario (using the cities of El Segundo and Manhattan Beach significance criteria) determined that the proposed project would not significantly impact traffic at any of the six study intersections, and would continue to operate at acceptable LOS levels. Further, the LOS analysis for the “Cumulative plus Project” scenario (using the cities of El Segundo and Manhattan Beach significance criteria) determined that the proposed project would not significantly impact traffic at any of the six study intersections. As such, the impacts would be less than significant.

6.b) The purpose of the Congestion Management Program (CMP) is to develop a coordinated approach to managing and decreasing traffic congestion by linking the various transportation, land use, and air quality planning programs throughout the County. The CMP is consistent with that of the Southern California Association of Governments (SCAG). The CMP program requires review of significant individual projects, which might on their own impact the CMP transportation system.

According to the Los Angeles County Metropolitan Transportation Authority (Metro) 2010 CMP Appendix B, Guidelines for CMP Transportation Impact Analysis, a regional CMP-level traffic analysis is required for projects that would add 50 or more weekday peak-hour trips to the nearest monitored CMP intersection (Rosecrans Avenue at Sepulveda Boulevard), or 150 or more peak-hour trips to a monitored freeway mainline segment.

Since the project site is currently developed with a restaurant use, the project is forecast to generate a net increase of 744 daily trips. However, as indicated in Table 8, the net new trips include 47 inbound and 39 outbound trips during the AM peak hour, and 29 inbound and 29 outbound trips during the PM peak hour. Thus, the proposed project is not forecast to add 50 or more peak trips to a CMP arterial monitoring intersection (i.e.,
Rosecrans Avenue at Sepulveda Boulevard). Further, the project is not forecast to add 150 or more trips to a mainline freeway monitoring location during either the AM or PM weekday peak hours. Consequently, no CMP traffic impact analysis is required for the proposed project. As such the impacts would be less than significant.

6.c) Due to the scope, nature, and location of the proposed project, project implementation would not impact any airport facilities and thus would not cause a change in the directional patterns of aircraft. Thus, there would be no impact.

6.d) The proposed project would not introduce any design features such as sharp curves or incompatible uses to the project site that would substantially increase hazards at the site. The project will not alter the existing roadway network, other than to add a new driveway along the private street that services the project site. Thus, there would be no impact.

6.e) Refer to Responses 9.g and 11.a.1. As such, impacts would be less than significant.

6.f) The Project site is served by several public transit opportunities, all located within walking distance of the Project site. Within Los Angeles County, the Los Angeles County Metropolitan Transportation Authority (LACMTA) and Los Angeles Department of Transportation (LADOT) provide public transportation in the area; consequently, the project site is served by several LACMTA Bus Lines with stops located within walking distance. Further, the project site is located within 0.4 mile from the Green Line station (Douglas station). Since the project site is located along Rosecrans Avenue, the site is also served by other transit service providers, such as Beach Cities Transit Line 109. Sidewalks are also provided along all key roadways in the project vicinity, and pedestrian crosswalks with walk lights are provided at signalized intersections in the project area. The proposed project includes new restaurants and a bank building, and includes bicycle parking stations. The project does not include any improvements that would conflict with any policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, and would not otherwise substantially decrease the performance or safety of such facilities. As such, there would be no impact.
7. BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation of Checklist Judgments

7.a) The project site is in a developed, urbanized portion of the city and is not located in an area containing high ecological sensitivity. As previously mentioned, the project site is developed with a restaurant building and surface parking lot. The subject property contains ornamental plantings and turf areas, and similar plantings are expected to be installed on the property at the project's conclusion. Further, there are no natural vegetation, habitat or plant communities present on-site. The property is not in an area designated as critical habitat for any sensitive wildlife species, nor is the area subject to any conservation plans, recovery plans, or similar policies and ordinances. The vegetation and animal species supported in the man-made habitat include species that
are commonly found in urban environments. As a result, **no impact** on biological resources is anticipated.

7.b, c) The project site is in an urban portion of the city. The project site is not located in an area with riparian habitat, wetlands, or any other identified sensitive natural communities. As such, there would be **no impact**.

7.d) The overall project site is a 1.54-acre site that has been permanently altered with the development of the existing restaurant building, parking lot, roads and hardscapes. As a result, the project site does not contain sufficient vegetation to provide for the movement of wildlife species. Movement of wildlife species is further impeded by the developed, urbanized nature of the surrounding area, which includes commercial, office and institutional uses. As such, there would be **no impact**.

7.e) There are no local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance applicable to the project site. Additionally, the Project site does not contain any protected biological resources or tree species that are considered sensitive. Therefore, Project implementation would not conflict with any local policies or ordinances protecting biological resources. As such, there would be **no impact**.

7.f) The Project site is not within the jurisdiction of an adopted Habitat Conservation Plan or Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, Project implementation would not conflict with these or other approved local, regional, or state habitat conservation plans. Thus, **no impact** would occur.
8. MINERAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation of Checklist Judgments

8.a) According to the Final EIR for the City's General Plan, the City is underlain by the El Segundo Oil Field. Seventy-six (76) oil wells have been drilled within the El Segundo Oil Field. However, the project site and abutting properties are fully developed, and there are no operating oil wells on or adjacent to the property. Therefore, project implementation would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Thus, no impact would occur.

8.b) According to the City's General Plan, there are no designated Mineral Resources Zones in El Segundo. Further, the General Plan does not identify the project site as an important mineral resource recovery site. Thus, no impact would occur.
9. HAZARDS AND HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65942.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Explanation of Checklist Judgments**

9.a) A wide variety of products and chemicals that are considered hazardous or toxic are routinely used in households, commercial businesses, and industrial operations and processes. These include cleaning and pool related chlorine products, chemical
fertilizers, herbicides and pesticides, stored fuels and waste oil, and chemical solvents and lubricants.

The project proposes three restaurants (one full-service, and two fast food) and a bank building to replace the existing full-service restaurant. The project also includes a zone text amendment to allow encroachments into certain setbacks within the MU-S zone. The secondary activities that would occur at the restaurants (e.g., building and landscape maintenance) would involve the use of limited quantities of hazardous materials. Cleaning and degreasing solvents, fertilizers, pesticides, and other materials used in the regular maintenance of buildings and landscaping would be utilized by the proposed restaurants and bank. Solid waste, and fats, oils, and greases (FOGs) typically associated with restaurants would be generated. Vehicles accessing the site would contain oil and gasoline to power their engines, which could have the potential to result in minor releases of such substances through drips or leaks. The hazardous materials associated with the restaurants would be similar to those associated with the existing full service Cozymel's Mexican Grill restaurant and parking lot. Due to the nature and scope of the proposed restaurants and bank operations, the project would not be associated with the use or disposal of hazardous materials in reportable quantities. Also, operation of the restaurants and bank would not require the handling of hazardous or other materials that would result in the production of large amounts of hazardous waste.

Lastly, as part of the permitting process, development plans would be reviewed by the El Segundo Fire Department (ESFD) for hazardous material use, safe handling, and storage of materials. If needed, the ESFD would require that conditions be applied to the Project to reduce any potential hazardous material impacts.

As such, the project would result in a less than significant impact.

9.b) The existing restaurant was constructed in 1996. Before 1996, the project site had been developed with other restaurant buildings and uses. The current project includes three restaurants (one full-service, and two fast food) and a bank building to replace the existing full-service restaurant. During Project demolition, construction personnel and the public could be exposed to hazardous substances such as contaminated soils, asbestos containing materials (ACM), or lead based paint (LBP). Disturbing contaminated soils could result in the exposure of construction workers to health or safety risks if previously unidentified contaminated soils are encountered during construction activities. The presence of contaminated soils at the project site is not anticipated since the previous uses that occupied the site do not include uses that would represent a potential environmental threat or impact to the property.

In buildings constructed after 1978, it is unlikely that Lead Based Paint (LBP) and Asbestos Containing Materials (ACMs) are present. The current restaurant building was constructed in 1996. Thus, it is not anticipated that ACMs would be present at concentrations that require their removal in accordance with applicable State and local standards and regulations. Similarly, it is unlikely that LBP is present.

Therefore, Project implementation would create a less than significant impact from hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

As such, the project would have a less than significant impact.
9.c) The Halstrom Academy occupies a tenant space in the existing five-story building across the street from the project site to the west. Halstrom Academy is a non-traditional school offering one-to-one classes and flexible scheduling. As stated in Response 9.a, the project is not anticipated to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, the project would have no impact related to the emission or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of a school.

9.d) The project site is currently developed with a full-service restaurant and a parking lot that was constructed in 1996. Previous uses and buildings include restaurant uses, and an historical records search has not found the site to have been used as a storage site or dump. There are no physical conditions or other information that suggests that the project site contains or has been contaminated with hazardous materials. Since the property is only known to have been used by commercial restaurant uses, there is no known history of hazardous material use, generation, storage, or contamination. Likewise, during a site visit to the subject property, no stained soils, stressed vegetation, abandoned barrels/containers, or other visible conditions were observed that would indicate a potential for hazardous material contamination.

Lastly, the project site is not listed on the Cortese List. According to the State Resources Water Control Board’s (2015) GeoTracker database, no sites within 1,000 feet of the project site are on said list. Further, the California Department of Toxic Substances Control’s (2015) EnviroStor website does not list any hazardous waste or substance site within 0.5 miles of the project site. The project site is not listed on a contamination-related database and does not present an environmental concern to the proposed project. Therefore, the project would have no impact in this regard.

9.e, f) In compliance with legislative requirements, the Los Angeles County Airport Land Use Commission (ALUC) prepared the Los Angeles County Airport Land Use Plan (ALUP) (Revised December 1, 2004). The ALUP provides for the orderly expansion of Los Angeles County’s public use airports and the areas surrounding them. It is also intended to provide for the adoption of land use measures that minimize the public’s exposure to excessive noise and safety hazards. In formulating the ALUP, the Los Angeles County ALUC established provisions for safety, noise insulation, and the regulation of building height within areas adjacent to each of the County’s public airports.

The ALUC adopted planning boundaries for each of the public use airports in Los Angeles County. The planning boundaries delineate areas subject to noise impacts and safety hazards (height restriction areas and approach surface and runway protection zones [RPZ]). Within these boundaries, certain proposed local actions must be submitted to the ALUC for review. The airport influence area maps illustrate the planning boundaries, RPZs, and 65 and 70 CNEL noise contours.

The Project site is located two miles south of LAX. According to the Los Angeles International Airport – Airport Influence Area Map, the Project site is situated outside of the LAX Planning Area Boundary/Airport Influence Area. The Project site is located approximately 2.5 miles west of Hawthorne Municipal Airport (HMA). Therefore, Project implementation would not result in an airport-related safety hazard for people working or visiting the Project site. As such, there would be no impact.

9.g) The El Segundo Standardized Emergency Management System (SEMS) Emergency Operations Plan (EOP) addresses the City’s planned response to extraordinary
emergency situations, and incorporates the Emergency Operations Center (EOC), phone systems, and other infrastructure changes that occurred since the first edition of the Plan was created. The objective of the EOP is to centralize coordination of all necessary personnel and facilities of the City into an organization capable of responding to any emergency. The EOP addresses the four fundamental elements of comprehensive emergency management: 1) Mitigation; 2) Preparedness; 3) Response; and 4) Recovery. The City has also prepared an evacuation plan that identifies routes for evacuations in the event of an emergency. Local access to/from the Project site, which is available via Rosecrans Avenue and Apollo Street, would not be interrupted during the construction phase, since all improvements would occur entirely within the property limits.

The two access driveways that exist on the property would remain accessible to emergency vehicles, which would be augmented with a new third driveway along Continental Way. During the plan check process, the project would be required to obtain approval from the ESFD to verify adequate emergency vehicle access is provided. Additionally, evacuation plans and procedures would be required to be incorporated into building and site design, per ESFD regulations. Therefore, due to the nature and scope of the proposed improvements, project implementation would not impair implementation or physically interfere with the City’s EOP, evacuation plan, or site access by emergency personnel. Thus, no impact would occur.

9.h) The project site is not designated as a "Very High Fire Hazard" area by the California Department of Forestry and Fire Protection. Since the project site is located within an urban area and not adjacent to wildlands, development of the proposed project would not introduce additional landscaping above what is already present on-site. As such, it is not anticipated to create hazardous fire conditions. Thus, no impact would occur.
10. NOISE

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Noise Fundamentals

Noise is generally defined as sound that is loud, disagreeable, or unexpected. The selection of a proper noise descriptor for a specific source is dependent on the spatial and temporal distribution, duration, and fluctuation of the noise. The noise descriptors most often encountered when dealing with traffic, community, and environmental noise include an overall frequency weighted sound level in decibels that approximates the frequency response of the human ear (A-weighted decibels or dBA).

Noise can be generated by a number of sources, including mobile sources, such as automobiles, trucks, and airplanes, and stationary sources, such as construction sites, machinery, and industrial operations. The rate depends on the ground surface and the number or type of objects between the noise source and the receiver. Mobile transportation sources, such as highways, and hard and flat surfaces, such as concrete or asphalt, have an attenuation rate of 3.0 dBA per doubling of distance. Soft surfaces, such as uneven or vegetated terrain, have an attenuation rate of about 4.5 dBA per doubling of distance from the source. Noise generated by stationary sources typically attenuates at a rate of approximately 6.0 to 7.5 dBA per doubling of distance from the source (EPA 1971). Construction noise levels are assumed to average 6 dB of attenuation per doubling of distance from the source.
Sound levels can be reduced by placing barriers between the noise source and the receiver. In general, barriers contribute to decreasing noise levels only when the structure breaks the "line of sight" between the source and the receiver. Buildings, concrete walls, and berms can all act as effective noise barriers. Wooden fences or broad areas of dense foliage can also reduce noise, but are less effective than solid barriers.

**El Segundo General Plan**

The General Plan EIR provides land use compatibility standards for interior and exterior noise. Table 11, Exterior and Interior Compatibility Standards, outlines the compatibility standards for various land uses.

### Table 11

**Exterior and Interior Compatibility Standards**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Ldn (dBA)</th>
<th>Ldn (dBA)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Exterior Noise Standard</td>
<td>Interior Noise Standard</td>
</tr>
<tr>
<td>Residential – single and two family</td>
<td>65</td>
<td>55</td>
</tr>
<tr>
<td>Residential – multiple family</td>
<td>75</td>
<td>55</td>
</tr>
<tr>
<td>Community clubs</td>
<td>75</td>
<td>55</td>
</tr>
<tr>
<td>Schools</td>
<td>75</td>
<td>55</td>
</tr>
<tr>
<td>Parks – Sports oriented</td>
<td>75</td>
<td>75</td>
</tr>
<tr>
<td>Parks – Relaxation oriented</td>
<td>65</td>
<td>55</td>
</tr>
<tr>
<td>Libraries</td>
<td>75</td>
<td>55</td>
</tr>
<tr>
<td>Churches</td>
<td>75</td>
<td>55</td>
</tr>
<tr>
<td>Sanitariums</td>
<td>65</td>
<td>55</td>
</tr>
<tr>
<td>Homes for the aged</td>
<td>65</td>
<td>55</td>
</tr>
<tr>
<td>Commercial Activities</td>
<td>75</td>
<td>75</td>
</tr>
<tr>
<td>Industrial Activities</td>
<td>75</td>
<td>75</td>
</tr>
</tbody>
</table>


**El Segundo Municipal Code**

Based on the Federal and State guidelines, the City established land use standards for noise, which are provided in ESMC Chapter 7-2, Noise and Vibration. The relevant sections of ESMC Chapter 7-2 are presented below.

**ESMC § 7-2-4, Noise Standards.** This Section establishes the standard for commercial and industrial property as 8 dBA above the ambient noise level.

**ESMC § 7-2-10, Exemptions.** According to this Section, the following activities are exempt from the provisions of ESMC Chapter 7-2:

"(D) Construction Noise: Noise sources associated with or vibration created by construction, repair, or remodeling of any real property, provided said activities do not take place between the hours of six o’clock (6:00) P.M and seven o’clock (7:00) AM Monday through Saturday, or at any time on Sunday or a Federal holiday, and provided the noise level created by such activities does not exceed the noise standard of sixty five
(65) dBA plus the limits specified in § 7-2-4C of this Chapter as measured on the receptor residential property line and provided any vibration created does not endanger the public health, welfare and safety."

For construction noise, a "substantial" noise increase can be defined as interference with activities during the day and night. One indicator that construction noise could interfere with daytime activities would be speech interference. As the City does not have quantitative guidelines for construction noise, the following criteria is utilized in the analysis to define relative construction-related noise impacts:

**Speech Interference Criteria.** Speech Interference Level was designed as a simplified substitute for the Articulation Index. As Speech Interference Level does not take the actual speech level into account, the associated masking effect depends upon vocal effort and speaker-to-listener distance. Speech spoken with slightly more vocal effort can be understood well, when the noise level is 65 dBA. A typical building can reduce noise levels by 20 dBA with the windows closed. This noise reduction could be maintained only on a temporary basis in some cases, since it assumes windows would remain closed at all times. Therefore, this analysis utilizes an interior level of 65 dBA as a criterion level for determining significance for construction related activities, in the absence of an adopted specific construction noise related threshold by the City.

The project area is highly urbanized, consisting primarily of commercial uses. The primary noise sources in the project vicinity are urban-related activities (e.g., mechanical equipment, traffic, and parking areas). The noise associated with these sources may represent a single-event noise occurrence, short-term, or long-term/continuous noise.

**Explanation of Checklist Judgments**

10.a) Ground-borne noise and other types of construction-related noise impacts would typically occur during the initial site preparation. Initial site preparation could create the highest levels of noise. However, it is generally the shortest of all construction phases. High ground-borne noise levels and other miscellaneous noise levels can be created by the operation of heavy-duty trucks, backhoes, bulldozers, excavators, graders, pavers, and other heavy-duty construction equipment. Operating cycles for construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be due to random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts).

As shown in Table 12, **Typical Outdoor Construction Noise Levels**, typical construction noise levels, irrespective of construction phase, typically generate noise levels between 77 dBA and 86 dBA at a distance of 50 feet. These noise levels would diminish rapidly or attenuate with distance from the construction site, at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 86 dBA measured at 50 feet from the noise source to the receptor would reduce to 80 dBA at 100 feet from the source to the receptor, and reduce by another 6 dBA, to 74 dBA, at 200 feet from the source to the receptor. As indicated in Table 12, maximum typical construction-related noise levels

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2 Articulation index takes into account that some frequencies are more effective in masking speech than others. The frequency range from 250 to 7000 Hz is divided into 20 bands. The difference between file average speech peak level in each of these bands is calculated and the resulting numbers combined to give a single index.

measured at 100 feet from the project site would be reduced by approximately 6 dBA to approximately 80 dBA and would likely occur during excavation and external finishing work for the project.

### Table 12
Typical Outdoor Construction Noise Levels

<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>Noise Level at 50 feet with Mufflers (dBA L$_{eq}$)</th>
<th>Noise Level at 100 feet with Mufflers (dBA L$_{eq}$)</th>
<th>Noise Level at 150 feet with Mufflers (dBA L$_{eq}$)</th>
<th>Noise Level at 200 feet with Mufflers (dBA L$_{eq}$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Clearing</td>
<td>82</td>
<td>76</td>
<td>70</td>
<td>64</td>
</tr>
<tr>
<td>Excavation/Grading</td>
<td>86</td>
<td>80</td>
<td>74</td>
<td>68</td>
</tr>
<tr>
<td>Foundations</td>
<td>77</td>
<td>71</td>
<td>65</td>
<td>59</td>
</tr>
<tr>
<td>Structural</td>
<td>83</td>
<td>77</td>
<td>71</td>
<td>65</td>
</tr>
<tr>
<td>External Finishing</td>
<td>86</td>
<td>80</td>
<td>74</td>
<td>68</td>
</tr>
</tbody>
</table>


Construction of the project is anticipated to commence in late 2016, for a duration of approximately 9 months. During each stage of construction, there would be a different mix of equipment operating, and noise levels would vary based on the type of equipment in operation and the location of activity. Construction activities are subject to compliance with ESMC § 7-2-10, Exemptions, which prohibits construction between the hours of 6:00 PM and 7:00 AM Monday through Saturday, or at any time on Sunday or a Federal holiday. Furthermore, there are no sensitive receptors in the area that would be impacted by short-term construction noise. As such, impacts would be less than significant.

10.b) Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceivable effects at the lowest vibration levels, to low rumbling sounds and perceivable vibration at moderate levels, to slight damage at the highest levels. Ground-borne vibrations from construction activities rarely reach levels that damage structures.

The Federal Transit Administration (FTA) published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 inch/second) appears to be conservative even for sustained pile driving. Pile driving levels often exceed 0.2 inch/second at distances of 50 feet, and 0.5 inch/second at 25 feet without any apparent damage to buildings. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. The typical vibration produced by construction equipment is detailed in Table 13, *Typical Vibration Levels for Construction Equipment*. As indicated in Table 13, based on the FTA data, vibration
velocities from typical heavy construction equipment that would be used during project construction range from 0.003 to 0.644 inch-per-second peak particle velocity (PPV) at 25 feet from the source of activity.

Ground-borne vibration would be generated due to site clearing and grading activities during construction of the Project. The nearest structures are located approximately 100 feet to the north of the construction area. As demonstrated in Table 13, vibration levels at 100 feet would range from 0.0004 to 0.026 PPV. The anticipated vibration levels would not exceed the 0.2 inch-per-second PPV significance threshold during construction operations at the nearest receptors. It is noted, the 0.2 inch-per-second PPV is a conservative threshold, as it is the construction vibration damage criteria for non-engineered timber and masonry buildings. Buildings within the Project area would be better represented by the 0.5 inch-per-second PPV significance threshold (construction vibration damage criteria for reinforced concrete, steel or timber buildings). Therefore, vibration impacts associated with construction are anticipated to be less than significant.

