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.

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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.

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

MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, OCTOBER 3, 2017 – 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): -0- matters

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): -0- matters.


DISCUSSION OF PERSONNEL MATTERS (Gov’t Code §54957): -2- matters

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): 

1. **Employee Organizations**: Police Management Association; Supervisory and Professional Employees Association; City Employees Association and Fire Fighters Association.

   Agency Designated Representative: Labor Negotiator, Irma Rodriguez Moisa and City Manager, Greg Carpenter

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

matters


AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, OCTOBER 3, 2017 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Pastor Rob McKenna – The Bridge Church

PLEDGE OF ALLEGIANCE – Council Member Brann
PRESENTATIONS

a) Proclamation – Fire Prevention Week and Poster Contest, October 8 – October 14, 2017.

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 regarding Approval of Environmental Assessment No. EA-1150 and Introduction of an Ordinance (Zone Text Amendment No. ZTA 16-02) to sections of the El Segundo Municipal Code (ESMC) Title 15 (Zoning) regarding signs. Adopting this Ordinance is statutorily exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§21000, et seq., “CEQA”) and CEQA Guidelines (14 California Code of Regulations §§15000, et seq.), because it consists only of minor revisions and clarifications to existing zoning regulations and related procedures. (Applicant: City of El Segundo)

(Fiscal Impact: None)

Recommendation – 1) Introduce an Ordinance (Zone Text Amendment No. ZTA 16-02) regarding amendments to various sections of the Zoning Code regarding signs; 2) Schedule second reading and adoption of the Ordinance for October 17, 2017; 3) Alternatively, discuss and take other possible action related to this item.

C. UNFINISHED BUSINESS
2. Consideration and possible action regarding the following matters which relate to a project to make improvements to the golf course and club house and convert the driving range to a TopGolf facility at the existing Lake’s at El Segundo golf course and driving range owned by the City (located at 400 S. Sepulveda Boulevard): 1) Zone Change No. ZC 16-01 and Zone Text Amendment No. ZTA 1604, to change the underlying land use zoning designation from O-S (Open Space), to TLSP (The Lakes Specific Plan) with two Subareas classified PUB-REC/OS (Public Recreation/Open Space) and CPR/OS (Commercial Public Recreation/Open Space); 2) General Plan Amendment No. 16-01, to change the underlying General Plan Land Use designation of the Lakes at El Segundo golf course property from “Parks”, to “The Lakes Specific Plan” (SP No. SP 16-02; 3) Site Plan Review No. 16-01, for the development within The Lakes Specific Plan area, including a new TopGolf building, a redeveloped clubhouse, and modified holes in the golf course; 4) Lot Line Adjustment No. SUB 16-03, to reconfigure the existing two parcels in The Lakes Specific Plan; and, 5) Conditional Use Permit No. CUP 16-05, to allow onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse and TopGolf facilities; 6) Amendment No. 3 to the Due Diligence and Lease Agreement between the City and CenterCal regarding the City’s use of the TopGolf driving range, including but not limited to use of the facility by golf professionals and youth groups, approval of the final design plan for the golf course, shared parking arrangement and security issues; 7) Potential revisions to the monthly rental payments and beverage sales profit sharing by CenterCal to the City; 8) Approval of a parking license agreement between the City and West Basin Water District.

An Environmental Impact Report (EIR) was prepared for the proposed project, which assessed impacts in accordance with the provisions of the California Environmental Quality Act. The City Council, at its September 5, 2017 meeting certified the EIR. (Applicant: CenterCal Properties, LLC) (Fiscal Impact: To Be Determined)
3. Consideration and possible action to approve the addition of one full-time Recreation Supervisor position to oversee the daily operations of the new El Segundo Aquatics Center.
(Fiscal Impact: approximately $107,175 annually)
Recommendation – 1) Approve the addition of one Recreation Supervisor full-time position to the Recreation and Parks Department Recreation Division; 2) Alternatively, discuss and take other possible action related to this item.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

4. Consideration and possible action regarding approval of one or more of the proposed options which will offset expenses and help build the reserve fund to an adequate level for the Park Vista Apartments located at 615 East Holly Street.
(Fiscal Impact: None)
Recommendation – 1) Approve one or more of the proposed options to help build the reserve fund and reduce the costs of maintenance for the Park Vista Senior Apartments, 615 East Holly Street; 2) Alternatively, discuss and take other possible action related to this item.

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 3018103 through 3018304 and 9000090 through 9000090 on Register No. 24 in the total amount of $2,565,879.29 and Wire Transfers from 9/11/17 through 9/24/17 in the total amount of $3,351,307.77.
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 award a standard Public Works Contract to NoHo Constructors, in a form approved by the City Attorney, for construction of the Recreation Park Picnic Shelter, Project No. PW 16-15.
(Fiscal Impact: $65,260.00, plus $30,000 Los Angeles County Regional Park and Open Space District Grant)
Recommendation – 1) Authorize the City Manager to execute a standard Public Works Contract in a form approved by the City Attorney with NoHo Constructors in the amount of $86,660.00 and authorize an additional $8,660.00 for construction related contingencies; 2) Alternatively, discuss and take other possible action related to this item.