Table 13
Typical Vibration Levels for Construction Equipment

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Reference peak particle velocity at 25 feet (inches/second)</th>
<th>Approximate peak particle velocity at 100 feet (inches/second)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large bulldozer</td>
<td>0.089</td>
<td>0.011</td>
</tr>
<tr>
<td>Loaded trucks</td>
<td>0.076</td>
<td>0.010</td>
</tr>
<tr>
<td>Small bulldozer</td>
<td>0.003</td>
<td>0.0004</td>
</tr>
<tr>
<td>Jackhammer</td>
<td>0.035</td>
<td>0.004</td>
</tr>
<tr>
<td>Vibratory compactor/roller</td>
<td>0.210</td>
<td>0.026</td>
</tr>
</tbody>
</table>

Notes:
2 – Calculated using the following formula:

\[ PPV_{eq} = PPV_{ref} \times (25/D)^{1.5} \]

where:
- \( PPV_{eq} \) = the peak particle velocity in inches per second of the equipment adjusted for the distance
- \( PPV_{ref} \) = the reference vibration level in inches per second from Table 12-2 of the FTA Transit Noise and Vibration Impact Assessment Guidelines
- \( D \) = the distance from the equipment to the receiver

The project will require site preparation and construction activities. There are no sensitive receptors in the area, and construction would occur during the days and hours permitted by the City’s Development Code. As such, due to the project site location, which is within an urbanized area with no sensitive receptors, impacts would be less than significant.

10.c) The project itself will not result in any substantial permanent increase in ambient noise levels above levels existing without the project. The project site is located within an urbanized area, and is currently developed with a restaurant and associated parking. The project will introduce two additional buildings to the site with similar or less intense uses. However, although the project would introduce outdoor dining areas, any increase to the ambient noise level would be negligible. Construction noise would be temporary.

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5 Ibid.
and would not result in an increase to the ambient noise level for the site and the area (also see Response 10.a). As such, impacts would be less than significant.

10.d) See Response 10.a) and Response 10.b). Thus, impacts would be less than significant.

10.e) Although the project site is located two miles south of LAX, the site is not located in the LAX airport land use plan. Therefore, project implementation would not expose people residing or working in the project area to excessive noise levels.

The project site is located two miles south of LAX. According to the Los Angeles International Airport - Airport Influence Area Map, the project site is not located within the LAX planning boundaries, which include the 65 and 70 CNEL noise contours. Additionally, the project site is located approximately 2.5 miles west of Hawthorne Municipal Airport (HMA). According to the Hawthorne Municipal Airport - Airport Influence Area Map, the project site is not located within the HMA planning boundaries. Therefore, project implementation would not expose people working in or visiting the data center to excessive airport-related noise levels. As such, impacts would be less than significant.

10.f) The project site is not located in the vicinity of a private airstrip. Exposure of people residing or working in the project site to excessive noise levels is not anticipated as a result of project implementation. Thus, there would be no impact.
### 11. PUBLIC SERVICES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i) Fire protection?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>ii) Police protection?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>iii) Schools?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>iv) Parks?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>v) Other public facilities?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Explanation of Checklist Judgments**

**11.a.i)** The City of El Segundo Fire Department (ESFD) provides fire protection and emergency medical services to the project area. The fire department currently has 43 sworn personnel, and five civilian employees. The City is divided into two districts for fire response, with Sepulveda Boulevard as the dividing line. Station 1 responds to calls west of Sepulveda Boulevard and Station 2 east of Sepulveda Boulevard. The Project site is within Station 2's fire response district. Station 2 is located at 2161 El Segundo Boulevard, approximately 1.7 miles from the project site. Station 1 (Headquarters at the Civic Center Complex) is located at 314 Main Street, approximately 3 miles from the project site. Depending on the nature or size of the alarm, units will cross over into the other district to assist. The fire stations include two fire engines, one fire truck, two paramedic rescues, one battalion chief's command vehicle, and one type-1 heavy level urban search and rescue unit. There are 14 Firefighters on duty 24 hours a day, seven days a week. Each shift consists of one Battalion Chief; four Captains; four Engineers, five Paramedics, and five Firefighters.

Generally, the need for new facilities is based on the time it takes for a station to respond to an incident. The fire department seeks a response time goal of between five and eight minutes to minimize structural loss. According to the General Plan EIR, the stations have an average response time of two minutes for the City's residential areas, and slightly less than four minutes for commercial/industrial areas. Because both stations are within 3 miles from the project site, response times are expected to continually be less than the response time goal of between five and eight minutes. Although there could be an increase demand on existing fire services and facilities as a result of increasing the patrons at the project site, the proposed project is already developed with a restaurant.
and the project is not anticipated to increase service ratios, response times, or other performance objectives to the extent that new or physically altered fire facilities would be required.

Lastly, the Fire Department has review and approval authority over building plans in subsequent phases of construction design to ensure adherence with fire department regulations and requirements. As such, impacts on fire protection serves are anticipated to be less than significant.

11.a.ii) The City of El Segundo Police Department provides police protection in the City. The ESPD’s headquarters are located at 348 Main Street at the Civic Center Complex. The Project site is located in the East Command, which includes the area east of Sepulveda Boulevard. ESPD is staffed by a total of 55 sworn officers and 29 administrative personnel, and 15 volunteers. Based on the City’s January 2016 population estimate of 16,646 persons and 55 sworn personnel, the department operates at a ratio of one sworn police officer per 302 persons. While the project may increase the number of visitors to the area, any anticipated increase in calls for law enforcement services would be negligible and the police department has sufficient facilities to handle any anticipated increase in such calls. Thus, development of the proposed project is not expected to substantially affect police protection needs or service ratios, and would not result in the need for new or physically altered police facilities. As such, impacts would be less than significant.

11.a.iii) The project site is located within the El Segundo Unified School District, which provides kindergarten through 12th grade public education services in El Segundo. Since the project involves construction of three new restaurants and a bank building, project implementation would not result in an increase in the district’s student population; thus, the project would not result in the need for construction of new school facilities or the alteration of existing facilities. As such, impacts would be less than significant.

11.a.iv) The Project does not propose new or physically altered parks or recreational facilities. Project implementation would not involve residential development, thus, would not generate a demand for park facilities through new residential development. Conversely, project implementation would not generate a significant demand for park facilities or increase the use of existing facilities, as a result of the new employees, since by nature, the work place would offer the new employees minimal opportunity for use of the City’s existing recreational facilities. Project implementation would result in a less than significant impact.

11.a.v) Library services for the Project area are provided by the El Segundo Public Library located at 111 West Mariposa Avenue. The Project does not propose new or physically altered library facilities. Project implementation would not involve residential development, thus, would not generate a significant demand for new or physically altered library facilities. Project implementation would result in a less than significant impact to library facilities. Thus, impacts would be less than significant.

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6 Telephone Communication: Randall, Margie, Executive Assistant to the Chief of Police, El Segundo Police Department, May 16, 2016.
12. UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control board?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider's existing commitments?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>f. Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>g. Comply with federal, state, and local statutes and regulations related to solid waste?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Explanation of Checklist Judgments**

12.a) The proposed demolition and redevelopment of the project site will result in a net increase in the floor area on the project site by 5,375 square feet. Further, the proposed redevelopment would introduce two additional restaurant uses and a bank, which would result in an increase in visitors to the project site. Consequently, the project would result in an increase in the site’s wastewater generation, and thus, an increase in the demand for wastewater treatment. The wastewater generated by the project would be treated by Los Angeles County Sanitation District No. 5 at its Joint Water Pollution Control Plant (JWPCP), located at 24501 South Figueroa Street in the City of Carson. The facility provides both primary and secondary treatment for approximately 275 million gallons daily of wastewater. Before discharge, the treated wastewater is disinfected with sodium hypochlorite and sent to the Pacific Ocean through a network of outfalls. These outfalls extend a mile and a half two miles off the Palos Verdes Peninsula to a depth of 200 feet.
The JWPCP must comply with its current National Pollutant Discharge Elimination System (NPDES) Permit, which regulates its discharges. Specifically, the California Regional Water Quality Control Board, Los Angeles Region, adopted the Waste Discharge Requirements (WDRs) and NPDES Permit – Joint Outfall System, Joint Water Pollution Control Plant (NPDES Permit No. CA0053813, CH-758) on September 1, 2011.

Due to the nature and scope of the proposed development, the project would not alter the JWPCP’s wastewater inlet or discharge characteristics. The JWPCP would continue to be subject to compliance with its NPDES Permit, which is administered subject to the requirements and limitations of the NPDES program and enforced by the LARWQCB. Therefore, the wastewater generation attributed to the project would not cause the JWPCP to exceed LARWQCB wastewater treatment requirements.

The proposed project is consistent with the site’s General Plan land use designation. General Plans are used by the RWQCB when issuing NPDES permits. Therefore, it is not anticipated that the proposed project would result in wastewater treatment requirements being exceeded. The region’s existing wastewater facilities are designed to treat domestic sewage and to accommodate the level of growth anticipated in local general plans. The proposed project is consistent with the existing City of El Segundo zoning and General Plan land use designations for the project site. Therefore, the proposed project would not generate wastewater in a manner that would exceed the wastewater treatment requirements of the Regional Water Quality Control Board. As such, implementation of the project would have a less than significant impact upon wastewater treatment requirements.

12.b. d. e) The project site is located within the jurisdiction of the West Basin Municipal Water District (West Basin). West Basin relies on the following mix of water resources: 21% groundwater; 65% imported water; 7% recycled water; and 7% conservation efforts. In compliance with legislative requirements, West Basin prepared the West Basin Municipal Water District 2010 Urban Water Management (UWMP), and has recently completed a draft 2015 UWMP. The UWMP details how West Basin manages their water supplies and demands under all hydrology conditions. The UWMP also demonstrates how West Basin proposes to meet their service area’s retail demands over the next 25 years and provide long-term water reliability. According to draft 2015 UWMP Table 3-1, Historic Water Demand per West Basin Retail Agency (AF), the City reduced its demand by 3% in the last five years relative to the period 2006-2010. The UWMP concluded that West Basin does not anticipate any shortages and will be able to provide reliable water supplies under both single dry year and multiple dry year conditions.

The proposed project would result in a net increase of 5,375 square feet of additional floor area, comprised of a 3,010 square foot bank and 2,365 square feet of additional restaurant space. Based on County Sanitation Districts’ Table 1, Loadings for Each Class of Land Use link, a water demand factor of 200 gallons per day per 1,000 square feet of office space, the project would generate an additional water demand of approximately 2,967.1404 gallons per day. Considering the overall water usage in the City, the net increase would be negligible, and West Basin does not anticipate any shortages and will be able to provide reliable water supplies under both single dry year and multiple dry year conditions.

7 Water Supply Assessment, El Segundo South Campus Specific Plan. RBF Consulting, April 2013.
Wastewater generated by the project would be treated at the Joint Water Pollution Control Plant located in Carson, which has a design capacity of 400,385 mgd and currently processes an average flow of 256,290.5 mgd. With the proposed project, it is expected that there will be a negligible increase, which would not impact the design capacity of the JWPCP. Thus, the project is not anticipated to result in a need for new or substantial alternations to the existing sewer system due to the limited amount of additional sewage that would generated by the project.

Lastly, a formal water supply assessment is not required for the project, because the project's increase in water demand resulting from the net increase in floor area would be far less than the amount of water required by a 500-dwelling unit project, which is the study threshold established in Water Code Section 10912(a)(7). Thus, impacts would be less than significant.

12.c) Existing storm drain facilities are anticipated to be adequate to accommodate project flows as discussed more fully in subsection 4, Hydrology and Water Quality, of this Initial Study. Thus, impacts would be less than significant.

12.f) Solid waste from the project site would continue to be serviced by multiple refuse disposal facilities, including twelve landfills, gas-to-energy/refuse-to-energy facilities, material recovery facilities, and various recycling facilities and transfer stations. In 2014, the City of El Segundo produced approximately 39,762.26 tons of solid waste, as reported to California Department of Resources Recycling and Recovery (CalRecycle 2014). The majority of this waste, 37.5 percent, was taken to the Sunshine Canyon City/County Landfill, which has a cease operations date of December 31, 2037. All other area landfills have a cease operations date beyond the year 2019. With the proposed project, it is expected that there will be a negligible increase in solid waste production; however, based on the information, landfills would have sufficient remaining capacities to absorb the solid waste increase resulting from the proposed project.

Table 14
City of El Segundo Solid Waste Disposal – 2014

<table>
<thead>
<tr>
<th>Destination Facility</th>
<th>2014 City Tonnage to Facility</th>
<th>Permitted Maximum Capacity (million cubic yards)</th>
<th>Remaining Capacity (Million Cubic Yards) (survey date)</th>
<th>Cease Operations Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Avenue Disposal Site</td>
<td>--</td>
<td>32.700</td>
<td>20.400 (n/a)</td>
<td>08/31/2031</td>
</tr>
<tr>
<td>Antelope Valley Public Landfill</td>
<td>84</td>
<td>--</td>
<td>20.400 (04/14/2011)</td>
<td>01/01/2042</td>
</tr>
<tr>
<td>Azusa Land Reclamation Co. Landfill</td>
<td>310</td>
<td>80.571</td>
<td>51.512 (09/30/2012)</td>
<td>1/1/2045</td>
</tr>
<tr>
<td>Chemical Waste Management</td>
<td>1,358</td>
<td>18.400</td>
<td>17.468 (11/19/2010)</td>
<td>01/01/2030</td>
</tr>
<tr>
<td>Chiquita Canyon Sanitary Landfill</td>
<td>1,041</td>
<td>63.900</td>
<td>0.606 (03/31/2016)</td>
<td>11/24/2019</td>
</tr>
<tr>
<td>Commerce Refuse-to-Energy</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>El Sobrante Landfill</td>
<td>8,616</td>
<td>184.930</td>
<td>145.530 (4/6/2009)</td>
<td>1/1/2045</td>
</tr>
</tbody>
</table>

August 2016

2171 – 2191 Rosecrans Avenue
Final Initial Study – Mitigated Negative Declaration
Lastly, it should also be noted that the City has completed a comprehensive Source Reduction and Recycling Element (SRRE) in compliance with Assembly Bill (AB) 939, which requires every city in California to reduce the waste it sends to landfills. As of 2006, the City was recycling 84 percent of its solid waste, thereby complying with the standards established by AB 939. As such, impacts related to solid waste disposal facilities would be less than significant.

12.g) The project would be required to comply with adopted programs and regulations pertaining to solid waste. Thus, participation in the City’s recycling programs during construction and operation would ensure that the Project would not conflict with federal, state, and local statutes and regulations related to solid waste. As such, there would be a less than significant impact in this regard.
13. AGRICULTURE AND FOREST RESOURCES

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Result in the loss of forest land or conversion of forest land to non-forest use?</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Examination of Checklist Judgments

13.a) The project site is currently developed with a restaurant and surface parking, and the site is located in a fully developed and urbanized area in El Segundo. Further, the site is not located adjacent to or near any land used for agricultural purposes. Since the site is fully developed with a restaurant and parking lot, the site is not used for agricultural purposes. Lastly, the project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. As such, there would be no impact to farmland.

13.b-d) The Project site is zoned Urban Mixed Use South (MU-S), designated Commercial, and is not part of a Williamson Act Contract. Surrounding lands to the north, east and west
within the City of El Segundo are zoned Urban Mixed Use South (MU-S), while the lands to the south within the City of Manhattan Beach are developed as a commercial shopping center and zoned Planned Development (PD) and Industrial Park (IP). The project site and the surrounding areas are developed and there are no forest land onsite or in the area. Consequently, project implementation would not conflict with existing zoning for agricultural use or a Williamson Act contract, nor would it cause rezoning of forest land, timberland, or timberland zoned Timberland Production. As such, there would be no impact to agricultural zoning, forest land, or timberland uses.

13.e) The Project site is developed with a restaurant and surface parking, and there are no agricultural or forest uses in the vicinity. Therefore, project implementation would not involve changes in the existing environment that could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. As such, there would be no impact.
14. AESTHETICS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Have a substantial adverse effect on a scenic vista?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Substantially damage scenic resources, including, but not limited to, trees,</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>rock outcroppings, and historic buildings within a state scenic highway?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Substantially degrade the existing visual character or quality of the site and</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>its surroundings?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Create a new source of substantial light or glare, which would adversely</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>affect day or nighttime views in the area?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Explanation of Checklist Judgments

14.a) The project site is located in a predominantly urbanized area of the City, with a mix of commercial, retail and office uses. General Plan Exhibit C-10 (Master Plan of Streets) identifies Rosecrans Avenue as a major arterial in an area of the City which consists of, and is surrounded by urban/developed land. However, there are no General Plan-identified scenic vistas/views located in the Project area. Therefore, project implementation would have no impact on a scenic vista/view.

14.b) The project site is not located along a designated State scenic highway. There is no vegetation on the Project site, aside from ornamental trees that are not protected tree species. Further, no historic buildings or rock outcroppings are located on the project site. Therefore, project implementation would have no impact to scenic resources within a state scenic highway.

14.c) A project is generally considered to have a significant visual/aesthetic impact if it substantially changes the character of a project site such that it becomes visually incompatible or visually unexpected when viewed in the context of its surroundings. These changes would degrade the existing visual character or quality of the site and its surroundings.

The existing visual character of the project site is defined by the existing restaurant building and associated parking lot. The existing visual character of the Project site's surroundings is defined by lower-rise commercial/retail and light industrial developments, and mid-rise office developments. The area does not exhibit a distinct architectural character and there is no uniformity of architectural styles. No unique or scenic visual resources exist on the project site or in its surroundings.

The Project involves demolishing an existing 8,195 square foot restaurant building, and constructing three freestanding buildings: the first building to accommodate a full service
restaurant, a second building to accommodate two high turnover fast food uses, and a third building to accommodate a bank. Other features include a total of approximately 3,320 square feet of outdoor dining areas between the new buildings and along the Rosecrans Avenue frontage of the restaurant buildings to engage and encourage pedestrian activity along Rosecrans Avenue and Apollo Street, and parking in the rear. The new buildings would include a modern architectural style and include treatments such as aluminum powder coated trellis, steel I-beam, aluminum powder coated louvers, fiber cement panels, metal fascia, aluminum store front system, and smooth trowel plaster. The exterior colors would include earth tones and gray tones. Building heights would from 24' to 27' to add vertical articulation to the building. Other improvements include 88 onsite parking stalls (89 offsite), landscaping, concrete walks, fencing, storm drainage, lighting, trash enclosures, and three ingress/egress access driveways.

The Project must comply with ESMC site development standards (regarding building height, setbacks, and building area) including screening, landscaping, and signage regulations that influence the site’s visual character. As specified in Response 1.b) above, the proposed development does not comply with the current development standards of the City’s Zoning Code; specifically, the standards regulating encroachments of onsite parking into interior side yard and rear yard setback areas in the MU-S Zone, setbacks requirements for outdoor dining areas and outdoor gathering areas, and front and side yard setback requirements for buildings in the MU-S zone. However, the proposed project includes a Zone Text Amendment that, if approved, would modify the development standards and result in a project that complies with the City’s Zoning Code. The proposed amendments are not found to be inconsistent with the goals and policies of the City’s General Plan, the underlying zoning and land use designations. Further, the City has determined that the amendments would continue to facilitate and expand the commercial opportunities in the MU-S zoning district. The Project’s visual compatibility with the surrounding’s visual character would be achieved through the Project’s compliance with the ESMC standards and regulations. Although the proposed development would alter the visual character of the project site, the visual changes would not degrade the visual character or quality of the site’s surroundings since the proposed project includes a commercial development and architecture that is similar to, and blends with the urbanized commercial character of the area. As such, project implementation would result in a less than significant impact.

14.d) Light. There are two primary sources of light: light emanating from building interiors that pass through windows, and light from exterior sources (e.g., street lighting, parking lot lighting, building illumination, security lighting, and landscape lighting). Depending upon the location of the light source and its proximity to adjacent light sensitive uses, light introduction can be a nuisance, affecting adjacent areas and diminishing the view of the clear night sky. Light spillage is typically defined as unwanted illumination from light fixtures on adjacent properties.

Existing lighting conditions at the Project site include light emanating from the full service Cozymel’s Mexican Grill restaurant, and light from exterior sources associated with the existing development, including building security and parking lot lighting. Existing lighting conditions at the surrounding areas include light emanating from the office and commercial/retail uses located to the north and across the streets, as well as nearby street lighting. There are no sensitive receptors (sensitive to light) located in the project’s immediate vicinity.
Glare. Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light by highly polished surfaces such as window glass or reflective materials and, to a lesser degree, from broad expanses of light-colored surfaces. Perceived glare is the unwanted and potentially objectionable sensation as observed by a person looking directly into the light source of a luminaire. Daytime glare generation is common in urban areas and is typically associated with buildings with exterior facades largely or entirely comprised of highly reflective glass. Glare can also be produced during evening and nighttime hours by the reflection of artificial light sources such as automobile headlights. Glare generation is typically related to either moving vehicles or sun angles, although glare resulting from reflected sunlight can occur regularly at certain times of the year. Glare-sensitive uses include residences, hotels, transportation corridors, and aircraft landing corridors.

The proposed project includes outdoor dining areas and a new bank building that would include lighting. Since outdoor dining and a bank building would be new uses to the site, the project would create new interior and exterior light sources as a result of building illumination and lighting, as well as lighting for the outdoor dining areas. Although new lighting sources would not be dissimilar to the existing and surrounding sources, the project will introduce new light sources. As such, the following mitigation measure is recommended:

**Mitigation Measure AES-1:** Prior to issuance of a building permit, the applicant must submit a Lighting Plan to the City for review and approval by the Director of Planning and Building Safety. The Plan must include the location, height, number of lights, foot candles by area and, estimates of maximum illumination onsite with no spill at the property lines. The Plan must also demonstrate that all lighting fixtures on the buildings and throughout the entire project site be designed and installed so as to contain light on the subject property and not create spillover effects, or be directed toward adjacent properties or public rights-of-way.

**Timing/Implementation:** Prior to issuance of building permits

**Monitoring/Enforcement:** El Segundo Planning and Building Safety Department

As such, with implementation of Mitigation Measure AES-1, impacts would be less than significant.
15. CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d. Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

As of July 1, 2015, California Assembly Bill 52 (AB 52) was enacted and expands CEQA by establishing a formal consultation process for California tribes within the CEQA process. The bill specifies that any project may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to “begin consultation with a California Native American tribe that is traditional and culturally affiliated with the geographic area of the proposed project.” According to the legislative intent for AB 52, “tribes may have knowledge about land and cultural resources that should be included in the environmental analysis for projects that may have a significant impact on those resources.” Section 21074 of AB 52 also defines a new category of resources under CEQA called tribal cultural resources.” Tribal cultural resources are defined as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and is either listed on or eligible for the California Register of Historical Resources or a local historic register, or if the lead agency chooses to treat the resource as a tribal cultural resource. All AB 52 consultation was carried out by the City of El Segundo, which included mailing a consultation letter to the tribe that had requested notification (the Gabrieleño Band of Mission Indians). The City received no response from the Gabrieleño Band of Mission Indians, and no request for consultation was submitted to the City as a result of this process.

Explanation of Checklist Judgments

15.a) A historical resource is defined in Section 15064.5(a)(3) of the CEQA Guidelines as any object, building, structure, site, area, place, record, or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Historical resources are further defined as being associated with significant events, important persons, or distinctive characteristics of a type, period, or method of construction; representing the work of an important creative individual; or possessing high artistic values.

The overall project site is a 1.54-acre site that has been permanently altered with the development of previous restaurant buildings parking lot, roads and hardscapes. The
project site was previously graded to accommodate the existing structure and use, as well as previous structures and uses, and no historical, archeological or paleontological resources were identified when the site was initially developed, redeveloped, or in the subsequent years of their operations. Thus, implementation of the project would not cause a substantial adverse change in the significance of a historical resource. As such, there would be no impact.

15.b) An archaeological resource is defined in Section 15064.5(c) of the CEQA Guidelines as a site, area, or place determined to be historically significant as defined in Section 15064.5(a) of the CEQA Guidelines (see definition of historical resource in 14.a, above), or as a unique archaeological resource defined in Section 21083.2 of the Public Resources Code as an artifact, object, or site that contains information needed to answer important scientific research questions of public interest, or that has a special and particular quality such as being the oldest or best example of its type, or that is directly associated with a scientifically recognized important prehistoric or historic event or person.

The overall project site is a 1.54-acre site that has been permanently altered with the development of previous restaurant buildings, parking lot, roads, and hardscapes. The project site was previously graded to accommodate the existing structure and use, as well as previous structures and uses, and no historical, archeological or paleontological resources were identified when the site was initially developed, redeveloped, or in the subsequent years of their operations. Thus, implementation of the project would not cause a substantial adverse change in the significance of an archaeological resource. As such, there would be no impact.

15.c) As noted above, the Project site has already been subject to extensive disruption and may contain artificial fill materials. Additionally, there are no unique geologic features present on the Project site. Given the highly disturbed condition of the site, the potential for project implementation to impact an as yet unidentified paleontological resource is considered remote. Therefore, project implementation would result in a less than significant impact involving the potential destruction of a paleontological resource or site or unique geologic feature.

15.d) As Native Americans have historically been present within the City, the project area is sensitive for human remains. However, the probability that project construction would impact any human remains appears to be remote, given the degree of past disturbance of the site, as it is currently developed with a restaurant building and parking lot. Consequently, there are no known human remains on the site, and no evidence that the project site is part of a formal cemetery nor known to have been used for disposal or burial of historic or prehistoric human remains. Thus, human remains are not expected to be encountered during construction of the proposed project. In the unlikely event that human remains are encountered during project construction, California Health and Safety Code Section 7050.5 requires the project to halt until the county coroner has made the necessary findings as to the origin and disposition of the remains pursuant to Public Resources Code Section 5097.98. Compliance with these regulations would reduce any potential impacts to a less than significant level.
16. RECREATION

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation of Checklist Judgments

16.a) Refer to Response 11.a.iv. As such, there would be no impact.

16.b) Refer to Response 11.a.iv. As such, there would be no impact.
17. GREENHOUSE GAS EMISSIONS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

PlaceWorks, Inc. prepared an Air Quality and Greenhouse Gas Emissions Study for the proposed project in May 2016. The complete study is contained in Appendix A. The following analysis is based on the results of this study, and based upon information from various sources and publications prepared by a number of professional associations and agencies that have suggested approaches and strategies for complying with CEQA's environmental disclosure requirements.

Climate change is the observed increase in the average temperature of the Earth’s atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. Climate change is the result of numerous, cumulative sources of greenhouse gases (GHGs). GHGs contribute to the “greenhouse effect,” which is a natural occurrence that helps regulate the temperature of the planet. The majority of radiation from the Sun hits the Earth's surface and warms the Earth. The surface in turn radiates heat back towards the atmosphere, known as infrared radiation. Gases and clouds in the atmosphere trap and prevent some of this heat from escaping back into space and re-radiate it in all directions. This process is essential to supporting life on Earth because it warms the planet by approximately 60° Fahrenheit. Emissions from human activities since the beginning of the industrial revolution (approximately 250 years ago) are adding to the natural greenhouse effect by increasing the gases in the atmosphere that trap heat, thereby contributing to an average increase in the Earth's temperature.

GHGs occur naturally, and from human activities. Human activities that produce GHGs are the burning of fossil fuels (coal, oil and natural gas for heating and electricity, gasoline and diesel for transportation); methane from landfill wastes and raising livestock, deforestation activities; and some agricultural practices. GHGs produced by human activities include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). Since 1750, it is estimated that the concentrations of carbon dioxide, methane, and nitrous oxide in the atmosphere have increased by over 36%, 148%, and 18% respectively, primarily due to human activity. Emissions of GHGs affect the atmosphere directly by changing its chemical composition while changes to the land surface indirectly affect the atmosphere by changing the way in which the Earth absorbs gases from the atmosphere. Potential impacts of global climate change in California may include loss of snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (California Energy Commission [CEC], 2011).
Local Regulations and CEQA Requirements

Pursuant to the requirements of SB 97, the Resources Agency adopted amendments to the CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions in March 2010. These guidelines are used in evaluating the cumulative significance of GHG emissions from the proposed project.

The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15355).

The significance of project GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG reduction plan (such as a Climate Action Plan).

Pursuant to the requirements of SB 97, the Resources Agency has adopted amendments to the CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted CEQA Guidelines provide regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. The 2008 SCAQMD threshold considers emissions of over 10,000 metric tons of carbon dioxide equivalent (CO₂e) per year to be significant. However, the SCAQMD's threshold applies only to stationary sources and is expressly intended to apply only when the SCAQMD is the CEQA lead agency. Although not formally adopted, the SCAQMD has a recommended tiered GHG significance threshold (SCAQMD, 2010). Under Tier 2, project impacts would be less than significant if a project is consistent with an approved local or regional plan. Therefore, GHG emissions associated with the proposed project would be less than significant if the project is consistent with the reduction measures included by the City in any applicable GHG reduction policies or plans.

For informational purposes, SCAQMD recommended Tier 3 thresholds are screening level quantitative thresholds. If a local or regional GHG reduction policy or plan does not apply to a project, emissions would be less than significant if they are under the Tier 3 screening level threshold. SCAQMD has a recommended screening level quantitative threshold for all land use types of 3,000 metric tons of CO₂e/year (SCAQMD, 2010).

Emissions associated with the proposed project were estimated using the California Emissions Estimator Model (CalEEMod) version 2013.2.2. Complete CalEEMod results and assumptions can be viewed in the Air Quality and Greenhouse Gas Study (see Appendix A).

Explanation of Checklist Judgments

17.a) Implementation of a development project could contribute to global climate change through direct emissions of GHGs from onsite area sources and vehicle trips generated by the project, and indirectly through offsite energy production required for onsite

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8 A metric measure used to compare the emissions from various greenhouse gases based upon their global warming potential (GWP) (U.S. EPA, accessed August 2015). Carbon dioxide equivalents are commonly expressed as CO₂e. The carbon dioxide equivalent of a gas is derived by multiplying the tons of the gas by the associated GWP.
activities, water use, and waste disposal. Because no single project is large enough to result in a measurable increase in global concentrations of GHG emissions, global warming impacts of a project are considered on a cumulative basis. The increase in GHG emissions that would result from project implementation are shown in Table 15, Net Operational Phase GHG Emissions. Annual GHG emissions were calculated for construction and operation of the proposed project. Operational phase emissions are from operation of the proposed land uses and from the new project-related vehicle trips that would be generated. Construction emissions were amortized into the operational phase in accordance with SCAQMD's proposed methodology (SCAQMD 2010). Additionally, emissions associated with the existing land use were quantified.

Table 15
Net Operational Phase GHG Emissions

<table>
<thead>
<tr>
<th>Source</th>
<th>GHG Emissions</th>
<th>Percent Change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MTCO2e</td>
<td></td>
</tr>
<tr>
<td><strong>Existing Land Use</strong>&lt;sup&gt;9&lt;/sup&gt;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td>&lt;1</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Energy</td>
<td>263</td>
<td>19%</td>
</tr>
<tr>
<td>Mobile</td>
<td>1,078</td>
<td>79%</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>4</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Water</td>
<td>14</td>
<td>1%</td>
</tr>
<tr>
<td><strong>Total All Sectors</strong></td>
<td>1,359</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Proposed Land Uses</strong>&lt;sup&gt;10&lt;/sup&gt;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td>&lt;1</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Energy</td>
<td>262</td>
<td>11%</td>
</tr>
<tr>
<td>Mobile</td>
<td>2,163</td>
<td>87%</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>38</td>
<td>2%</td>
</tr>
<tr>
<td>Water</td>
<td>12</td>
<td>1%</td>
</tr>
<tr>
<td>Construction-Amortized&lt;sup&gt;11&lt;/sup&gt;</td>
<td>5</td>
<td>&lt;1%</td>
</tr>
<tr>
<td><strong>Total All Sectors</strong></td>
<td>2,480</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Net Emissions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td>&lt;1</td>
<td>N/A</td>
</tr>
<tr>
<td>Energy</td>
<td>(1)</td>
<td>N/A</td>
</tr>
<tr>
<td>Mobile</td>
<td>1,085</td>
<td>N/A</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>34</td>
<td>N/A</td>
</tr>
<tr>
<td>Water</td>
<td>(1)</td>
<td>N/A</td>
</tr>
<tr>
<td>Construction-Amortized&lt;sup&gt;12&lt;/sup&gt;</td>
<td>5</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total All Sectors</strong></td>
<td>1,121</td>
<td>N/A</td>
</tr>
<tr>
<td>Proposed SCAQMD Bright-Line Threshold</td>
<td>3,000 MTCO2e</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<sup>9</sup> Existing Buildings are assumed to comply with the 2005 Building and Energy Efficiency Standards.

<sup>10</sup> The proposed buildings are assumed to comply with the 2013 Building and Energy Efficiency Standards, which are 30% more energy efficient for nonresidential buildings than the 2008 standards. Modeling also includes applicable water efficiency improvements required under CAL Green.

<sup>11</sup> Construction emissions are amortized over a 30-year project lifetime per recommended SCAQMD methodology.
Exceeds Threshold? | No | N/A
---|---|---
Notes: Totals may not equal 100 percent due to rounding. ( ) negative value

The primary source of GHG emissions is transportation sources from employees and patrons driving to and from the proposed land uses at the project site. Overall, the proposed project would generate a net increase of 1,121 MTCO$_2$e of GHG emissions annually, which is substantially below the annual threshold of 3,000 MTCO$_2$e. Further, based on improved building energy efficiency and water efficiency, the new structures would result in lower energy and water demand. Therefore, GHG emissions generated would be less than significant.

17.b) California has adopted several policies and regulations for the purpose of reducing GHG emissions. On December 11, 2008, CARB adopted the AB 32 Scoping Plan to achieve the goals of AB 32, the Global Warming Solutions Act of 2006. The Scoping Plan establishes an overall framework for the measures that will be adopted to reduce California’s GHG emissions. The proposed project is subject to compliance with AB 32, which is designed to reduce statewide GHG emissions to 1990 levels by 2020. Senate Bill (SB) 97, signed in August 2007, acknowledges that global climate change is an environmental issue that requires analysis under CEQA. In December 2009, the California Natural Resources Agency adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHG and climate change impacts.

In 2005, Governor Schwarzenegger issued Executive Order S-3-05, establishing statewide GHG emissions reduction targets. Executive Order (EO) S-3-05 provides that by 2010, emissions shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80% of 1990 levels (CalEPA, 2006). In response to EO S-3-05, CalEPA created the Climate Action Team (CAT), which in March 2006 published the Climate Action Team Report (the "2006 CAT Report") (CalEPA, 2006). The 2006 CAT Report identified a recommended list of strategies that the state could pursue to reduce GHG emissions. This document provides information that may be helpful to local agencies in carrying out their duties under CEQA as they relate to global warming, included in this document are various measures that may reduce the global warming related impacts of a project. Tables GHG-XX and GHG-XY illustrate that the proposed project would be consistent with the GHG reduction strategies set forth by the 2006 CAT Report as well as the 2008 Attorney General’s Greenhouse Gas Reduction Measures.
### Table 16
Project Consistency with Applicable Climate Action Team Greenhouse Gas Emission Reduction Strategies

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Project Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>California Air Resources Board</strong></td>
<td></td>
</tr>
</tbody>
</table>
| **Vehicle Climate Change Standards**          | Consistent  
The vehicles that travel to and from the project site on public roadways would be in compliance with ARB vehicle standards that are in effect at the time of vehicle purchase. |
| **Diesel Anti-Idling**                        | Consistent  
The ARB adopted a measure to limit diesel-fueled commercial motor vehicle idling in July 2004.                                                |
| **Hydrofluorocarbon Reduction**               | Consistent  
1) Ban retail sale of HFC in small cans.  
2) Require that only low GWP refrigerants be used in new vehicular systems.  
3) Adopt specifications for new commercial refrigeration.  
4) Add refrigerant leak-tightness to the pass criteria for vehicular inspection and maintenance programs.  
5) Enforce federal ban on releasing HFCs. |
| **Alternative Fuels: Biodiesel Blends**        | Consistent  
ARB would develop regulations to require the use of 1 to 4% biodiesel displacement of California diesel fuel.                             |
| **Alternative Fuels: Ethanol**                | Consistent  
Increased use of E-85 fuel.                                                                                                                     |
| **Heavy-Duty Vehicle Emission Reduction Measures** | Consistent  
Increased efficiency in the design of heavy duty vehicles and an education program for the heavy duty vehicle sector. |
| **Achieve 50% Statewide Recycling Goal**      | Consistent  
Achieving the State’s 50% waste diversion mandate as established by the Integrated Waste Managementplan. |

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**August 2016**

*Final Initial Study – Mitigated Negative Declaration*
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<table>
<thead>
<tr>
<th>Strategy</th>
<th>Project Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48% has been achieved on a statewide basis. Therefore, a 2% additional reduction is needed.</td>
<td>and establishes goals and policies for the City regarding source reduction, recycling and composting and environmentally safe solid waste management alternatives to land disposal. The SRRE also helps the City in maintaining the 50% diversion rate requirement specified by AB 939. As of 2006 (the last verified date by the CIWMB), the City was recycling approximately 84% of its solid waste, thereby complying with the standards established by AB 939. It is anticipated that the proposed project would participate in the City's waste diversion programs and would divert at least 50% of its solid waste in accordance with AB 939.</td>
</tr>
<tr>
<td><strong>Zero Waste – High Recycling</strong></td>
<td>Consistent</td>
</tr>
<tr>
<td>Efforts to exceed the 50% goal would allow for additional reductions in climate change emissions.</td>
<td>As of 2006 (the last verified date by the CIWMB), the City was recycling 84% of its solid waste, thereby complying with the standards established by AB 939. It is anticipated that the proposed project would participate in the City's waste diversion programs and would divert at least 50% of its solid waste. The project would also be subject to all applicable State and City requirements for solid waste reduction as they change in the future.</td>
</tr>
<tr>
<td><strong>Department of Forestry</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Urban Forestry</strong></td>
<td>Consistent</td>
</tr>
<tr>
<td>A new statewide goal of planting 5 million trees in urban areas by 2020 would be achieved through the expansion of local urban forestry programs.</td>
<td>Landscaping for the project would result in additional planted trees compared to existing conditions.</td>
</tr>
<tr>
<td><strong>Department of Water Resources</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Water Use Efficiency</strong></td>
<td>Consistent</td>
</tr>
<tr>
<td>Approximately 19% of all electricity, 30% of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce greenhouse gas emissions.</td>
<td>The buildings would be equipped with low-flow plumbing fixtures in accordance with the 2013 California Building Codes, further reducing water use.</td>
</tr>
<tr>
<td><strong>Energy Commission (CEC)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Building Energy Efficiency Standards in Place and in Progress</strong></td>
<td>Consistent</td>
</tr>
<tr>
<td>Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed</td>
<td>The proposed project would be required to comply with the standards of Title 24 that are in effect at the time of development.</td>
</tr>
<tr>
<td>Strategy</td>
<td>Project Consistency</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Appliance Energy Efficiency Standards in Place and in Progress</strong></td>
<td>Consistent</td>
</tr>
<tr>
<td>Public Resources Code 25402 authorizes the Energy Commission to adopt and periodically update its appliance energy efficiency standards (that apply to devices and equipment using energy that are sold or offered for sale in California).</td>
<td>Under State law, appliances that are purchased for the project - both pre- and post-development - would be consistent with energy efficiency standards that are in effect at the time of manufacture.</td>
</tr>
<tr>
<td><strong>Fuel-Efficient Replacement Tires &amp; Inflation Programs</strong></td>
<td>Consistent</td>
</tr>
<tr>
<td>State legislation established a statewide program to encourage the production and use of more efficient tires.</td>
<td>Employees and visitors of the project site could purchase tires for their vehicles that comply with state programs for increased fuel efficiency.</td>
</tr>
<tr>
<td><strong>Municipal Utility Energy Efficiency Programs/Demand Response</strong></td>
<td>Not applicable, but project development would not preclude the implementation of this strategy by municipal utility providers. It should also be noted that the applicant may participate in a Voluntary Green Building Construction Program. The program allows those who wish to construct &quot;green buildings&quot; to work with a recognized organization in order to receive &quot;green building&quot; certification. This approach allows green building &quot;experts&quot; to work with interested applicants to achieve their green building objectives.</td>
</tr>
<tr>
<td>Includes energy efficiency programs, renewable portfolio standard, combined heat and power, and transitioning away from carbon-intensive generation.</td>
<td></td>
</tr>
<tr>
<td><strong>Municipal Utility Renewable Portfolio Standard</strong></td>
<td>Not applicable, but the project would not preclude the implementation of this strategy by Southern California Edison.</td>
</tr>
<tr>
<td>California's Renewable Portfolio Standard (RPS), established in 2002, requires that all load serving entities achieve a goal of 20% of retail electricity sales from renewable energy sources by 2017, within certain cost constraints.</td>
<td></td>
</tr>
<tr>
<td><strong>Municipal Utility Combined Heat and Power</strong></td>
<td>Not applicable since this strategy addresses incentives that could be provided by utility providers such as Southern California Edison and The Gas Company.</td>
</tr>
<tr>
<td>Cost effective reduction from fossil fuel consumption in the commercial and industrial sector through the application of on-site power production to meet both heat and electricity loads.</td>
<td></td>
</tr>
<tr>
<td><strong>Alternative Fuels: Non-Petroleum Fuels</strong></td>
<td>Consistent</td>
</tr>
<tr>
<td>Increasing the use of non-petroleum fuels in California’s transportation sector, as recommended as recommended in the CEC's 2003 and 2005 Integrated Energy Policy Reports.</td>
<td>Employees and visitors of the project site could purchase alternative fuel vehicles and utilize these fuels once they are commercially available regionally and locally.</td>
</tr>
</tbody>
</table>
### Table 16
Project Consistency with Applicable Climate Action Team Greenhouse Gas Emission Reduction Strategies

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Project Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Green Buildings Initiative</strong></td>
<td>Consistent</td>
</tr>
<tr>
<td>Green Building Executive Order, S-20-04 (CA 2004), sets a goal of reducing energy use in public and private buildings by 20% by the year 2015, as compared with 2003 levels. The Executive Order and related action plan spell out specific actions state agencies are to take with state-owned and -leased buildings. The order and plan also discuss various strategies and incentives to encourage private building owners and operators to achieve the 20% target.</td>
<td>As discussed previously, the project would be required to be constructed in compliance with the standards of Title 24 that are in effect at the time of development. The 2013 Title 24 standards are approximately 15% more efficient than those of the 2005 standards. In addition, the project would be required to adhere to the CAL Green Building Code which would include reducing energy use beyond Title 24 standards. It should also be noted that the applicant may participate in a Voluntary Green Building Construction Program. The program allows those who wish to construct &quot;green buildings&quot; to work with a recognized organization in order to receive &quot;green building&quot; certification. This approach allows green building &quot;experts&quot; to work with interested applicants to achieve their green building objectives.</td>
</tr>
</tbody>
</table>