8. Consideration and possible action regarding approval of Development Agreement No. DA 17-01, and Zone Text Amendment No. ZTA 17-02 for the Plaza El Segundo development project to: 1) Amend Development Agreement No. DA 03-01 (Revised and Restated Development Agreement) to expand the project size and eliminate most tenant size restrictions; 2) Amend the Commercial Center (C-4) zone to eliminate size limits for permitted uses, add new permitted uses, and increase the permitted number and size of monument signs, and add a site plan review procedure; and 3) Modify the conditions of approval for the original project. (Applicant: Street Retail, Inc.)
(Fiscal Impact: N/A)
Recommendation – 1) Waive second reading and adopt Ordinance No. 1556 for Development Agreement No. 17-01, Zone Text Amendment ZTA No. 17-02, and modifications to the conditions of approval for the Plaza El Segundo development project; 2) Alternatively, discuss and take other possible action related to this item.

9. Consideration and possible action to adopt an Ordinance amending El Segundo Municipal Code ("ESMC") Chapter 4 of Title 5 regarding Storm Water And Urban Runoff Pollution Control, in its entirety; and amending ESMC Chapter 7 of Title 5 regarding Storm Water Planning And Land Development Program Implementation, in its entirety. (Applicant: City of El Segundo)
(Fiscal Impact: None)
Recommendation – 1) Waive the second reading of and adopt the proposed Ordinance; 2) Alternatively, discuss and take other possible action related to this item.
10. Consideration and possible action to accept as complete the Police Department Kitchen Remodel, Project No. PW 17-07.  
(Fiscal Impact: $34,888.00)  
Recommendation – 1) Accept the work as complete; 2) Authorize the City Clerk to file a Notice of Completion in the County Recorder’s Office; 3) Alternatively, discuss and take other possible action related to this item.

11. Consideration and possible action to authorize the City Manager to enter into an agreement approved by the City Attorney with Bell Event Services for $32,203 to provide event services on October 7, 2017, as part of the Centennial Celebration event, Celebrate!, at El Segundo High School, Main Street and Library Park.  
(Fiscal Impact: Centennial Celebration Sponsorship Funds not to exceed $32,000)  
Recommendation – 1) Authorize the City Manager to execute agreement approved by the City Attorney with Bell Event Services for $32,000; 2) Alternatively, discuss and take other possible action related to this item.

12. Consideration and possible action to waive the second reading of Ordinance No. 1557 consolidating future stand-alone municipal elections in the City with statewide June even year elections in 2022 to comply with the California Voter Participation Rights Act (California State Senate Bill 415).  
(Fiscal Impact: Unknown)  
Recommendation – 1) Waive second reading and adopt Ordinance No. 1557 establishing new General Municipal Election Dates to be held in June of even years beginning in June 2022; 2) Alternatively, discuss and take other possible action related to this item.

13. Consideration and possible action regarding approval of ongoing professional service agreements and blanket purchase orders for FY 2017-2018 in excess of $25,000 for various departments; and possible action to waive the formal bidding process and authorize the continued purchase of various goods and services as described below.  
(Fiscal Impact: Included in the FY 17-18 Budget: General Fund $2,563,851.92; Asset Forfeiture Fund $13,000; Prop A Fund $30,000; Water Enterprise Fund $124,000; Wastewater (Sewer) Enterprise Fund $28,000; Golf Course Enterprise Fund $96,000; and Workers’ Compensation Fund $100,100.)  
Recommendation:
(1) Authorize the City Manager to execute an amendment to Agreement No. 4095 with High Point Strategies, LLC for City’s advisors and advocate regarding issues relating to LAWA, LAX, FAA, MTA and other Los Angeles agencies, in a form approved by the City Attorney to (1) extend the term of the agreement to September 30, 2018; (2) authorize payment for services up to $75,000 (General Fund – City Manager); and (3) take such additional, related, action that may be desirable.

(2) Authorize the City Manager to issue a blanket purchase order to Baker & Taylor Information Services for supplying books and other library materials for not to exceed amount of $85,945 in FY 2017-2018 (General Fund - Library).

(3) Authorize the City Manager to extend contract #4729 to Innovative Interfaces, Inc., for library computer network systems Sierra and Encore maintenance. Issuance of blanket purchase order in the amount not to exceed $44,570.92 (General Fund - Library).

(4) Authorize the City Manager to extend ongoing service agreements with J. Lee Engineering provides plan check and inspection consulting services for the Building and Safety Division in the amount not to exceed $350,000 in FY 2017-2018 (General Fund – Building Safety).