### Business, Transportation and Housing

| **Smart Land Use and Intelligent Transportation Systems (ITS)** | Consistent |
| Smart land use strategies encourage jobs/housing proximity, promote transit-oriented development, and encourage high-density residential/commercial development along transit corridors. ITS is the application of advanced technology systems and management strategies to improve operational efficiency of transportation systems and movement of people, goods and services. The Governor is finalizing a comprehensive 10-year strategic growth plan with the intent of developing ways to promote, through state investments, incentives and technical assistance, land use, and technology strategies that provide for a prosperous economy, social equity and a quality environment. Smart land use, demand management, ITS, and value pricing are critical elements in this plan for improving mobility and transportation efficiency. Specific strategies include: promoting jobs/housing proximity and transit-oriented development; encouraging high density residential/commercial development along transit/rail corridor; valuing and congestion pricing; | The project site is located in an urbanized area of the City, along a major arterial street and an existing transit corridor in El Segundo. The project site is located within walking distance (approximately 100-feet) to the bus stop at Apollo Street and Rosecrans, and within 0.4 mile from the Green Line station, both of which are served by Metro. |

*August 2016*
Table 16
Project Consistency with Applicable Climate Action Team Greenhouse Gas Emission Reduction Strategies

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Project Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>implementing intelligent transportation systems, traveler information/traffic control, incident management; accelerating the development of broadband infrastructure; and comprehensive, integrated, multimodal/intermodal transportation planning.</td>
<td></td>
</tr>
</tbody>
</table>

| Public Utilities Commission (PUC)                                         |                     |

| Accelerated Renewable Portfolio Standard                                 | Not applicable, but project development would not preclude the implementation of this strategy by energy providers. |
| The Governor set a goal of achieving 33% renewable in the State's resource mix by 2020. The joint PUC/Energy Commission September 2005 Energy Action Plan II (EAP II) adopts the 33% goal. | |

Table 17
Project Consistency with Applicable Attorney General Greenhouse Gas Reduction Measures

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Project Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation-Related Emissions</td>
<td></td>
</tr>
</tbody>
</table>

| Diesel Anti-idling                   | Consistent          |
| Set specific limits on idling time for commercial vehicles, including delivery vehicles. | Currently, the California Air Resources Board’s (CARB) Airborne Toxic Control Measure (ATCM) to Limit Diesel-Fueled Commercial Motor Vehicle Idling restricts diesel fuel vehicle idling to five minutes or less. Diesel trucks operating from and making deliveries to the project site are subject to this state-wide law. Construction vehicles are also subject to this regulation. |
Table 17
Project Consistency with Applicable Attorney General Greenhouse Gas Reduction Measures

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Project Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Solid Waste and Energy Emissions</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Solid Waste Reduction Strategy</strong></td>
<td>Consistent</td>
</tr>
<tr>
<td>Project construction shall require reuse and recycling of construction and demolition waste.</td>
<td>The City's Source Reduction and Recycling Element (SRRE) is the solid waste reduction planning document, and establishes goals and policies for the City regarding source reduction, recycling and composting and environmentally safe solid waste management alternatives to land disposal. Project construction would be required to adhere to the goals and policies contained in the SRRE.</td>
</tr>
<tr>
<td><strong>Water Use Efficiency</strong></td>
<td>Consistent</td>
</tr>
<tr>
<td>Require measures that reduce the amount of water sent to the sewer system – see examples in CAT standard above. (Reduction in water volume sent to the sewer system means less water has to be treated and pumped to the end user, thereby saving energy.</td>
<td>As described above, it is anticipated that the project would incorporate landscaping that would be designed to require minimal irrigation and to reflect the native vegetation of the surrounding area, thereby reducing water use. The project would be required to comply with the provisions of El Segundo Municipal Code Chapter 15-15A - Water Conservation in Landscaping. In addition, the building would be equipped with low-flow plumbing fixtures, further reducing water use at the project site.</td>
</tr>
<tr>
<td><strong>Land Use Measures, Smart Growth Strategies and Carbon Offsets</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Smart Land Use and Intelligent Transportation Systems</strong></td>
<td>Consistent</td>
</tr>
<tr>
<td>Require pedestrian-only streets and plazas within the project site and destinations that may be reached conveniently by public transportation, walking or bicycling.</td>
<td>The project site is located in an urbanized area of the City, along a major arterial street and an existing transit corridor in El Segundo. The project site is located within walking distance (approximately 100-feet) to the bus stop at Apollo Street and Rosecrans, and within 0.4 mile from the Green Line station, both of which are served by Metro.</td>
</tr>
</tbody>
</table>

Although development facilitated by the proposed project would result in an incremental increase in GHG emissions, as indicated in Tables 16 and 17, the proposed project would be consistent with CAT strategies and the 2008 Attorney General Greenhouse Gas Reduction Measures. Therefore, the proposed project would be consistent with the objectives of AB 32, SB 97, and SB 375, and its contribution to cumulative GHG emissions and climate change would be less than significant.
## 18. MANDATORY FINDINGS OF SIGNIFICANCE

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b. Does the project have impacts that are individually limited, but cumulatively considerable? (&quot;Cumulatively considerable&quot; means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Explanation of Checklist Judgments**

**18.a)** The proposed project is not anticipated to substantially affect fish or wildlife populations or to reduce the number or range of rare or endangered species. In addition, no locally, state, or federally designated examples of major periods in California history or prehistory have been identified on the site or in the vicinity of the site.

**18.b)** A significant impact may occur if the project, in conjunction with the related projects, would result in impacts that are less than significant when viewed separately but would be significant when viewed together. When considering the proposed project in combination with other past, present, and reasonably foreseeable future projects in the vicinity of the project site, the proposed project does not have the potential to cause impacts that are cumulatively considerable. As detailed in the above discussions, the proposed project would not result in any significant and unmitigable impacts in any environmental categories. In all cases, the impacts associated with the project are limited to the project site or are of such a negligible degree that they would not result in a significant contribution to any cumulative impacts. As such, cumulative impacts would be less than significant (not cumulatively considerable).

**18.c)** Previous sections of this Initial Study/Mitigated Negative Declaration reviewed the project’s potential impacts upon certain environmental issue areas that could affect human beings. As concluded in these previous discussions, the project would result in less than significant environmental impacts with implementation of the recommended
mitigation measures. Therefore, with implementation of the specified mitigation, the project would not cause substantial adverse effects on humans.
ATTACHMENT 8
PLANS

(AVAILABLE IN THE CITY CLERK'S OFFICE FOR REVIEW)
AGENDA DESCRIPTION:
Consideration and possible action to establish an Arts and Culture Advisory Committee for the purposes of promoting and advocating for arts and culture events, activities, and education in El Segundo.

RECOMMENDED COUNCIL ACTION:
1. Authorize the establishment of the Arts and Culture Advisory Committee to be comprised of 7 members, including two City Councilmembers; and,
2. Add the Arts and Culture Advisory Committee to the City’s Local Appointment List pursuant to the California Government Code Section 54972; and,
3. Appoint two Councilmembers to the Arts and Culture Advisory Committee; and,
4. Determine the duration of terms and/or term limits for community members and City Councilmembers; and,
5. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS: None

FISCAL IMPACT: None

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

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

Art serves an important role – it can stimulate thought and conversation, it can promote innovation and creativity and it can define a community. With the presence of ESMOA, the Automobile Driving Museum, galleries, recording studios and music venues and events like the Art Walk, El Segundo has an established and growing connection to arts and culture. This connection can be further cultivated, promoted and enhanced through the formation of an advisory group of community members that can formulate plans and make recommendations to the City Council.

On June 21, 2016, the City Council directed staff to return with an outline for the formation of an Arts and Culture Advisory Committee. The committee will serve in an advisory capacity to the City Council on promoting, encouraging, and increasing support for the City’s artistic and cultural assets, integrating arts and culture into community life and showcasing El Segundo as a vibrant destination for visitors and residents alike. Its primary goal is to advance and preserve the arts in El Segundo.

Staff recommends the creation of a group comprised of 5 community members plus two Councilmembers. The City Council shall determine the duration of the terms and provide direction to staff. The members shall serve without compensation and shall be persons who represent the following:
individual arts and culture patrons, artists, educators, the business and professional community, those with professional qualifications and experience or knowledge of a particular arts and culture field, and the general public. The committee will meet bi-monthly to begin with but could be modified by the committee at a later date. A Chairperson and Vice Chairperson can be selected by the committee and serve one-year terms. City Council will interview and select the members of the Arts and Culture Committee.
<table>
<thead>
<tr>
<th>Code</th>
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<tr>
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<tr>
<td>104</td>
<td>TRAFFIC SAFETY FUND</td>
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</tr>
<tr>
<td>106</td>
<td>STATE GAS TAX FUND</td>
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</tr>
<tr>
<td>108</td>
<td>ASSOCIATED RECREATION ACTIVITIES FUND</td>
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<td>109</td>
<td>ASSET FORFEITURE FUND</td>
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<td>111</td>
<td>COMM. DEVELO. BLOCK GRANT</td>
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<td>PROP &quot;A&quot; TRANSPORTATION</td>
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<td>114</td>
<td>PROP &quot;C&quot; TRANSPORTATION</td>
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<td>115</td>
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<td>118</td>
<td>HOME SOUND INSTALLATION FUND</td>
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<td>117</td>
<td>HYPERSON MITIGATION FUND</td>
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<td>118</td>
<td>TOA ARTICLE 3 - SB #21 BREKWAY FUND</td>
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<tr>
<td>119</td>
<td>MTA GRANT</td>
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<tr>
<td>121</td>
<td>FEMA</td>
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<td>120</td>
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<td>301</td>
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<td>INFRASTRUCTURE REPLACEMENT FUND</td>
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<td>703</td>
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<tr>
<td>708</td>
<td>OUTSIDE SERVICES TRUST</td>
<td>9,022.77</td>
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**TOTAL WARRANTS**  $ 619,012.06

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

For Ratification:

**A** = Payroll and Employee Benefit checks

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

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

**FINANCE DIRECTOR**

**CITY MANAGER**

**DATE:** 7-24-16  
**DATE:** 7-25-16
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<td>Health Comp</td>
<td>Weekly claims</td>
</tr>
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<td>7/15/2016</td>
<td>Manufacturers &amp; Traders</td>
<td>457 payment Vantagepoint</td>
</tr>
<tr>
<td>7/15/2016</td>
<td>Manufacturers &amp; Traders</td>
<td>IRA payment Vantagepoint</td>
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<tr>
<td>7/15/2016</td>
<td>Nationwide NRS EFT</td>
<td>EFT 457 payment</td>
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<tr>
<td>7/15/2016</td>
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<td>EFT Child support payment</td>
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<tr>
<td>7/18/2016</td>
<td>IRS</td>
<td>Federal 941 Deposit</td>
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<td>7/18/2016</td>
<td>Employment Development</td>
<td>State SDI payment</td>
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<td>State PIT Withholding</td>
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<td>EFT Retirement Safety</td>
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<td>7/20/2016</td>
<td>Cal Pers</td>
<td>EFT Retirement Safety-Police</td>
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<td>7/20/2016</td>
<td>Cal Pers</td>
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<td>Weekly claims</td>
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<td>SCRMA checks issued</td>
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<td>7/11/16-7/17/16</td>
<td>Workers Comp Activity</td>
<td>SCRMA checks issued</td>
</tr>
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<td>Liability Trust - Claims</td>
<td>Claim checks issued</td>
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<tr>
<td>7/11/16-7/17/16</td>
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<td>Claim checks issued</td>
</tr>
<tr>
<td>7/18/16-7/24/16</td>
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<td>Health Reimbursement checks issued</td>
</tr>
<tr>
<td>7/18/16-7/24/16</td>
<td>Retiree Health Insurance</td>
<td>Health Reimbursement checks issued</td>
</tr>
</tbody>
</table>

**DATE OF RATIFICATION: 7/21/16**

TOTAL PAYMENTS BY WIRE: 4,073,324.32

Certified as to the accuracy of the wire transfers by:

Deputy City Treasurer II

Date 7/21/16

Director of Finance

Date 7/24/16

City Manager

Date 7/25/16

Information on actual expenditures is available in the City Treasurer’s Office of the City of El Segundo.
7:30 A.M. SESSION

CALL TO ORDER – Mayor Fuentes at 7:30 AM

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 @ 7:34 AM

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

SPECIAL ORDERS OF BUSINESS:

1. Consideration and possible action regarding a strategic planning workshop resulting in City Council receiving and filing of staff’s analysis and recommendations for the Fiscal Year 2016-2017 Budget. Staff will present a brief overview of challenges/limitations, goals and potential strategies associated with preparation and planning of the fiscal year budget including, without limitation, the following matters:

   a. Introduction – Presented by Greg Carpenter, City Manager and Sara A Peterson, Management Consultant, facilitator.

   b. Discussion of City’s Fiscal Outlook – Joe Lillio, Finance Director
      i. Fiscal Year 2016-2017 Budget Assumptions
      ii. Update for Fiscal Year-end 2015-2016
      iii. Five-Year Budget Forecast

   Group discussion and questions - City Manager, Department Heads and Elected Officials

   c. Discussion of current situation – Sara A Peterson, Facilitator and Greg Carpenter, City Manager.

      i. Identification of opportunities and strengths to build upon

   Group discussion and questions - City Manager, Department Heads and Elected Officials
Recessed at 8:52 AM

Returned to session at 9:05 AM

d. Discussion on future of the City – “Where We Are Heading”

Group discussion and questions - City Manager, Department Heads and Elected Officials

Internal and External Future discussion – assessing the City’s strengths, weaknesses, opportunities and threats. Input from City Manager, Department Heads and Elected Officials.

e. Discussion of the City’s vision, mission, values and guiding principles

Sara Peterson, Facilitator, asked “What will be great about El Segundo in 2027?” and “What does the future mean to the community, businesses and residents of El Segundo?” Using the City’s Mission Statement, “Provide a great place to live, work and visit” to answer the questions.

Recessed at 10:57 AM

Returned to session at 11:08 AM

f. Wrap-up

   i. Key issues to address
   ii. Aligning organization, place and service
   iii. Translate to 3-5 year goal areas

Group discussion – City Manager, Department Heads and Elected Officials

2. Council may raise other issues relating to staff’s preparation of the FY 2016-2017 Strategic Planning Session.

For the next meeting on August 3, 2016, the following items are expectations for each department: 1) summary of the meeting from Sara Peterson, facilitator; 2) each department to re-evaluate IT needs and prioritize implementation; 3) bring back examples of realistic performance measurements; 4) brainstorming by each department on goals and how feasible are the goals in the 3-5 years; and 5) detailed budget assumptions from each department.

Sara A Peterson, facilitator, to summarize meeting and once received will be added to the minutes.

ADJOURNMENT at 12:03 PM

Tracy Weaver, City Clerk
## City of El Segundo – Meeting Summary

June 22, 2016 Council Working Session

### PARTICIPANTS

<table>
<thead>
<tr>
<th>Elected Officials</th>
<th>Appointed &amp; Department Heads</th>
<th>Guests</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suzanne Fuentes, Mayor</td>
<td>Greg Carpenter, City Manager</td>
<td>Sara A. Peterson, Management Consultant</td>
</tr>
<tr>
<td>Drew Boyles, Mayor Pro Tem</td>
<td>Mark D. Hensley, City Attorney</td>
<td>El Segundo TV</td>
</tr>
<tr>
<td>Michael Dugan, Council Member</td>
<td>Joseph Lillo, Finance</td>
<td>Members of the Public</td>
</tr>
<tr>
<td>Carol Pirsztuk, Council Member</td>
<td>Christopher Donovan, Fire</td>
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<tr>
<td>Dr. Don Brann, Council Member</td>
<td>Martha Dijkstra, Human Resources</td>
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<tr>
<td>Tracy Weaver, City Clerk</td>
<td>Debra Brighton, Library Services</td>
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<tr>
<td>Crista Binder, City Treasurer</td>
<td>Sam Lee, Planning &amp; Building Safety</td>
<td></td>
</tr>
<tr>
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<td>Chief Mitch Tavera, Police</td>
<td></td>
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<tr>
<td></td>
<td>Stephanie Katsouleas, Public Works</td>
<td>via telephone (portion only)</td>
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<tr>
<td></td>
<td>Meredith Petit, Recreation &amp; Parks</td>
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</tr>
</tbody>
</table>

### AGENDA

**Introduction**
- Review agenda, process and goals
- Confirm against participant expectations

**Current Position – Starting from Strength**
- Fiscal Outlook
- Overview of Departmental Overviews
- SWOT Analysis

**Looking Ahead – Envisioning a Vibrant Future**
- Vision 2025
- Making Connections
  - What are the common elements across our visions?
  - What does this tell us about principles for the future?
- Between Here & There – 3-5 Year Goals

**Wrap Up & Next Steps**

### SUMMARY

What follows is a recap of the meeting for use as preparation for the session to be held on August 3. Following that meeting will be a draft of the resulting plan. Presentations made during the first third of the meeting are not re-presented here but are available via the PowerPoint slides used.

**Process Expectations**

The meeting began with participants making a few comments regarding their hopes for the day, hopes that:

- The meeting include a SWOT analysis
- Staff come to understand council’s longer term goals and the council likewise understand staff’s longer term goals
- The process result in a strategy outline / framework for the future
- The whole group leaves identifying as a team, not “us” and “them”
- The group use this as an opportunity to reset and focus on positives

Emerging Questions
During the presentations of the first third of the meeting, several questions emerged. Listed below, these were items to be addressed over the course of the process. Some of these were addressed during the course of the day. Others will be addressed in the second meeting.

1. What are our broad financial philosophies – revenue, expense and reserve strategies re fee for service, cost recovery, pay as you go, and unfunded liabilities?
2. What is the City’s desired service model?
3. What is the City’s desired staffing culture or HR focus?
4. How do we, and thus the City, shift to more proactive approach in planning?
5. If we all agree we need various assessments (staff, facility, technology, etc.) when and how will they happen?

SWOT Analysis
Following the presentations, the group engaged in a brief SWOT assessment of the City. As part of this discussion the group also speculated on what could alter the fiscal outlook presented, as well as concerns heard from constituents.

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weaknesses</th>
</tr>
</thead>
<tbody>
<tr>
<td>The City has great people (employees) and innovative departments. Our people are willing to change and communicate. And, our size allows us to be nimble.</td>
<td>The City’s technology is behind. Departments have to compete for revenue. Planning has been reactive and routine. We haven’t developed our people (employees) thoughtfully.</td>
</tr>
<tr>
<td>Our location in the greater Los Angeles region is advantageous.</td>
<td>Downtown use isn’t what it could be.</td>
</tr>
<tr>
<td>90% of City revenue comes from commerce versus residents, and we have increased business diversification over time.</td>
<td>Some may have a fear of change, and communication needs strengthening.</td>
</tr>
<tr>
<td>El Segundo is “Midwest-ish” for the region with strong neighborhoods and parks. We have local arts and culture. People stay here – “Mayberry” idea.</td>
<td>The fact that 90% of City revenue comes from commerce means that it would be negatively affected by changes in the larger industries.</td>
</tr>
<tr>
<td>City process may not fully gather constituent viewpoints or balance the relative views of resident and business.</td>
<td></td>
</tr>
</tbody>
</table>

As part of this, the Council suggested its constituents are concerned about:

- Crime and LAX (traffic around it and its expansion)
- Disconnect in expectations – residents, businesses and staff
- Disconnect in the City’s financial position and business growth – shouldn’t there be more money available?
- Businesses want to see reciprocal investments and predictable processes
### Opportunities

- There is excitement about the process and openness to change. It is an opportunity to become more proactive – to build for the future.

- The City can become a performance driven organization, develop metrics, and become more transparent.

- The City can engage more deeply with residents, workforce and businesses – to better understand expectations.

- We can look at the City holistically and develop a general plan that:
  - Anticipates demographic shifts
  - Incorporates arts and culture
  - Develops business and reduces vacancy rates
  - Develops Smokey Hollow
  - Leverages
    - Our coming centennial
    - The region (e.g. Rams)
    - The new pool and Top Golf contracts

- Financial projections could shift if there are positive economic developments in the region, increases in property sales, or increases in expected development.

### Threats

- It would hurt us if we lost great people, had poor morale, or held on too tightly to the past.

- We need to implement this paradigm shift to a more proactive approach and build resources and planning structures to support our goals.

- We need to understand the pull of Sepulveda relative to the downtown.

- We need to adapt services and housing to changing density and citizen relationships while maintaining safety.

- The City could be hurt by
  - External regulations or unfunded liabilities
  - Shifts in our core industries that affect revenue or property
  - Perceptions of winners and losers gets in the way of progress
  - Retention and morale of business residents flags

- Financial projections could shift if:
  - Property values fall (mitigated by Prop 13 and commercial base)
  - Loss of any of the City's top 10 employers
  - Future recession or slowed growth (GDP, Federal Reserve)
  - Changes in insurance structure or rating

---

**Envisioning 2027 in El Segundo**

The Mission of the City of El Segundo is to *Provide a great place to live, work and visit.* This serves as the “destination” that our strategies should lead towards and provides the context for our decisions. In addition, the City Council had previously developed the following guiding principles:

- Focus on Customer and Community Service
- Provide Quality Public Safety
- Maintain Quality Facilities, Infrastructure and Equipment
- Ensure Financial Stability
- Focus on Maintaining a Quality Workforce

With this and the completed SWOT analysis as its starting point, the group envisioned a future for El Segundo circa 2027 from three vantage points – a place to live, to do business, and to receive services. The elements that emerged from individual visions included the following:

- El Segundo residents enjoy a high quality of life as evidenced by reduced crime, improved schools, and a sense of vibrant community – of fun! It is a tolerant, kind and compassionate community. It is recognized as best place to raise a family and a center of innovation. The appeal, desirability is such that there are
application backlogs for jobs in the area. It has engaging, sophisticated, capitalized events that showcase tradition and match the City’s evolving demographics. We also have a robust network and service structure in place to support aging in place (e.g., Westchester Village model)

- The City has transformed. We are leading the way with innovation and environmental responsibility. With fewer people driving cars, we have adapted our street, parking and land use plans. We have high-speed fiber optics as a utility to support more work from home and fewer brick and mortar businesses. The downtown feels more like the Long Beach downtown. The east side is now high density (especially near the rail lines) requiring a high level of service with retail and a school to support it. While our revenue base has shifted to changing businesses, we are financially sustainable and growing because we have capitalize on the changes. In fact, we have more invested capital per square mile (commercial) than any other California city. All of that said, we still have the air force base in part because we fought for it.

- The City has also changed as a service provider. Customer service has increased. There is easy access to City information (1-click to answer and/or a single point of entry/contact for services) and an ability to do virtually everything online for real time access to services. Pathways for citizen and business feedback are easy and comfortable. The City is seen as a nimble partner to businesses and residents with cutting edge infrastructure and scalable processes/systems. At the same time, interactions are personal to keep the small town feel.

Goal Ideas
As the group reflected on these visionary ideas, it identified the following as areas for focus in developing a strategic plan for the next 3-5 years.

- Investment in technology so that the City can work more effectively, efficiently, and proactively

- Advancement of a customer focus at the City resulting in:
  - Unparalleled service to internal and external customers
  - Understanding and exceeding customer expectations through comprehensive community / stakeholder engagement

- Advancement of the City as an employer and work force so that it:
  - Becomes a City employer of choice and is able to hire for the future
  - Maintains an inspired, world-class, engaged workforce – in part via intentional staff development and training
  - Maintains a level of employee engagement that reduces turnover and increases innovation

- Advancement of El Segundo as a safe and prepared city

Success in these areas will require internal shifts in the way the City works and plans to include:

- Development of new guiding principles – vision that is future focused and innovative
- Maintenance of fiscal responsibility / management that allows for and supports the above
- Various assessments of City structures to find the best solutions and investments while assessing baselines for change
- Development of long-term plans following assessment (e.g., infrastructure plan, long-term financial models)
- A focus on outcomes, performance that expand our benchmarks to include business
- Implementation of continuous, intentional improvement and reflective management that is based on comprehensive / integrated decision-making
- Clear communication of city needs
Next Steps
In preparation for the August meeting:

- The consultant will draft a meeting summary, draft the 8/3 agenda with City leadership, and follow up as requested with department heads

- Department heads are asked to:
  - Review existing goals with these focus areas in mind then begin brainstorming new or revised strategies consistent with this discussion
  - Begin to identify examples of the kinds of benchmark information used by their peers then assess their own information as 1) already available, 2) easily developed, or 3) requiring time to develop
  - Review existing assessments – the IT assessment in particular – in order to recommend priorities and an initial game plan for moving forward
  - Continue to articulate detailed budget assumptions

DRAFT AGENDA FOR 8/3
The Council will meet with City leadership and department heads to continue this work on 8/3. The agenda for that day will focus on:

- Further defining the focus areas in terms of
  - Their desired outcomes and relative priority
  - Identifying key strategies related to each focus area

- Put the strategies and priorities identified into conflict with one another (i.e., you must pick x over y) as:
  - An exercise for articulating the financial philosophies discussed in “Emerging Questions” above
  - An exercise for testing existing financial policies (e.g., various reserves)
  - An a means for assigning proportions / percentages of flexible revenue to new endeavors (i.e., how do we allocate the $2 million per year)

- Defining next steps for 3-5 year strategic planning and for developing next year’s budget
SPECIAL/REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JULY 19, 2016 – 4:00 PM
(4PM SESSION WILL BEGIN AS A SPECIAL AND
CONTINUE TO THE REGULAR 5PM SESSION)

4:00 P.M. SPECIAL SESSION

CALL TO ORDER – Mayor Fuentes at 4:00 PM

ROLL CALL

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

SPECIAL ORDER OF BUSINESS:

1. Consideration and Possible action to interview candidates for the Recreation and
Parks Commission, Planning Commission, Environmental Committee, Library
Board of Trustees, Senior Citizen Housing Corporation Board and Community
Cable Advisory Committee. (Fiscal Impact: None)

Recommendation – 1) Interview candidates; 2) Announce appointments at the
7:00 p.m., July 19, 2016 City Council meeting, if any; and/or 3) Alternatively,
discuss and take other action related to this item.

Appointments will be announced at the 7:00 PM meeting.

5:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 5:00 PM

ROLL CALL

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

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

Greg Carpenter, City Manager, announced the Olivia Ortiz claim and the EPMC
grievance with the POA, PMA and the CEA will be discussed during Closed Session.
Mayor Fuentes announced that Council would be meeting in closed session pursuant of the items listed on the agenda.

CLOSED SESSION:

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

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

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): -3- matter.


DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957): -2- matter

1. Public Employee Performance Evaluation
   Title: City Manager

2. Public Employee Performance Evaluation
   Title: City Attorney

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

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

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -6- matters

1. Employee Organizations: Employee Organizations: Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; City Employee Association

   Agency Designated Representative: Steve Filarsky and City Manager
CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -0-
matters

Adjourned at 6:50 PM
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JULY 19, 2016 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 7:02 PM

INVOCATION – Tracy Weaver, City Clerk

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Boyles

PRESENTATIONS - None

ROLL CALL

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

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total)
Scott Houston, 4th District, invited the community to the Greywater Workshop to be held on Saturday, July 30, 2016 from 9:00 AM – 12:00 PM at the Culver City – City Hall. Ron Swanson, resident and business owner, commented on the oversized vehicle parking issue within El Segundo and commented on the fact that the City does not have a receptionist after 12:00 PM.
Jim Latta, Senior Housing Board President commented on item #F11.
Dr. Mendez, resident, commented on the recent Strategic Planning Session.

CITY COUNCIL COMMENTS – (Related to Public Communications)

Council answer questions received during 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 Brann, SECONDED by Mayor Pro Tem Boyles to read all ordinances and resolutions on the agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)
C. UNFINISHED BUSINESS

1. Consideration and possible action to establish the El Segundo Technology Committee comprised of local business representatives, El Segundo residents, City Council and staff members to provide recommendations specific to the City’s technology systems.
   (Fiscal Impact: $0).

Greg Carpenter, City Manager, introduced the item.

Brian Evanski, El Segundo Police Captain, gave a presentation and answered Council questions.

Council Discussion

MOTION by Council Member Pirstzuk, SECONDED by Mayor Pro Tem Boyles authorizing the establishment of the El Segundo Technology Committee to be comprised of three (3) to five (5) members from the El Segundo business and residential community, and two (2) members of City Council, all with the expertise to advise the City on its technology systems and add the Technology Committee to the City’s Local Appointment List pursuant to the California Government Code Section 54972. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

2. Consideration and possible action to announce the appointments to the Recreation and Parks Commission, Planning Commission, Environmental Committee, Library Board of Trustees, Senior Citizen Housing Corporation Board and Community Cable Advisory Committee.
   (Fiscal Impact: None)

Mayor Fuentes announced the appointment of Alex Farfan to the Recreation and Parks Commission to a full term expiring June 30, 2020; Kevin Maggay to a partial term expiring June 30, 2018 and Rachel McPherson to a full term expiring June 30, 2020 to the Environmental Committee.

E. CONSENT AGENDA

All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.
3. Approve Warrant Numbers 3011678 through 3011928 on Register No. 18 in the total amount of $951,483.94 and Wire Transfers from 06/13/16 through 06/26/16 in the total amount of $1,586,134.50 and Warrant Numbers 3011929 through 3012102 on Register No. 19 in the total amount of $959,130.69 and Wire Transfers from 06/27/16 through 07/10/16 in the total amount of $1,364,844.14. Authorize staff to release. Ratified Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

4. PULLED BY MAYOR PRO TEM BOYLES

5. PULLED BY MAYOR PRO TEM BOYLES

6. Accept the Water Main Improvement Project on Virginia St., Oak Ave. and Bayonne St. for Project No.15-08 as complete and authorize the City Clerk to file Notice of Completion in the County Recorder's office. (Fiscal Impact: $1,355,863.88.)

7. Accept the Sewer Main Improvement work for Project No.13-24 as complete and authorize the City Clerk to file Notice of Completion in the County Recorder's office. (Fiscal Impact: $1,407,096.67)

8. Adopt Resolution No. 4901 approving plans and specifications for the Pump Station #1 & #7 Modification Improvement, Project No. PW 16-07 and authorize staff to advertise the project for receipt of construction bids. (Fiscal Impact: To be determined.)

9. Adopt Resolution No. 4900 approving Plans and Specifications for the Water Valve Replacement Project at multiple locations on the following streets: Hillcrest St., Cedar St., Holly Ave., Walnut Ave., Mariposa Ave. and Eucalyptus St., Project No. PW16-24. (Fiscal Impact: To be determined)

10. Approve a thirty (30) day provisional appointment extension for the position of Information Systems Manager. (Fiscal Impact: $).

MOTION by Mayor Pro Tem Boyles, SECONDED by Council Member Brann to approve Consent Agenda items 3, 6, 7, 8, 9 and 10. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0.

PULLED ITEMS:
4. Approve Regular City Council Meeting Minutes of June 21, 2016 and Special City Council Meeting Minutes of June 23, 2016. (Fiscal Impact: None)

Mayor Pro Tem Boyles corrected his comments on family’s leaving El Segundo. The Bustom’s family is not moving, however, the Puska family is moving. He wished the Puska’s well on their move.

MOTION by Mayor Pro Tem Boyles, SECONDED by Council Member Pirstzuk to approve, as corrected, the Regular City Council Meeting Minutes of June 21, 2016 and the Special City Council Meeting Minutes of June 23, 2016. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0.

5. Consideration and possible action to approve agreement no. 5169, on a sole source basis, with Steve Koester dba Environmental Compliance Services to provide a temporary consultant services for the Fire Department and its Certified Unified Program Agency (CUPA) program. (Fiscal Impact: $110,000)

Mayor Pro Tem Boyles asked Greg Carpenter, City Manager, to give more background on the item.

Council Discussion

MOTION by Mayor Pro Tem Boyles, SECONDED by Council Member Brann to authorize the City Manager to sign and enter into a Professional Services Agreement, in a form approved by the City Attorney, with Steve Koester dba Koester Environmental Compliance Services and authorize a blanket purchase order for Steve Koester dba Koester Environmental Compliance Services to enable the Fire Department to receive the services provided by Steve Koester dba Environmental Compliance Services, not to exceed $110,000. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0.

F. NEW BUSINESS

11. Consideration and possible action regarding policy action for the Park Vista Senior Housing Facility, located at 615 E. Holly Ave., regarding the loan repayment agreement between the City of El Segundo and the El Segundo Senior Citizen Housing Corporation ("Corporation") and funding of the Voters' Trust Account. (Fiscal Impact: $882,544).

Greg Carpenter, City Manager, introduced the item.

Joseph Lillio, Finance Director, gave a presentation.

Council Discussion
MOTION by Mayor Pro Tem Boyles, SECONDED by Council Member Brann to authorize the appropriation in the amount of $882,544 from the General Fund undesignated reserve fund balance to the Voter's Trust Account (Park Vista Fund) and forgive the $2,000,000.00 loan balance. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0.

G. REPORTS – CITY MANAGER – Mr. Carpenter had Police Chief Tavera give a report on how El Segundo is addressing the safety concerns of our officers during this time when law enforcement officers are being threatened all over the U.S. and Stephanie Katsouleas gave an update on the Richmond Street Rehabilitation project. Mr. Carpenter mentioned the Farmer's Market is moving from the 400 block of Main to the 300 block of Main. Thanked all departments involved in the 4th of July festivities for a job well done.

H. REPORTS – CITY ATTORNEY- mentioned the attorney’s office worked with the Public Works department to get the Richmond Street Rehabilitation project back on track with the contractor, thanked the Finance Director for his work on resolving the Park Vista situation, tracking legislation on a bill that would force City's to offer affordable housing and will continue to watch the progress and working on various development projects with the Planning and Building Safety department.

I. REPORTS – CITY CLERK - None

J. REPORTS – CITY TREASURER – Not Present

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann – Attended the Centennial Committee meeting, Joe Pinchuk's Memorial Service, encouraged resident’s to dine out on Richmond Street during construction and finished his department tours.

Council Member Pirsztuk – Thanked the City’s staff for a great job on the 4th of July celebration.

Council Member Dugan – Absent

Mayor Pro Tem Boyles – None

Mayor Fuentes – Thanked the City’s staff for a great job on the 4th of July celebration, thanked Scot Nicol and Kumon for helping to sponsor the celebration, attended the recent Strategic Planning Session, attending the Concert in the Park on Sunday, attended the El Segundo Chamber of Commerce; Salute to the Military event and attended Colonel Turner's Change of Command Ceremony.
PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total)

MEMORIALS – None

Returned to Closed Session at 7:51 PM.

ADJOURNMENT at 9:17 PM

____________________________
Tracy Weaver, City Clerk
AGENDA DESCRIPTION:
Consideration and possible action to purchase equipment for a "Point to Point" wireless system and amend contract #4917 for additional installation services, from Pacific Services in the amount of $21,301 (Fiscal Impact: $21,301).

RECOMMENDED COUNCIL ACTION:
(1) Purchase equipment for a "Point to Point" Wireless system from Pacific Services in the amount of $21,301

(2) Amend Agreement No. 4917 with Pacific Services Inc. to include additional equipment installation services.

(3) Alternatively, discuss and take other action related to this item

ATTACHED SUPPORTING DOCUMENTS:
- Pacific Services Inc. Quote for microwave system
- Pacific Services Inc. Agreement No. 4917
- Pacific Services Inc. Amendment to Agreement No. 4917

FISCAL IMPACT: Included in Adopted Budget
Amount Budgeted: $21,301
Additional Appropriation: No
Account Number(s): 001-400-3101-8104 (Police Developer Fees)

ORIGINATED BY: Brian Evanski, Police Captain
REVIEWED BY: Mitch Tavera, Chief of Police
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
El Segundo Police accepted an offer for office space at "The Point" shopping center in El Segundo to establish a location on the east side of town for officers to write reports.

In order to have report writing capabilities, a connection to the City network is required. This network connection will also allow the ability to install and monitor surveillance cameras both inside and outside the report writing office.

Pacific Services Inc. will provide and connect a "Point to Point" 5.8 GHz radio microwave link system which will be installed on the roof at The Point shopping center, and at the Water Tank Tower located at the Water Department on Lomita Street.
El Segundo currently has an agreement with Pacific Services Inc. for similar services, specifically the “Point to Point” microwave connection to the Life Guard Station at Grand Beach, and Staff recommends authorizing Council to amend this agreement to include the additional services. The amendment will increase the total amount of the contract to an amount not-to-exceed $50,000 ($24,431 for the initial services, plus $21,301 for the additional services).
CITY OF EL SEGUNDO
BROADBAND RADIO SYSTEM FROM WATER TANK TOWER TO THE POINT

Presented To:
Scott Kim, Information Systems Manager
City of El Segundo
350 Main Street
El Segundo, CA 90245

Presented by:
Charles Margiotta
Pacific Services, Inc.

06/23/2016

The information in this document is strictly confidential between
The City of El Segundo and Pacific Services, Inc.
927 Calle Negocio, Suite L · San Clemente, CA 92673
Phone: (949) 542-7995 · Fax: (949) 542-7996 · www.pacdatacom.com
INTRODUCTION

This document defines the services that Pacific Services, Inc. (hereafter referred to as “Pacific Services”), will provide to THE CITY OF EL SEGUNDO (hereafter referred to as “the customer”), under this service agreement. THE CITY OF EL SEGUNDO has engaged Pacific Services to provide systems engineering resources for the purposes of performing a Technical Vulnerability and Architecture Assessment.

The purpose of this document is to ensure that both Pacific Services and THE CITY OF EL SEGUNDO share a common and equal understanding of what services will be rendered by Pacific Services. The information contained herein will describe the project scope. This Project Proposal includes the following:

SECTION 1 INTRODUCTION
SECTION 2 SCOPE OF WORK
SECTION 3 CLARIFICATIONS, QUALIFICATIONS & SPECIAL CONDITIONS
SECTION 4 ADDITIONAL WORK
SECTION 5 RETURN VISITS
SECTION 6 PRECAUTIONARY PROCEDURES
SECTION 7 LEGAL FEES
SECTION 8 ENTIRE AGREEMENT
SECTION 9 GOVERNING LAW & VENUE
SECTION 10 PROJECT COST
SECTION 11 PROJECT ACCEPTANCE & AUTHORIZATION
Section 2

SCOPE OF WORK

Under this agreement, Pacific Services will provide professional services (technical resource personnel) to implement the project described below for THE CITY OF EL SEGUNDO, Pacific Services will provide services on a flat rate basis as referenced in Section 10 of this document to fulfill the following project requirements.

Pacific Services will provide (1) Point to Point PTP650, 5.8 GHz radio links to The Point shopping Center in the City of El Segundo mounted on the roof and connected in the IT switch on the second floor, the other radio will be mounted at the Water department water tank tower, mounting 2ft antenna on pipe mount which is mounted to the walkway hand rail at the 80ft point of the water tank cat6 cable run from radio on tower to IT room in water departments server room switch. The IT switch at water department is connected to the city network for connectivity to the city police station.

Pacific Services will coordinate link installation City of El Segundo will install (1) 5.8 GHz Cambium PTP650 radio links at the specified locations.

Pacific services will bench test and pre-configure the radios for installation.

The PTP650 link with link City hall police station to a new police substation located The Point shopping center.
Section 3

CLARIFICATIONS, QUALIFICATIONS & SPECIAL CONDITIONS

1. Under a one year Limited Warranty for all materials and workmanship, Contractor shall not be responsible for correcting work or replacing equipment damaged as a result of faulty work performed, materials, or equipment supplied by others. Manufacturer’s warranty on the radio equipment of one year. This includes manufacturer parts and labor for depot repairs.

2. Contractor requires unlimited access to worksites during pre-designated installation schedule. Any access delays will be documented by Contractor and charged to Customer on a time and materials basis.

3. Customer is responsible for removing obstructions in order to provide a free and clear access for new radio system installation.

4. A Change Order shall be issued when field conditions substantially differ from conditions of job walk provided Customer agrees to and executes a written Change Order. All installation areas not exhibited during job walk are deemed to be similar in nature to those areas exhibited, as accurate to descriptions forwarded by Customer. Contractor agrees that it has performed a requirements evaluation of Customer’s main building and the remote office building.

5. If Customer stops installation project through no fault of Contractor, Customer shall pay Contractor for all materials and labor expended to date. Customer shall incur set-up and/or portal-to-portal charges for recommencement of installation activities. Cancellation of any materials will be subject to a 20% restocking fee.

6. Customer agrees to accept the Radio system provided that Contractor has completed all work specified here under and when Customer is satisfied in its reasonable discretion that successful transmission of data and voice can be completed between the site locations.

7. Customer will be responsible for providing and configuring switches to interface to building LANs. Customer will also be responsible for programming or configuring of phone systems for any voice requirements.

8. Customer will be responsible for any building permits or city permits if required.

9. Customer is responsible for acquiring necessary permission to install roof top antennas and equipment from building lessor (if applicable).

10. Customer should provide indoor 110VAC UPS power supply for power brick modules of radio units.

11. Contractor will provide insurance certificates if requested. If named party policy is required an additional charge of $250.00/named party will apply.

Page 4 of 9
Section 4

ADDITIONAL WORK

If, at any time, following acceptance of this Agreement and prior to payment for Contractor's services, Customer requests work to be performed by Contractor in addition to that described in Paragraph I of this Agreement, Customer shall pay for such additional materials and time required to perform the additional work requested, provided the Customer agrees and executes a mutually agreeable Change Order.

Contractor's fees for labor required to perform the additional work shall be at the rate of $185.00 per hour per man plus $100.00 trip charge. (Off hours at $212.75/per hour.) Contractor will not perform additional work except upon mutually agreed Change Order. Off-hours are defined as after 5 P.M. and before 8 A.M. PST and Saturdays, Sundays and holidays.

Section 5

RETURN VISITS

Contractor shall test all work performed upon completion to ensure its proper installation and operations. Contractor shall not be responsible for correcting work or replacing equipment damaged as a result of faulty work performed on equipment supplied by others. If Customer requests additional visits by Contractor to the job site following acceptance of the work, Customer agrees to pay Contractor fee for labor required to perform additional work, which shall be at the rate set forth at Section IV of this Agreement.
Section 6

PRECAUTIONARY PROCEDURES

Contractor will take all necessary and customary precautions in introducing and maintaining safety measures against all hazards connected with the work under this contract. Contractor will make protective arrangements as to protect work operations from damaging the premises or other work operations. Contractor shall not be liable for any loss incurred by Customer as a result of Customer’s inability to have access to or use of, but not limited to, electrical equipment, telephones, or computers during the time that work is being performed by Contractor. Contractor to have General Liability, Property Damage, and Worker’s Compensation Insurance.

Pacific Services shall hold harmless and indemnify THE CITY OF EL SEGUNDO (and any of its subsidiaries or affiliates) from and against any damages which are directly or indirectly suffered or incurred by THE CITY OF EL SEGUNDO and which arise from or as a result of, or are directly or indirectly connected with Pacific Services’ services provided to THE CITY OF EL SEGUNDO under this agreement.

Section 7

LEGAL FEES

Attorney’s Fees: The prevailing party in any dispute between the parties arising out of the interpretation, application or enforcement of any provision of this Agreement, shall be entitled to recover all of its reasonable attorneys’ fees and costs whether suit be filed or not, including without limitation costs and attorney’s fees related to or arising out of any arbitration proceeding, trial or appellate proceedings.
Section 8

ENTIRE AGREEMENT

This Agreement contains the entire agreement between the parties concerning the subject matter hereof, and supersedes all other oral or written agreements, understandings, commitments, and practices between the parties, whether or not fully performed by the time of the execution of this Agreement. This proposal may be withdrawn if not accepted within 30 days.

Section 9

GOVERNING LAW & VENUE

This Agreement shall be constructed in accordance with, and governed by, the laws of the State of California.
## Section 10

### PROJECT COSTS

Customer agrees to pay Contractor the sum of Twenty one Thousand three Hundred dollars and 02/100 cents ($21,300.02) for the work described in Section 2, scope of work, on the following terms: Net 30 days, F.O.B. factory, sales tax included in total, per the following schedule. Late payment will incur a late charge of 1.5 percent interest per month on the outstanding balance.

The cost and equipment summary for this radio project is below:

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<tr>
<th>QTY</th>
<th>PART</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>EXT. PRICE</th>
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<tbody>
<tr>
<td>2</td>
<td>C050065H010A</td>
<td>PTP650 Integrated with Enhanced AC/DC Power Supply</td>
<td>2,786.00</td>
<td>5,572.00</td>
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<tr>
<td>1</td>
<td>AMS</td>
<td>Antenna Mounting pole Structure, for The Point location heavy duty non-pen with pads and block ballast</td>
<td>958.00</td>
<td>958.00</td>
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<td>2</td>
<td>KC0550</td>
<td>CAT5E Cable Kit – 150 Meters</td>
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<td>776.00</td>
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<td>4</td>
<td>Coax</td>
<td>4ft Coax LMR Jumpers</td>
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<td>540.00</td>
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<tr>
<td>2</td>
<td>C000065L007A</td>
<td>PTP650 LPU and Grounding Kit</td>
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<td>883.00</td>
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<td>RDG4472B</td>
<td>2ft 5.7-6.4GHz dual feed antennas</td>
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<td>Pole</td>
<td>Pole extension and conduit for Water tank towers</td>
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<td>649.00</td>
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<td>1</td>
<td>INSTALLATION</td>
<td>Installation, Alignment and Testing Water Tank &amp; The Point locations only</td>
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<td>2</td>
<td>Mobilization</td>
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<td>1,000.00</td>
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Total: $21,300.02
# PROJECT ACCEPTANCE & AUTHORIZATION

THE CITY OF EL SEGUNDO and Pacific Services, Inc.

This agreement must have final approval and a signature of the designated Pacific Services and THE CITY OF EL SEGUNDO representative.

The below signed parties are in agreement that this Scope of Work constitutes the full extent of their agreement, and acceptable performance guidelines to satisfy adequate meeting of objectives defined by THE CITY OF EL SEGUNDO and Pacific Services, Inc. Both parties further agree that substantive changes in the requirements may result in increased or decreased associated costs that can be addressed by modification of the primary purchase order or by issuance of another purchase order.

This is to certify that the undersigned Pacific Services and THE CITY OF EL SEGUNDO representatives acknowledge and accept the terms and conditions of the enclosed Scope of Work.

<table>
<thead>
<tr>
<th>Agreed and accepted by:</th>
<th>THE CITY OF EL SEGUNDO</th>
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<tbody>
<tr>
<td>Signature</td>
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<thead>
<tr>
<th>Name (Printed)</th>
<th>Title</th>
<th>Date</th>
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</table>
SERVICES AGREEMENT
BETWEEN
THE CITY OF EL SEGUNDO AND
PACIFIC SERVICES, INC.

THIS SERVICES AGREEMENT ("Agreement") is made and entered into this 1st day of
December, 2015, by and between the CITY OF EL SEGUNDO, a general law city and municipal
corporation ("CITY") and PACIFIC SERVICES, INC., a California Corporation
("CONTRACTOR").

The Parties agree as follows:

1. CONSIDERATION,
   A. As partial consideration, CONTRACTOR agrees to perform the work listed in the
      SCOPE OF SERVICES, below;
   B. As additional consideration, CONTRACTOR and CITY agree to abide by the
      terms and conditions contained in this Agreement;
   C. As additional consideration, CITY agrees to pay CONTRACTOR a sum not to
      exceed Twenty Four Thousand, Five Hundred dollars ($24,500) for
      CONTRACTOR's services, for CONTRACTOR's services set forth in the
      attached Exhibits "A" and "B," which are incorporated by reference. CITY will
      pay such amount promptly, but not later than thirty (30) days after receiving
      CONTRACTOR's invoice.

2. TERM. The term of this Agreement will be from December 1, 2015, to November 30, 2016.
The Agreement may be renewed upon mutual consent of the parties.

3. SCOPE OF SERVICES.
   A. CONTRACTOR will perform services listed in the attached Exhibits A and B.
   B. CONTRACTOR will, in a workmanlike manner, furnish all of the labor,
      technical, administrative, professional and other personnel, all supplies and
      materials, equipment, printing, vehicles, transportation, office space and facilities,
      and all tests, testing and analyses, calculation, and all other means whatsoever,
      except as herein otherwise expressly specified to be furnished by CITY, necessary
      or proper to perform and complete the work and provide the professional services
      required of CONTRACTOR by this Agreement.

4. PREVAILING WAGES.
   A. Pursuant to Labor Code § 1720, and as specified in 8 California Code of
Regulations § 16000, CONTRACTOR must pay its workers prevailing wages. It is CONTRACTOR’s responsibility to interpret and implement any prevailing wage requirements and CONTRACTOR agrees to pay any penalty or civil damages resulting from a violation of the prevailing wage laws.

B. In accordance with Labor Code § 1773.2, copies of the prevailing rate of per diem wages are available upon request from CITY’s Engineering Division or the website for State of California Prevailing wage determination at http://www.dir.ca.gov/D1_SR/PWD. CONTRACTOR must post a copy of the prevailing rate of per diem wages at the job site.

C. CITY directs CONTRACTOR’s attention to Labor Code §§ 1777.5, 1777.6 and 3098 concerning the employment of apprentices by CONTRACTOR or any subcontractor.

D. Labor Code § 1777.5 requires CONTRACTOR or subcontractor employing tradesmen in any apprenticeship occupation to apply to the joint apprenticeship committee nearest the site of the public works project and which administers the apprenticeship program in that trade for a certificate of approval. The certificate must also fix the ratio of apprentices to journeymen that will be used in the performance of the contract. The ratio of apprentices to journeymen in such cases will not be less than one to five except:

i. When employment in the area of coverage by the joint apprenticeship committee has exceeded an average of 15 percent in the 90 days before the request for certificate, or

ii. When the number of apprentices in training in the area exceeds a ratio of one to five, or

iii. When the trade can show that it is replacing at least 1/30 of its membership through apprenticeship training on an annual basis state-wide or locally, or

iv. When CONTRACTOR provides evidence that CONTRACTOR employs registered apprentices on all of his contracts on an annual average of not less than one apprentice to eight journeymen.

v. CONTRACTOR is required to make contributions to funds established for the administration of apprenticeship programs if CONTRACTOR employs registered apprentices or journeymen in any apprenticeable trade on such contracts and if other contractors on the public works site are making such contributions.

vi. CONTRACTOR and any subcontractor must comply with Labor Code §§ 1777.5 and 1777.6 in the employment of apprentices.
vii. Information relative to apprenticeship standards, wage schedules and other requirements may be obtained from the Director of Industrial Relations, ex-officio the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

E. CONTRACTOR and its subcontractors must keep an accurate certified payroll records showing the name, occupation, and the actual per diem wages paid to each worker employed in connection with this Agreement. The record will be kept open at all reasonable hours to the inspection of the body awarding the contract and to the Division of Labor Law Enforcement. If requested by CITY, CONTRACTOR must provide copies of the records at its cost.

5. FAMILIARITY WITH WORK.

A. By executing this Agreement, CONTRACTOR represents that CONTRACTOR has

i. Thoroughly investigated and considered the scope of services to be performed;

ii. Carefully considered how the services should be performed; and

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

B. If services involve work upon any site, CONTRACTOR warrants that CONTRACTOR has or will investigate the site and is or will be fully acquainted with the conditions there existing, before commencing the services hereunder. Should CONTRACTOR discover any latent or unknown conditions that may materially affect the performance of the services, CONTRACTOR will immediately inform CITY of such fact and will not proceed except at CONTRACTOR’s own risk until written instructions are received from CITY.

6. INSURANCE.

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

<table>
<thead>
<tr>
<th>Type of Insurance</th>
<th>Limits (combined single)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial general liability:</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Business automobile liability</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Workers compensation</td>
<td>Statutory requirement.</td>
</tr>
</tbody>
</table>
B. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name City, its officials, and employees as “additional insureds” under said insurance coverage and to state that such insurance will be deemed “primary” such that any other insurance that may be carried by City will be excess thereto. Such insurance will be on an “occurrence,” not a “claims made,” basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to City.

C. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

D. CONTRACTOR will furnish to City duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by City from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of “A:VII.” Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage. CONTRACTOR will require its insurer to modify such certificates to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word “endeavor” with regard to any notice provisions.

E. Should CONTRACTOR, for any reason, fail to obtain and maintain the insurance required by this Agreement, City may obtain such coverage at CONTRACTOR’s expense and deduct the cost of such insurance from payments due to CONTRACTOR under this Agreement or terminate.

7. **TIME FOR PERFORMANCE.** CONTRACTOR will not perform any work under this Agreement until:

   A. CONTRACTOR furnishes proof of insurance as required under Section 6 of this Agreement; and

   B. CITY gives CONTRACTOR a written Notice to Proceed.

   C. Should CONTRACTOR begin work in advance of receiving written authorization to proceed, any such professional services are at CONTRACTOR’s own risk.

8. **TERMINATION.**

   A. Except as otherwise provided, CITY may terminate this Agreement at any time
with or without cause. Notice of termination will be in writing.

B. CONTRACTOR may terminate this Agreement upon providing written notice to CITY at least thirty (30) days before the effective termination date.

C. Should the Agreement be terminated pursuant to this Section, CITY may procure on its own terms services similar to those terminated.

D. By executing this document, CONTRACTOR waives any and all claims for damages that might otherwise arise from CITY’s termination under this Section.

INDEMNIFICATION.

A. CONTRACTOR indemnifies and holds CITY harmless from and against any claim, action, damages, costs (including, without limitation, reasonable attorney’s fees and penalties), injuries, or liability, arising out of this Agreement, or its performance including, without limitation, damages or penalties arising from CONTRACTOR’s removal, remediation, response or other plan concerning any Hazardous Waste resulting in the release of any hazardous substance into the environment, except for such loss or damage arising from CITY’s sole negligence or willful misconduct. Should CITY be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of this Agreement, or its performance, CONTRACTOR will defend CITY (at CITY’s request and with counsel satisfactory to CITY) and will indemnify CITY for any judgment rendered against it or any sums paid out in settlement or otherwise.

B. For purposes of this section “CITY” includes CITY’s officers, officials, employees, agents, representatives, and volunteers.

C. CONTRACTOR expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as is permitted by the law of the State of California and that if any portion is held invalid, it is agreed that the balance will, notwithstanding, continue in full legal force and effect.

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

E. The requirements as to the types and limits of insurance coverage to be maintained by CONTRACTOR as required by this Agreement, and any approval of said insurance by CITY, are not intended to and will not in any manner limit or qualify the liabilities and obligations otherwise assumed by CONTRACTOR pursuant to this Agreement, including, without limitation, to the provisions concerning indemnification.
9. INDEPENDENT CONTRACTOR. CITY and CONTRACTOR agree that CONTRACTOR will act as an independent contractor and will have control of all work and the manner in which it is performed. CONTRACTOR will be free to contract for similar service to be performed for other employers while under contract with CITY. CONTRACTOR is not an agent or employee of CITY and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CITY provides for its employees. Any provision in this Agreement that may appear to give CITY the right to direct CONTRACTOR as to the details of doing the work or to exercise a measure of control over the work means that CONTRACTOR will follow the direction of the CITY as to end results of the work only.

10. NOTICES.

   A. All notices given or required to be given pursuant to this Agreement will be in writing and may be given by personal delivery or by mail. Notice sent by mail will be addressed as follows:

      To CITY:  Attn: City Clerk's office
                 City of El Segundo
                 350 Main Street
                 El Segundo, CA 90245

      To CONTRACTOR: Attn: Gary Greening, President
                         Pacific Services, Inc.
                         927 Calle Negocio Suite L
                         San Clemente, CA 92673

   B. When addressed in accordance with this paragraph, notices will be deemed given upon deposit in the United States mail, postage prepaid. In all other instances, notices will be deemed given at the time of actual delivery.

   C. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

11. TAXPAYER IDENTIFICATION NUMBER. CONTRACTOR will provide CITY with a Taxpayer Identification Number.

12. WAIVER. A waiver by CITY of any breach of any term, covenant, or condition contained in this Agreement will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

13. CONSTRUCTION. The language of each part of this Agreement will be construed simply and according to its fair meaning, and this Agreement will never be construed either for or against either party.
14. **SEVERABLE.** If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

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

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

17. **INTERPRETATION.** This Agreement was drafted in, and will be construed in accordance with the laws of the State of California, and exclusive venue for any action involving this agreement will be in Los Angeles County.

18. **AUTHORITY/MODIFICATION.** This Agreement may be subject to and conditioned upon approval and ratification by the El Segundo City Council. This Agreement is not binding upon CITY until executed by the City Manager. The Parties represent and warrant that all necessary action has been taken by the Parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written agreement. CITY's city manager may execute any such amendment on behalf of CITY.

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

20. **EFFECT OF CONFLICT.** In the event of any conflict, inconsistency, or incongruity between any provision of this Agreement, its attachments, the purchase order, or notice to proceed, the provisions of this Agreement will govern and control.

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

22. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, war, terrorist act, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the Parties' control, then the Agreement will immediately terminate without obligation of either party to the other.

23. **ENTIRE AGREEMENT.** This Agreement and its one attachment constitutes the sole agreement between CONTRACTOR and CITY. To the extent that there are additional terms and conditions contained in Exhibits "A" and "B" that are not in conflict with this Agreement, those terms are incorporated as if fully set forth above. There are no other understandings, terms or other agreements expressed or implied, oral or written.
IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first hereinabove written.

CITY OF EL SEGUNDO
a general law city.

Greg Carpenter,
City Manager

PACIFIC SERVICES, INC.

Gary Greening
President

ATTEST:

Tracy Wegner,
City Clerk

Taxpayer ID No. 80-0104612

APPROVED AS TO FORM:

Mark D. Hensley,
City Attorney
# PRODUCT QUOTATION

## Customer Information
- **Customer:** City of El Segundo
- **Address:** 350 Main Street
- **Contact:** Larry Klingaman, Information System Manager
- **Telephone:** 310-524-2392
- **Fax:**
- **E-mail:** larry.klingaman@elsegundo.org

## Quote Information
- **Quote Number:** 12082
- **Quote Date:** 22-Sep-15
- **Expires:** 25-Oct-15
- **Delivery:** 15-25 days ARO
- **FOB:** Origin
- **Payment:** Net 20 days OAC

## Part Number | Description | QTY | Unit Price | Total
--- | --- | --- | --- | ---
C000655507DA | PTP650 Integrated with Enhanced AC/DC Power Supply | 2 | $2,786.00 | $5,572.00
AMS | Antenna Mounting pole Structure, only for City Hall & Lifeguard station | 2 | $488.00 | $976.00
KC0550 | CAT5E Cable Kit – 150 Meters | 2 | $225.00 | $450.00
C000655007A | PTP650 LPU and Grounding Kit | 2 | $360.00 | $720.00
FCC | 2 Frequency Analysis, PCN, App Prep and Submit Schedule K for the Links | 2 | $750.00 | $1,500.00
TRAINING | Installation, Alignment and Testing City Hall & Lifeguard Station locations only | 1 | $ - | $ -
INSTALLATION | Installation, Alignment and Testing City Hall & Lifeguard Station locations only | 2 | $4,500.00 | $9,000.00
Calibration Chevron Tower | Added Integration/Training/Alignment/Calibration for Chevron Tower | 1 | $1,895.00 | $1,895.00
C000655507A | Software Upgrade (125 Mbps to 250 Mbps) No longer available | 0 | $ - | $ -
C000655507A | Software Upgrade (125 Mbps to 450 Mbps) | 0 | $895.50 | $895.50
C000655507A | Calibrant PTP OC, EXTENDED WARRANTY PER END, 2 ADDITIONAL YEARS (Optional) | 4 | $350.00 | $1,400.00
Labor Services | BXS labor services, within 8 hours from call one year (Optional) | 2 | $1,000.00 | $2,000.00
Shipping | shipping charges | 1 | $223.00 | $223.00
Sales Tax | equipment sales tax | 1 | $753.00 | $753.00

**Total:** $24,489.00

## Signature
**Accepted By:** Charles Margotta
**Date:** 9/22/2015

**Director of Business Development**
CITY OF EL SEGUNDO
BROADBAND RADIO SYSTEM

Presented To:
Larry Klingaman, Information Systems Manager
City of El Segundo
350 Main Street
El Segundo, CA 90245

Presented by:
Charles Margiotta
Pacific Services, Inc.

10/06/15

The information in this document is strictly confidential between
The City of El Segundo and Pacific Services, Inc.
927 Calle Negocio, Suite L · San Clemente, CA 92673
Phone: (949) 542-7995 · Fax: (949) 542-7996 · www.pacdatacom.com
INTRODUCTION

This document defines the services that Pacific Services, Inc. (hereafter referred to as “Pacific Services”), will provide to THE CITY OF EL SEGUNDO (hereafter referred to as “the customer”), under this service agreement. THE CITY OF EL SEGUNDO has engaged Pacific Services to provide systems engineering resources for the purposes of performing a Technical Vulnerability and Architecture Assessment.

The purpose of this document is to ensure that both Pacific Services and THE CITY OF EL SEGUNDO share a common and equal understanding of what services will be rendered by Pacific Services. The information contained herein will describe the project scope. This Project Proposal includes the following:

SECTION 1    INTRODUCTION
SECTION 2    SCOPE OF WORK
SECTION 3    CLARIFICATIONS, QUALIFICATIONS & SPECIAL CONDITIONS
SECTION 4    ADDITIONAL WORK
SECTION 5    RETURN VISITS
SECTION 6    PRECAUTIONARY PROCEDURES
SECTION 7    LEGAL FEES
SECTION 8    ENTIRE AGREEMENT
SECTION 9    GOVERNING LAW & VENUE
SECTION 10    PROJECT COST
SECTION 11    PROJECT ACCEPTANCE & AUTHORIZATION
Section 2

SCOPE OF WORK

Under this agreement, Pacific Services will provide professional services (technical resource personnel) to implement the project described below for THE CITY OF EL SEGUNDO. Pacific Services will provide services on a flat rate basis as referenced in Section 10 of this document to fulfill the following project requirements.

Pacific Services will provide (2) Point to Point 650, 4.9 GHz radio links to the City of El Segundo. One radio will be mounted at the police station roof aimed at the Chevron tower. The Chevron tower will work as a repeater site with one radio aimed at the police station and one aimed at the Lifeguard station at the beach where the camera is located.

Pacific Services will coordinate link installation with Sun Communications. Sun Communications, a vendor for the City of El Segundo will install (2) 4.9GHz Cambium 650 radio links at the specified locations.

Pacific services will bench test and pre-configure the radios for installation.

Pacific services has not done a site survey, and the scope of work is based on information provided by the City of El Segundo. Pacific Services has not verified line of sight and cannot guarantee the link work if there is no line of sight available from the city’s selected locations.
Section 3

CLARIFICATIONS, QUALIFICATIONS & SPECIAL CONDITIONS

1. Under a one year Limited Warranty for all materials and workmanship, Contractor shall not be responsible for correcting work or replacing equipment damaged as a result of faulty work performed, materials, or equipment supplied by others. Manufacturer's warranty on the radio equipment of one year. This includes manufacturer parts and labor for depot repairs.

2. Contractor requires unlimited access to worksites during pre-designated installation schedule. Any access delays will be documented by Contractor and charged to Customer on a time and materials basis.

3. Customer is responsible for removing obstructions in order to provide a free and clear access for new radio system installation.

4. A Change Order shall be issued when field conditions substantially differ from conditions of job walk provided Customer agrees to and executes a written Change Order. All installation areas not exhibited during job walk are deemed to be similar in nature to those areas exhibited, as accurate to descriptions forwarded by Customer. Contractor agrees that it has performed a requirements evaluation of Customer's main building and the remote office building.

5. If Customer stops installation project through no fault of Contractor, Customer shall pay Contractor for all materials and labor expended to date. Customer shall incur set-up and/or portal-to-portal charges for recommencement of installation activities. Cancellation of any materials will be subject to a 20% restocking fee.

6. Customer agrees to accept the Radio system provided that Contractor has completed all work specified here under and when Customer is satisfied in its reasonable discretion that successful transmission of data and voice can be completed between the site locations.

7. Customer will be responsible for providing and configuring switches to interface to building LANs. Customer will also be responsible for programming or configuring of phone systems for any voice requirements.

8. Customer will be responsible for any building permits or city permits if required.

9. Customer is responsible for acquiring necessary permission to install roof top antennas and equipment from building lessor (if applicable).

10. Customer should provide indoor 110VAC UPS power supply for power brick modules of radio units.

11. Contractor will provide insurance certificates if requested. If named party policy is required an additional charge of $250.00/named party will apply.
ADDITIONAL WORK

If, at any time, following acceptance of this Agreement and prior to payment for Contractor's services, Customer requests work to be performed by Contractor in addition to that described in Paragraph 1 of this Agreement, Customer shall pay for such additional materials and time required to perform the additional work requested, provided the Customer agrees and executes a mutually agreeable Change Order.

Contractor's fees for labor required to perform the additional work shall be at the rate of $185.00 per hour per man plus $100.00 trip charge. (Off hours at $212.75/per hour.) Contractor will not perform additional work except upon mutually agreed Change Order. Off-hours are defined as after 5 P.M. and before 8 A.M. PST and Saturdays, Sundays and holidays.

RETURN VISITS

Contractor shall test all work performed upon completion to ensure its proper installation and operations. Contractor shall not be responsible for correcting work or replacing equipment damaged as a result of faulty work performed on equipment supplied by others. If Customer requests additional visits by Contractor to the job site following acceptance of the work, Customer agrees to pay Contractor fee for labor required to perform additional work, which shall be at the rate set forth at Section IV of this Agreement.
Section 6

PRECAUTIONARY PROCEDURES

Contractor will take all necessary and customary precautions in introducing and maintaining safety measures against all hazards connected with the work under this contract. Contractor will make protective arrangements as to protect work operations from damaging the premises or other work operations. Contractor shall not be liable for any loss incurred by Customer as a result of Customer’s inability to have access to or use of, but not limited to, electrical equipment, telephones, or computers during the time that work is being performed by Contractor. Contractor to have General Liability, Property Damage, and Worker’s Compensation Insurance.

Pacific Services shall hold harmless and indemnify THE CITY OF EL SEGUNDO (and any of its subsidiaries or affiliates) from and against any damages which are directly or indirectly suffered or incurred by THE CITY OF EL SEGUNDO and which arise from or as a result of, or are directly or indirectly connected with Pacific Services’ services provided to THE CITY OF EL SEGUNDO under this agreement.

Section 7

LEGAL FEES

Attorney’s Fees: The prevailing party in any dispute between the parties arising out of the interpretation, application or enforcement of any provision of this Agreement, shall be entitled to recover all of its reasonable attorneys’ fees and costs whether suit be filed or not, including without limitation costs and attorney’s fees related to or arising out of any arbitration proceeding, trial or appellate proceedings.
Section 8

ENTIRE AGREEMENT

This Agreement contains the entire agreement between the parties concerning the subject matter hereof, and supersedes all other oral or written agreements, understandings, commitments, and practices between the parties, whether or not fully performed by the time of the execution of this Agreement. This proposal may be withdrawn if not accepted within 30 days.

Section 9

GOVERNING LAW & VENUE

This Agreement shall be constructed in accordance with, and governed by, the laws of the State of California.
## PROJECT COSTS

Customer agrees to pay Contractor the sum of Twenty Four Thousand Four Hundred Thirty dollars and 92/100 cents ($24,430.92) for the work described in Section 2, scope of work, on the following terms: Net 30 days, F.O.B. factory, sales tax included in total, per the following schedule. Late payment will incur a late charge of 1.5 percent interest per month on the outstanding balance.

The cost and equipment summary for this radio project is below:

<table>
<thead>
<tr>
<th>QTY</th>
<th>PART</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>EXT. PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>C050065H010A</td>
<td>PTP650 Integrated with Enhanced AC/DC Power Supply</td>
<td>2,786.00</td>
<td>5,572.00</td>
</tr>
<tr>
<td>2</td>
<td>AMS</td>
<td>Antenna Mounting pole Structure, only for City Hall &amp; Lifeguard station</td>
<td>488.00</td>
<td>976.00</td>
</tr>
<tr>
<td>2</td>
<td>KC0850</td>
<td>CAT5E Cable Kit – 150 Meters</td>
<td>225.00</td>
<td>450.00</td>
</tr>
<tr>
<td>2</td>
<td>C000065L007A</td>
<td>PTP650 LPU and Grounding Kit</td>
<td>360.00</td>
<td>720.00</td>
</tr>
<tr>
<td>2</td>
<td>PCC</td>
<td>(2) Frequency Analysis, PCN, App Prep and Submit Schedule K for the Links</td>
<td>750.00</td>
<td>1,500.00</td>
</tr>
<tr>
<td>1</td>
<td>TRAINING</td>
<td>Installation Training (no charge)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>INSTALLATION</td>
<td>Installation, Alignment and Testing City Hall &amp; Lifeguard Station locations only</td>
<td>4,500.00</td>
<td>9,000.00</td>
</tr>
<tr>
<td>1</td>
<td>CALIBRATION</td>
<td>Chevron Tower Added Integration/Training/Alignment/Calibration for Chevron Tower Vendor (Cazcom) coordination with other vendor on Tower</td>
<td>1,895.00</td>
<td>1,895.00</td>
</tr>
<tr>
<td>4</td>
<td>C000065S012A</td>
<td>Cambium PTP 650, Extended Warranty per end, 2 additional years (Optional)</td>
<td>350.00</td>
<td>1,400.00</td>
</tr>
<tr>
<td>2</td>
<td>LABOR</td>
<td>8x5 labor services, within 8 hours from call one year (Optional)</td>
<td>1,000.00</td>
<td>2,000.00</td>
</tr>
<tr>
<td>1</td>
<td>TAX</td>
<td>Sales Tax 9%</td>
<td>694.62</td>
<td>694.62</td>
</tr>
<tr>
<td>1</td>
<td>SHIPPING</td>
<td>Shipping, Handling, &amp; Insurance</td>
<td>223.00</td>
<td>223.00</td>
</tr>
</tbody>
</table>

**Total:** $24,430.92
PROJECT ACCEPTANCE & AUTHORIZATION

THE CITY OF EL SEGUNDO and Pacific Services, Inc.

This agreement must have final approval and a signature of the designated Pacific Services and THE CITY OF EL SEGUNDO representative.

The below signed parties are in agreement that this Scope of Work constitutes the full extent of their agreement, and acceptable performance guidelines to satisfy adequate meeting of objectives defined by THE CITY OF EL SEGUNDO and Pacific Services, Inc. Both parties further agree that substantive changes in the requirements may result in increased or decreased associated costs that can be addressed by modification of the primary purchase order or by issuance of another purchase order.

This is to certify that the undersigned Pacific Services and THE CITY OF EL SEGUNDO representatives acknowledge and accept the terms and conditions of the enclosed Scope of Work.

Agreed and accepted by: THE CITY OF EL SEGUNDO

Signature

Name (Printed) Title Date

Agreed and accepted by: PACIFIC SERVICES, INC.

Signature

Name (Printed) Title Date
Project El Segundo PD Project
LINKPlanner PTP Proposal Report
21 September 2015

center = 33.91810N 118.42194W

Kilometers

Life Guard Tower

Chevron Tower

El Segundo

kilometers

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1. Project Summary ........................................... 3  
2. Chevron Tower to El Segundo PD ....................... 6  
3. Chevron Tower to Life Guard Tower ................... 8  
   Disclaimer .................................................. 10  

21 September 2015  
LDRP/PLanner version 4.3.3 Proposal Report
1. Project Summary

**Project:**
El Segundo PD Project

**Description:**
Chevron Refinery Microwave Project

<table>
<thead>
<tr>
<th>General Information</th>
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<tbody>
<tr>
<td>Customer Name</td>
<td>El Segundo PD</td>
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<tr>
<td>Company Name</td>
<td>CommLinc</td>
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<tr>
<td>Address</td>
<td>5563 Sepulveda Blvd</td>
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<tr>
<td></td>
<td>Culver City, CA 90230</td>
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<tr>
<td>Phone</td>
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### Project: El Segundo PD Project - 1. Project Summary

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<th>Product</th>
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<th>Remote antenna</th>
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<td>Chevron Tower to El Segundo PD</td>
<td>PTP650</td>
<td>Cambium Networks Polar Antenna</td>
<td>Cambium Networks Polar Antenna</td>
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<td>Cambium Networks Polar Antenna</td>
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<tr>
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<td>PTP 650 Lite (Up to 125Mbps) to Full (Up to 450Mbps) Link Capacity upgrade per ODU</td>
</tr>
<tr>
<td>C00065L007</td>
<td>4</td>
<td>PTP 650 LPU and Grounding Kit (1 kit per ODU)</td>
</tr>
<tr>
<td>C050065H010</td>
<td>4</td>
<td>PTP 650 Integrated END with AC+DC Enhanced Supply (FCC/IC). Kit includes ODU, power supply, mounting bracket and US line cord</td>
</tr>
<tr>
<td>WB3176</td>
<td>2</td>
<td>328 ft (100 m) Reel Outdoor Copper Clad CAT5E (Recommended for PTP)</td>
</tr>
</tbody>
</table>
Chevron Tower to El Segundo PD

Equipment: Cambium Networks PTP650 Full Integrated
Camblum Networks Integrated Dual Polar Antenna @ 30 m
Camblum Networks Integrated Dual Polar Antenna @ 24 m

<table>
<thead>
<tr>
<th></th>
<th>Performance to Chevron Tower</th>
<th>Performance to El Segundo PD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean IP</td>
<td>100.0 Mbps</td>
<td>100.0 Mbps</td>
</tr>
<tr>
<td>IP Availability</td>
<td>100.0000 % for 1.0 Mbps</td>
<td>100.0000 % for 1.0 Mbps</td>
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</table>

**Link Summary**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Link Length</td>
<td>0.681 km</td>
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<tr>
<td>Band</td>
<td>4.9 GHz</td>
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<tr>
<td>Regulation</td>
<td>United States</td>
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<tr>
<td>Modulation</td>
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<tr>
<td>Bandwidth</td>
<td>20 MHz</td>
</tr>
<tr>
<td>Total Path Loss</td>
<td>103.03 dB</td>
</tr>
<tr>
<td>System Gain</td>
<td>160.05 dB</td>
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<tr>
<td>System Gain Margin</td>
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<td>Mean Aggregate Data Rate</td>
<td>200.1 Mbps</td>
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<td>Annual Link Availability</td>
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<tr>
<td>Annual Link Unavailability</td>
<td>0 secs/year</td>
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<tr>
<td>Prediction Model</td>
<td>ITU-R</td>
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</table>
### Performance Charts

- **Performance to Chevron Tower**
- **Performance to El Segundo PD**

### Climatic Factors, Losses and Standards

<table>
<thead>
<tr>
<th>Factor</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>dN/dH not exceeded for 1% of time</td>
<td>-460.16 N units/km</td>
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<tr>
<td>Area roughness 110x110km</td>
<td>349.09 metre</td>
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<tr>
<td>Geoclimatic factor</td>
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<tr>
<td>Fade Occurrence Factor (P0)</td>
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<td>Path Inclination</td>
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<td>Value of K Exceeded for 99.99% (ke)</td>
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<tr>
<td>Excess Path Loss at ke</td>
<td>0.00 dB</td>
</tr>
<tr>
<td>0.01% Rain rate</td>
<td>25.92 mm/hr</td>
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<tr>
<td>Free Space Path Loss</td>
<td>103.03 dB</td>
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### Part Number

<table>
<thead>
<tr>
<th>Part Number</th>
<th>Qty</th>
<th>Description</th>
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<tr>
<td>01010419001</td>
<td>6</td>
<td>Coaxial Cable Grounding Kits for 1/4&quot; and 3/8&quot; Cable</td>
</tr>
<tr>
<td>C000065K022</td>
<td>2</td>
<td>PTP 650 Lite (Up to 125Mbps) to Full (Up to 450Mbps) Link Capacity upgrade</td>
</tr>
<tr>
<td></td>
<td></td>
<td>license per ODU</td>
</tr>
<tr>
<td>C000065L007</td>
<td>2</td>
<td>PTP 650 LP/ and Grounding Kit (1 kit per ODU)</td>
</tr>
<tr>
<td>C050065H010</td>
<td>2</td>
<td>PTP 650 Integrated END with AC+DC Enhanced Supply (FCC/IC),</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kit includes ODU, power supply, mounting bracket and US line cord</td>
</tr>
<tr>
<td>WB3176</td>
<td>1</td>
<td>328 ft (100 m) Reel Outdoor Copper Clad CAT5E (Recommended for PTP)</td>
</tr>
</tbody>
</table>

21 September 2015
LINKPlanner version 4.3.3 Proposal Report
Chevron Tower to Life Guard Tower

Equipment: Cambium Networks PTP650 Full Integrated
Camblum Networks Integrated Dual Polar Antenna @ 30 m
Camblum Networks Integrated Dual Polar Antenna @ 15 m

<table>
<thead>
<tr>
<th>Performance to Chevron Tower</th>
<th>Performance to Life Guard Tower</th>
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<tbody>
<tr>
<td>Mean IP</td>
<td>100.0 Mbps</td>
</tr>
<tr>
<td>IP Availability</td>
<td>100.0000 % for 1.0 Mbps</td>
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<table>
<thead>
<tr>
<th>Link Summary</th>
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<tbody>
<tr>
<td>Link Length</td>
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<tr>
<td>Band</td>
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<tr>
<td>Regulation</td>
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</tr>
<tr>
<td>Bandwidth</td>
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<tr>
<td>Total Path Loss</td>
</tr>
<tr>
<td>System Gain</td>
</tr>
<tr>
<td>System Gain Margin</td>
</tr>
<tr>
<td>Mean Aggregate Data Rate</td>
</tr>
<tr>
<td>Annual Link Availability</td>
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<tr>
<td>Annual Link Unavailability</td>
</tr>
<tr>
<td>Prediction Model</td>
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21 September 2015
LINKPlanner version 4.3.3 Proposal Report
## Performance Charts

### Performance to Chevron Tower

<table>
<thead>
<tr>
<th>Capacity (Mbps)</th>
<th>0</th>
<th>20</th>
<th>40</th>
<th>60</th>
<th>80</th>
<th>100</th>
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</thead>
<tbody>
<tr>
<td>Availability</td>
<td>99.9999%</td>
<td>99.999%</td>
<td>99.999%</td>
<td>99.999%</td>
<td>99.999%</td>
<td>99.999%</td>
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</tbody>
</table>

### Performance to Life Guard Tower

<table>
<thead>
<tr>
<th>Capacity (Mbps)</th>
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<th>20</th>
<th>40</th>
<th>60</th>
<th>80</th>
<th>100</th>
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</thead>
<tbody>
<tr>
<td>Availability</td>
<td>99.9999%</td>
<td>99.999%</td>
<td>99.999%</td>
<td>99.999%</td>
<td>99.999%</td>
<td>99.999%</td>
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</table>

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<td>Area roughness 110x110km</td>
<td>345.16 metre</td>
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<tr>
<td>Geoclimatic factor</td>
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<td>Fade Occurrence Factor (P0)</td>
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<tr>
<td>Path inclination</td>
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<tr>
<td>Value of K Exceeded for 99.99%</td>
<td>0.40</td>
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<tr>
<td>Excess Path Loss at ke</td>
<td>4.87 dB</td>
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<tr>
<td>0.01% Rain rate</td>
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<tr>
<td>Free Space Path Loss</td>
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<td>Gaseous Absorption Loss</td>
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<td>Link Type</td>
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<td>Excess Path Loss</td>
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<td>Atmospheric Gasses</td>
<td>ITU-R P.676-7, ITU-R P.835-4</td>
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<tr>
<td>Diffraction Loss</td>
<td>ITU-R P.526-10</td>
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<tr>
<td>Propagation</td>
<td>ITU-R P.530-12</td>
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<tr>
<td>Rain Rate</td>
<td>ITU-R P.837-5</td>
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<td>Refractivity Index</td>
<td>ITU-R P.453-9</td>
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## Parts List

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<th>Description</th>
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<td>5</td>
<td>Coaxial Cable Grounding Kits for 1/4&quot; and 3/8&quot; Cable</td>
</tr>
<tr>
<td>C000065K022</td>
<td>2</td>
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<tr>
<td>C000065L007</td>
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<tr>
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<td>1</td>
<td>328 ft (100 m) Reel Outdoor Copper Clad CAT5E (Recommended for PTP)</td>
</tr>
</tbody>
</table>

21 September 2015
LINKPlanner version 4.3.3 Proposal Report
Disclaimer

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FIRST AMENDMENT TO
AGREEMENT NO. 4917 BETWEEN
THE CITY OF EL SEGUNDO AND
PACIFIC SERVICES, INC.

THIS FIRST AMENDMENT ("Amendment") is made and entered into this 13th day of July, 2016, by and between CITY OF EL SEGUNDO, a general law city and municipal corporation existing under the laws of California ("City"), and PACIFIC SERVICES INC., a California Corporation ("Contractor").

1. Pursuant to Section 35 of the Agreement, Section 1(C) is amended to increase the amount of the Agreement by Twenty-One Thousand Three hundred Dollars ($21,300), so that the City agrees to pay Contractor a total sum not to exceed fifty thousand Dollars ($50,000) for Contractor’s services through December 30, 2016.

2. In consideration, Contractor agrees to perform the additional services listed in the attached Exhibit A. To the extent that there are additional terms and conditions contained in Exhibit A, that are not in conflict with the Agreement, as amended, those terms are incorporated as if fully set forth in the Agreement. In the event of any conflict, inconsistency, or incongruity between Exhibit A and any provision of the Agreement, as amended, the Agreement will govern and control.

3. This Amendment may be executed in any number of counterparts, each of which will be an original, but all of which together constitutes one instrument executed on the same date.

4. Except as modified by this Amendment, all other terms and conditions of Agreement No. 4917 will remain the same.

[SIGNATURES ON FOLLOWING PAGE]
IN WITNESS WHEREOF, the parties hereto have executed this Amendment the day and year first hereinabove written.

CITY OF EL SEGUNDO,
a general law city

__________________________
Greg Carpenter,
City Manager

PACIFIC SERVICES INC.
a California Corporation

__________________________
Gary Greening,
President

ATTEST:

__________________________
Tracy Weaver,
City Clerk

APPROVED AS TO FORM:

__________________________
Mark D. Hensley,
City Attorney
AGENDA DESCRIPTION:
Consideration and possible action to: 1) adopt a Resolution approving Plans and Specifications for the Water Meter Replacement Project in Commercial Area East of Sepulveda Blvd., Project No. PW16-04; 2) approve sole source findings to designate Metron Farnier Smart Water Meters (a.k.a., automatic meter readers) in bidding specifications for the project; and 3) authorize staff to advertise and solicit bids for the purchase and installation of automatic meter readers. (Fiscal Impact: to be determined)

RECOMMENDED COUNCIL ACTION:
1. Adopt the attached Resolution approving Plans and Specifications for Water Meter Replacement Project in Commercial Area East of Sepulveda Blvd., (Project No. PW16-04) and approve sole source findings to designate Metron Farnier Smart Water Meters in bidding specifications for the project.
2. Authorize staff to advertise the project for receipt of construction bids.
3. Alternatively, discuss and take other possible actions related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Resolution

FISCAL IMPACT:
Amount Budgeted: $1,100,000.00
Additional Appropriation: N/A
Account Number(s): 501-400-7103-8461 (Water Enterprise Fund CIP)
502-400-8204-8461 (Sewer Enterprise Fund CIP)

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

BACKGROUND AND DISCUSSION:
The City’s water transmission and distribution system dates back to the 1920’s. Over the decades, as repairs and replacements were needed, former staff members utilized the materials and technologies considered industry standard at that time. Likewise, our current staff continues to regularly evaluates technologic advancements in the field of water engineering in its determination of what upgrades/enhancements may be appropriate for the City’s water infrastructure and network. One such advancement is the use of automatic meters to read consumption/usage by our potable water customers.

Currently, El Segundo relies on predominantly on the labor intensive methodology of manually reading each meter register in the city on a monthly and bi-monthly basis for billing purposes.
(4000+ meters). However, new technologies in automatic meter reading have improved significantly over the past 5-7 years, and are continuing to do so every year. For example, “smart” meters now collect consumption/usage electronically and use wifi, bluetooth and cellular service to transmit that data to local receivers. The data collected also captures interval usage, which can range from minutes, to hours to days depending on the setting selected. Such data is extremely valuable for detecting unknown leaks, highlighting unusual usage, and can help customers better determine how their practices at home impact their water consumption rates (e.g., irrigation vs. laundry or showers). This, in turn, can help customers implement better water conservation strategies and know the real benefits of those changes. It is worth noting that some of the improvements made more recently (over the last two years) have improved the antenna placement and capabilities, thereby allowing meter register retrofits to be possible in smaller, confined meter boxes.

This project proposes to install approximately 400 automatic meter readers throughout the City’s commercial sector located east of Sepulveda. This is our most labor intensive area for manual data collection due to the large area covered. We estimate that what currently takes 6 days per month of staff time will be reduced to just a few hours, thereby providing our meter reader more time for meter maintenance and repairs on the larger water system.

Staff also plans to roll out a full scale meter replacement program over the next several years to all of the city’s water customers. Funds for this effort were incorporated into the City’s latest 5-year water rate study such that it can be completed within the remaining 3-year timeframe.

**Sole Source Findings**

Over the past several years, the Water Division has used automatic meter readers of different brands on a smaller scale as it conducted trials of those brands (see below). In addition to the unique features each brand may offer (data storage capacity, antenna range, warranty, etc.), they also require using their own proprietary software. Clearly, the staff coordination needed on a large scale roll out of automatic meters would present undesirable challenges if multiple brands were used. Therefore, staff is recommending the use of only one meter brand moving forward, based on the meter we’ve tested and had the most success with within our network. Generally, a specific product or trade name cannot be required in a public works bid and an equivalent product must be allowed; however, State law allows the City to require a specific product or trade name when bidding a project if the City Council finds that the item matches previously-used products and is “necessary” and “is only available from one source.” (PCC § 3400(c)(2), (3)).

Staff researched several different vendors of advanced water meter technology to determine the merits of each company’s systems and find the most suitable smart meter that would best serve the City under its unique circumstances and conditions. Research included internet literature, email correspondences, discussions with vendors and other public agencies, vendor meetings, demonstrations and cost comparison. Staff also evaluated the similar and diverse features among the different systems and their relative compatibility with our own network. For example:

- The compactness and reliability of the radio antenna: Some meter antennas were imbedded inside the unit while others were tethered by an external wire. We concluded that an externally wired connection could be more easily tampered with and may require excessive maintenance.
• Data storage capabilities: Staff felt it was important to have a sufficient amount of data point storage to aid in leak detection and better consumption analysis for staff and water customers. The amount of data storage available directly impacts the data collection frequencies that can be achieved (e.g., setting a desirable per minute rate rather than a per hour rate in water usage).

• Communication Flexibility: Staff preferred to have a two-way communication ability, which allows an automatic meter to be programmed remotely from a laptop. This is a valuable feature for altering the data collection frequency when working with specific customers to better pinpoint irregular consumption patterns.

• Quality of the Meter: The meters must meet accuracy standards, have sufficient radio range and battery life. Some of the vendors’ systems were rejected due to these prerequisites.

Based on this thorough evaluation, City staff narrowed the potential list of meters to two brands. To safeguard potential issues, staff then implemented a pilot project involving these top two smart water meter brands. Staff purchased and installed 41 Neptune/Equarius smart meters within one reading route and 71 Metron Farnier smart meters within another reading route. Staff also purchased the supporting equipment, which included the software, computer, radio transmitter, and receiver. Both meter brands were tested over the course of 12 months. This allowed staff to review not only the technology metrics but also the maintenance of installation and the actual field performance of the devices.

Based on the pilot project-phase of the evaluation and after careful comparison, staff recommends the City designate the Metron Farnier smart meter in the bidding specifications for this project (see attached meter selection report). In summary, Metron Farnier provides:

• Substantially more data points
• Better overall accuracy
• Comparable or better cost overall
• Easier maintenance
• Superior durability

Furthermore, approximately 10% of the installed water meters in the City are Metron Farnier smart meters, which we have slowing been upgrading as meter replacements were needed. Although not the defining reason for product selection, Metron Farnier has the added benefit of matching smart meters currently in use in the City. Lastly, the water crew are familiar with the Metron Farnier software to operate the meters efficiently and effectively, are happy with the reliability of the product and don’t require additional training.

Therefore staff recommends that City Council: 1) adopt the attached resolution approving the plans and specifications for Water Meter Replacement Project in Commercial Area East of Sepulveda Blvd. [Project No. PW16-04] and make the sole source findings to designate the Metron Farnier Smart Water Meters in bidding specifications for the project and 2) authorize staff to advertise the project for receipt of construction bids.

**Project Timeline**

Staff anticipates the following timeline for the total City-wide smart meter replacement program that will conclude at the end of fiscal year 2018/19.
<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Smart Meters Installed</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2016/17</td>
<td>Approximately 400 commercial meters in varying sizes east of Sepulveda.</td>
</tr>
<tr>
<td>FY 2017/18</td>
<td>Approximately 2,000 commercial and residential meters West of Sepulveda Blvd.</td>
</tr>
<tr>
<td>FY 2018/19</td>
<td>Approximately 2,000 commercial and residential meters west of Sepulveda Blvd.</td>
</tr>
</tbody>
</table>

Staff estimate the following timeline for the project:

- July, 2016: Advertise the Project
- September, 2016: Project Award by City Council
- October, 2016: Start Construction
- May, 2017: Complete Construction

This work was identified and approved in FY 2015/16 and FY 2016/17 budget as part of the City’s Capital Improvement Program project listing and will advance the City’s ultimate goal to replace all of the City’s aging water infrastructure.
RESOLUTION NO. _____

A RESOLUTION FINDING A CERTAIN PRODUCT DESIGNATED BY SPECIFIC BRAND BE USED AND APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF THE WATER METER REPLACEMENT PROJECT IN COMMERCIAL AREA EAST OF SEPULVEDA BLD., PW 16-04, PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT.

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

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

A. The City Engineer prepared specifications and plans requesting Construction of the Water Meter Replacement Project in Commercial Area East of Sepulveda Blvd., PW 16-04 (the "Project"). These plans are complete. Bidding for construction of the Project may begin;

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

C. Pursuant to Public Contract Code (PCC) § 3400(b) and (c), the City may make findings and designate certain products by specific brand or trade name in order to match other products and equipment already in use in the City and/or to obtain a necessary item that is only available from one source.

SECTION 2: PCC § 3400 Findings.

A. The City Council finds that the sole source designation of the Metron Farnier Smart Water Meters for the Project would ensure compatibility with and match existing water meters used in the City. City staff are familiar with Metron Farnier Smart Water Meters, and the City already has the software and supporting network for such meters. Furthermore, the sole source designation is necessary due to the unique demands for such water meters in the City, such as the need for meters with radio signals imbedded inside the unit, a two-way radio communication capacity, adequate data points storage, sufficient radio range and battery life. The Metron Farnier Smart Water Meters are therefore declared to be the sole source, designated brand for use in the Project.

B. The City Council directs staff to describe these findings in the Project's invitation for bids, as required by PCC § 3400(c).

SECTION 3: Design Immunity; Authorization.
A. The design and plans for the Project are determined to be consistent with the City's standards and are approved.

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

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

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

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

SECTION 4: Project Payment Account. For purposes of the Contract Documents administering the Project, the City Council directs the City Manager, or designee, to establish a fund containing sufficient monies from the current fiscal year budget to pay for the Project ("Project Payment Account") following receipt of construction bids. The Project Payment Account will be the sole source of funds available for the Contract Sum, as defined in the Contract Document administering the Project.

SECTION 5: The City Clerk is directed to certify the adoption of this Resolution.

SECTION 6: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ___ day of ________________, 20___.

______________________________
Suzanne Fuentes, Mayor

ATTEST:

______________________________
Tracy Weaver, City Clerk

APPROVED AS TO FORM:

______________________________
Mark D. Hensley, City Attorney
AGENDA DESCRIPTION:

RECOMMENDED COUNCIL ACTION:
1. Authorize the City Manager to execute a standard Public Works Contract in a form approved by the City Attorney with FS Contractors, Inc. in the amount of $75,800.00.
2. Authorize an additional contingency amount of $18,950.00 for unforeseen conditions.
3. Alternatively, discuss and take other possible actions related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Location Map

FISCAL IMPACT: Included in Adopted Budget
Amount Budgeted: $96,000
Additional Appropriation: No
Account Number(s): 111-400-2781-8499 (Community Development Block Grant: Capital Projects)

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

BACKGROUND AND DISCUSSION:
The City of El Segundo qualifies each year for Federal Community Development Block Grant (CDBG) funds. The program supports local community development projects that meet national objectives, such as benefiting low and moderate income persons, addressing slums or blight, and/or meeting a particular urgent community development need. Eligible projects include the installation of curb ramps that meet the current guidelines of the Americans with Disabilities Act (ADA) standards. The City’s specific project includes installation of new ADA ramps at thirteen (13) locations within the City (see attached location map).

On October 20, 2015, the City Council adopted the plans and specifications for Project No. PW 15-24, ADA Ramp Installation Project, CDBG Project 601718-15, and authorized staff to advertise for receipt of construction bids. One bid was received on November 24, 2015, which met City requirements, but did not satisfy the Federal requirements. Federal requirements indicate that there must be two (2) or more responsible bidders willing and able to compete effectively. On December 15, 2015 City Council rejected the bids for the installation of ADA
ramps and postponed the project re-bid until July 2016 so that the City could combine both 2015 and 2016 funding levels and hopefully achieve more competitive bids.

The project was re-bid and the new bid opening occurred on July 12, 2016. The City Clerk received and opened three bids as listed below:

1. FS Contractors, Inc. $44,300.00
2. S&H CivilWorks $78,200.00
3. Kalban, Inc. $78,585.00

Thirteen (13) locations were listed as base bid construction items and seventeen (17) locations were listed as alternate bid items. Given the total amount of funds available for FY 15/16 and FY 16/17, staff recommends an additional nine (9) ramp locations be added to the base bid work. The summary of FS Contractors' proposed construction costs are as follows:

**Proposed Construction Cost**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Base Bid (13 items)</td>
<td>$44,300.00</td>
</tr>
<tr>
<td>Alternate Bid (9 items)</td>
<td>$31,500.00</td>
</tr>
<tr>
<td>Contingency Amount (25%)</td>
<td>+$18,950.00</td>
</tr>
<tr>
<td><strong>Total Proposed Construction Cost</strong></td>
<td><strong>$94,750.00</strong></td>
</tr>
</tbody>
</table>

Staff has verified the references and contractor license status of FS Contractors, Inc. Their contractor license is current and their past performance on concrete projects of similar size and scope is satisfactory. Additionally, FS Contractors, Inc. has recently performed concrete work (sidewalk, curb and gutter repairs) for El Segundo and staff has been satisfied with their work quality.

Therefore, staff recommends that City Council award a standard public works contract to FS Contractors, Inc. in the amount of $75,800.00 and authorize an additional contingency of $18,950.00 (25%) for potential change orders and unforeseen conditions. Community Development Block Grant (CDBG) funds from Program Year 2015-2016 in the amount of $96,000 are available for this project.
AGENDA DESCRIPTION:

Consideration and possible action to accept as complete the Park Vista Senior Housing Facility Emergency Deck Repair Project and allocate funding from Park Vista reserves to cover design services and construction costs. Project No. PW 14-17 (Fiscal Impact: $78,345.59)

RECOMMENDED COUNCIL ACTION:

1. Accept the Park Vista Senior Housing Facility emergency deck repair as complete
2. Authorize the City Clerk to file a Notice of Completion in the County Recorder’s Office.
3. Authorize a transfer of $78,345.59 from the Park Vista Senior Housing Fund to the Building Maintenance Fund to cover design services and construction costs.
4. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Notice of Completion

FISCAL IMPACT: Potential

Amount Budgeted: $0
Additional Appropriation: Yes $78,345.59 from the Park Vista Senior Housing Fund
Account Number(s): To Be Assigned if Transfer Request is Approved

ORIGINATED BY: Stephanie Katsouleas, Director of Public Works
REVIEWED BY: Gregg Kovasevich, Assistant City Attorney
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

On November 18, 2014, City Council adopted a resolution declaring that an emergency existed at the Park Vista Senior Housing Facility and authorized staff to begin the necessary steps to remedy the flooding problems associated with the rooftop deck on the second floor above the parking garage and meeting room. The flooding primarily affected units 219, 220 and 221, whereby whenever there was significant rain the units would experience water intrusion through their sliding glass doors which were at the same elevation as the rooftop deck. This problem has existed since the building was originally constructed, but seems to have worsened over the past several years. Because significant rainfall was expected, the health concern for the occupants of these three units became an imminent issue.

Immediately after approval of the emergency declaration, staff began the steps necessary to retain Phoenix Engineering for design services, which ultimately included a thorough review of the original construction documents, surveying current elevations and conditions, and developing plans for three options. The three options developed included raising the sliding glass doors,
raising the deck and enhancing the slope toward the drains, and installing six additional drain inlets. Those designs were substantially completed in April and submitted for plan check. The engineering consultant and staff recommended installing the six drains on the northern side of the roof deck because it would be the least intrusive for the residents, would provide additional capture of rainwater discharges and likely cost the least of the options available.

The engineering consultant received and forwarded two bids in late May, where were presented to the Senior Housing Board at their next meeting in late June. Unfortunately, the bids were much higher than the projected estimate provided by the consultant. The Board rejected the two bids and authorized staff to seek additional bids from more “local” contractors. Over the next several months, staff reached out to and provided job walks for eight additional contracting companies. Most of them appeared very interested at the job walks, but ultimately declined to bid on the project. One contractor bid but then declined to enter into a contract. Another contractor bid on the project, entered into a contract but ultimately could not secure the proper insurance and endorsements. In all, the process of seeking bids and trying secure any reasonably priced contractor lasted nearly six months due to the efforts involved in finding contractors, having them respond to our inquiry, scheduling job walks, waiting for responses/bids, and then starting over when they ultimately declined to bid. It was finally determined that the long-term liability to the contractor for coring through a concrete deck with rebar and then guaranteeing that it would be waterproof once completed was insurmountable.

Staff then received approval from the Housing Board to proceed with the alternate plan design, which including removing and replacing (raising) the sliding glass doors and making deck modifications. Staff was able to secure Bino Construction for this work by the end of the year. New doors were then ordered in January and arrived in February. A pre-construction meeting took place in early February and the work was scheduled to commence at the beginning of March. Installation of the three new doors and subsequent stucco and dry-wall patching was substantially completed in early April. Shortly thereafter, work on the deck slope modifications commenced, whereupon it was discovered that the deck of unit 219 appeared to have had mitigation work done to it years earlier. However, the work was not done properly as there was substantial water intrusion, deteriorated flashing and wood rot under the existing deck. This had to be removed and replaced before the new deck coating could be applied. Work on the other two units proceeded without incident for the next three weeks. Once the water intrusion repairs were made on unit 219, the deck coating was also applied and cured. In all, the work was totally completed by the end of May.

Expenditures for this work are as follows:

$21,452.50  Total Engineering Design Services
$35,118.09  Door Replacements – Labor and Materials
$18,775.00  Deck Sloping Modifications
$3,000.00   Deck Wood Rot Damage Repair
$56,893.09  Total Construction Expenses

$78,345.59  Total Project Budget

When the original emergency declaration was issued, it was undetermined how the engineering services and construction work would ultimately be funded. In the interim, staff utilized the
City's Building Maintenance Fund (405 account) to cover these costs. However, staff recommends that funds be allocated from Park Vista reserves to cover these costs and that the 405 account be reimbursed.
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Park Vista Senior Housing Deck Repairs

Project No.: PW 14-17 Contract No. 4987

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of the interest stated below in the property hereinafter described.

2. The full name of the owner is: City of El Segundo

3. The full address of the owner is: City Hall, 350 Main Street, El Segundo, CA, 90245

4. The nature of the interest of the owner is: Public Facilities

5. A work of improvement on the property hereinafter described was field reviewed by the City Engineer on June 5, 2016. The work done was: Park Vista Door and Deck Repairs.

6. On August 2, 2016, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.

7. The name of the Contractor for such work of improvement was: James McNary

8. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: El Segundo City Hall.

9. The street address of said property is: 615 Holly Avenue, El Segundo, CA, 90245

Dated: 8-2-16

Stephanie Katsouleas
Public Works Director

VERIFICATION

I, the undersigned, say: I am the Director of Public Works/City Engineer of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on 8-2-2016, 2016 at El Segundo, California.

Stephanie Katsouleas
Public Works Director
AGENDA DESCRIPTION:
Consideration and possible action to consider revisiting the process for selection of members of Committees, Commissions and Boards ("CCB") to establish policies to provide CCB’s input and additional notification to applicant. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Allow the Chair and Vice Chair of each Committees, Commissions and Board to review applications and provide their recommendations to the City Council prior to the interviews;
2. Provide an adequate timeframe between interviews and appointment to allow the Mayor or designee to notify each applicant of Council's decision;
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
None.

FISCAL IMPACT: Included in Adopted Budget
Amount Budgeted: $ None
Additional Appropriation: N/A
Account Number(s):

ORIGINATED BY: Mishia Jennings, Executive Assistant
REVIEWED BY: 
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
Committees, Commissions and Boards serve a valuable role in this city in helping to shape policies and make decisions. Currently staff advertise vacant CCB opening, collect the applications and schedules candidate interviews by the City Council. The City Council interviews candidates on a “Council Tuesday”, collectively decide on appointments and announce appointees at the City Council meeting the day of interviews. These selections are made based on the material provided in the application, the interview discussion and any previous knowledge the Council have of the applicant.

I would recommend that a policy be adopted that would direct staff to provide copies of the applications to the chair and vice chair of each CCB and ask for those CCB members to recommend to the City Council which candidates should be selected. The City Council could then consider these recommendation along with the application materials and interview discussion.
As a second matter, I would recommend that the City Council discontinue the practice of making the appointments on the same day as the interviews. Instead, I would recommend that the Mayor, or their designee, contact each candidate and inform them of the City Council’s intent prior to the official actions to appoint members.

There may be additional process improvement or changes that the City Council wishes to discuss at this time.
AGENDA DESCRIPTION:
Report on Governor’s proposed budget trailer bill related to “by right” affordable housing approvals.

RECOMMENDED COUNCIL ACTION:
1. Receive and file this report;
2. Direct Staff to prepare a letter in opposition of the proposed bill in substantially similar form to the attached, and authorize the Mayor to sign on behalf of the City; and/or
3. Take such alternative, related action that may be desirable.

ATTACHED SUPPORTING DOCUMENTS:
1. Draft opposition letter

FISCAL IMPACT: None

<table>
<thead>
<tr>
<th>Amount Budgeted</th>
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<tbody>
<tr>
<td>Additional Appropriation</td>
<td>N/A</td>
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<tr>
<td>Account Number(s)</td>
<td>N/A</td>
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ORIGINATED BY: Gregg McClain, Planning Manager
REVIEWED BY: Sam Lee, Planning and Building Safety Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

I. Background

Governor Brown’s 2016-2017 Fiscal Year Budget proposal contained $400 million in funds set aside for construction of affordable housing projects throughout California, but the funds come with strings. Specifically, the funds will only be allocated if an accompanying trailer bill proposed by the Governor’s office is adopted.

When the bill was initially proposed in May, the bill contained several provisions that were ambiguous and of serious concern to local jurisdictions. For example, the bill requires cities to approve certain types of housing projects, with modest levels of affordable units, with no public input, with no California Environmental Quality Act (CEQA) compliance, and with limited ministerial review. Opposition was considerable in most quarters, especially from local governments, unions and environmental groups. The bill was modified in June, however, to remove some of the objectionable and ambiguous clauses and continues to be negotiated. The budget was approved with the release of the $400 million still contingent on the eventual approval of the trailer bill, which is expected to be addressed in August.
II. Analysis

The most recent version of the affordable housing trailer bill still contains unfavorable language that would dramatically narrow the scope of local authority and control over affordable housing projects. In particular, the bill: 1) removes the ability for cities to hold public hearings for most multifamily residential projects if they include some affordable units; 2) replaces cities' current form of discretionary approval in favor of a ministerial process; and 3) exempts such projects from CEQA review.

The current version of the trailer bill will permit multifamily housing only in locations where multifamily residential development is currently permitted, and only up to the density permitted in the zoning code. Furthermore, to the extent that parking, setbacks and open space are objectively spelled out, the development must comply with those requirements as well. These limitations are tremendous improvements negotiated into the current version that were either not in the original or was sufficiently unclear so as to cause serious concerns.

In El Segundo, the R-2 and R-3 zones, as well as in the Medium Density Residential Overlay and any areas designated as MDR currently permit multifamily housing by-right while all other zones do not permit multifamily housing. While the impact to the City if the bill is approved in its present form is small, the possibility that the State would nullify local public input is not good planning practice and may be perceived as contrary to the community's values.

Under the latest version of the bill, if a development satisfies all eight of the following criteria, it will be considered a permitted use "by right" and not subject to any discretionary or CEQA review.

1. The applicant must submit to the City an intent to develop under the terms of the bill and certify that the development will conform to all of its provisions;

2. The development must be consistent with "objective planning standards." These are defined as standards that involve no personal or subjective judgment by the public official and must be verifiable, available, and knowable to the developer and to the public official. Examples would be the development standards found in the zoning code, the General Plan, specific plans and overlay zones;

3. The site must be in an urban setting (in-fill development);

4. The development must be for attached residential housing or mixed use of at least 2 residential units with 10-20 percent of the units made affordable for at least 30 years;

5. The site must not be a hazardous waste site, in an earthquake fault zone or floodway, or an historic site, among others;

6. Sites with existing affordable housing are not eligible, with some exceptions;

7. The notice provided to the City in Criteria 1 must also be simultaneously delivered to all property owners adjoining the development site; and

8. The project may not be on USDA Prime Farmland.
Some of the criteria above are the result of successful lobbying by numerous interest groups. The Governor's original proposal did not include the last four criteria, for example. Additionally, several other provisions that generated the most opposition have been removed in the most recent version of the bill. These include:

1. A developer’s right to be granted general plan amendments, zone changes, and municipal code amendments through a ministerial process;

2. Ambiguous language concerning who would pay for relocation costs of displaced tenants. The current version is clear it is the responsibility of the developer; and

3. Ambiguous definition of “objective zoning standards,” leaving many to worry that ambiguity would be exploited by developers.

Nonetheless, the bill is opposed by the League of California Cities on the basis that control over development is taken from local jurisdictions. The League has provided a template for a letter in opposition; a form of that letter is attached to this report. The bill is also opposed by the Sierra Club and other environmental groups (because projects would be exempt from CEQA review) and construction unions (because the bill does not include a prevailing wage requirement).

The bill is generally supported by housing developers, affordable housing advocates, the American Planning Association, and the California Chamber of Commerce, but with recommendations for further improvements.

III. Conclusion

Based on the foregoing, City staff recommend that the City Council receive and file this report and direct staff to prepare a letter, in a form substantially similar to the template prepared by the League, opposing the bill.
ATTACHMENT 1
(Draft Letter, Based on Template from the League of California Cities)

August 2, 2016

Dear Honorable Chairs Nazarian and Roth,

The City of El Segundo opposes the recently released proposal by the Governor to pre-empt local discretionary land use approvals of specified housing developments by having all such approvals be considered "ministerial" actions, meaning eliminating opportunities for public review, project-level environmental review and restricting design review.

We believe that such fundamental policy changes should not be rushed through as a budget proposal, but merit extensive review by the appropriate policy committees in a deliberative fashion.

Eliminating opportunities for public review of these major development projects goes against the principles of local democracy and public engagement. While it may be frustrating for some developers to hear concerns about traffic, parking and other development impacts, those affected by such projects have a right to be heard. Not having such outlets will increase public distrust in government.

Avoiding or restricting design review is also short-sighted. Community acceptance can be improved through good design that enables a new structure to match a community character.

El Segundo strongly values its residents' right to be involved in the City’s review of multi-family projects including affordable housing, and we believe this bill goes too far. While we appreciate the need for affordable housing, this bill, as presented, deprives the City’s residents’ right to know what projects will be built in their neighborhoods and their right to voice their concerns about such projects.

This proposal is disappointing from our Governor. He has taken our state backwards on affordable housing by stripping local governments and the state of the few resources available to build these units, and is now seeking to avoid a discussion of how to replace these lost funds by undermining public input, environmental and design review.

On behalf of the residents we represent who deserve a voice in the future shape of their communities, the City of El Segundo respectfully states its opposition to this measure.

Very truly yours,

Suzanne Fuentes
Mayor