(5) Authorize the City Manager to extend ongoing service agreement with JAS to provide plan check and inspection consulting services for the Building and Safety Division in the amount not to exceed $350,000 in FY 2017-2018 (General Fund – Building Safety).

(6) Authorize the City Manager to extend ongoing service agreement with Hayer Consultants, Inc. to provide plan check, permitting staff, and inspection consulting services for the Building and Safety Division in the amount not to exceed $350,000 in FY 2017-2018 (General Fund – Building Safety).

(7) Authorize the City Manager to extend ongoing service agreement with Michael Baker International to provide professional planning consulting and interim staffing services for the City’s Planning Division in the amount not to exceed $200,000 in FY 2017-2018 (General Fund – Building Safety).

(8) Authorize the City Manager to extend ongoing service agreements with Westchester Medical Group/Center for Heart and Health to provide annual safety employees fitness for duty and executive physical examinations not to exceed $40,000 in FY 2017-2018 (General Fund – Human Resources).

(9) Authorize the City Manager to extend ongoing service agreement with York Risk Services Group to administer workers’ compensation claims not to exceed $100,100 in calendar year 2018 (Workers’ Compensation Fund).
(10) Authorize the El Segundo Fire Department to waive the bidding process per El Segundo Municipal Code §1-7-10 to purchase medical and pharmaceutical supplies, and piggyback on the City of El Cajon’s Bound Tree Medical, Inc. (“Bound Tree”) Bid #005-12, and authorize issuance of a blanket purchase order to Bound Tree for medical and pharmaceutical supplies not to exceed $40,000 in FY 2017-2018 (General Fund - Fire).

(11) Authorize the City Manager to amend the contract with All Cities Management Services, Inc. for ongoing services to provide crossing guard services for the El Segundo School District not to exceed $96,336 in FY 2017-2018 (General Fund – Finance Administration (non-departmental)).

(12) Authorize the issuance of a blanket purchase order to Hinderliter De Llamas & Associates (Agreement #3313) to provide professional services related to sales and use tax for an amount not to exceed $81,000 in FY 2017-2018 (General Fund – Finance Business Services).

(13) Authorize the issuance of a blanket purchase order to Lane Donovan Partners, LLC (Agreement #3399) to provide management services for The Lakes Golf Course for an amount not to exceed $96,000 in FY 2017-2018 (Golf Course Enterprise Fund – Recreation & Parks).

(14) Authorize the City Manager to extend Agreement # 4096 with Landcare USA, LLC in a form approved by the City Attorney and issuance of a blanket purchase order to provide weekly landscape services for an amount not to exceed $181,000 in FY 2017-2018 (General Fund – Recreation & Parks).

(15) Authorize staff to continue to purchase gasoline and diesel fuel for City vehicles and equipment through the use of spot market purchasing in an amount not to exceed $315,000 in FY 2017-2018 (General Fund = $250,000; Asset Forfeiture Fund = $13,000; Prop “A” Fund = $30,000; Water Enterprise Fund = $9,000; Wastewater (sewer) Enterprise Fund = $13,000).

(16) Authorize the issuance of a blanket purchase order to Metron Farnier in an amount not to exceed $100,000 in total for the purchase of single jet AMR water meters for the City’s water system in FY 2017-2018 (Water Enterprise Fund).

(17) Authorize the issuance of a blanket purchase order to Blue Diamond Materials, a division of Sully Miller Contracting Company in an amount not to exceed $30,000 for the purchase of asphalt paving materials for Street Maintenance Division projects in FY 2017-2018 (General Fund – Public Works).
(18) Authorize the issuance of a blanket purchase order to DataProse (Agreement # 3227) to provide Water and Sewer divisions utility bill print and mail services for an amount not to exceed $30,000 in FY 2017-2018 (Water & Wastewater (sewer) Enterprise Funds).

(19) Authorize the City Manager to extend the ongoing professional service Agreement #4269 with Aerotek Professional Services for providing temporary staffing service for the Public Works Department not to exceed $200,000 in FY 2017-2018 (General Fund – Public Works, Government Buildings)).

(20) Authorize the City Manager to amend contract #3957 with Galls LLC for purchasing uniforms and equipment for the Police Department, not to exceed $60,000 in FY 2017-2018 (General Fund – Police Department). Galls, LLC is the only physical location that provides in-house, appointment tailoring, embroidery and distribution of equipment in the State of California

(21) Authorize the issuance of a blanket purchase order to Dooley Enterprises (Dooley), for the purchase of Winchester Duty Ammunition. Dooley Enterprises supplies duty and training ammunition, not to exceed $40,000 in FY 2017-2018 (General Fund – Police Department).

(22) Authorize the issuance of a blanket purchase order to Tyler Technologies for annual software licensing, maintenance, and support not to exceed $47,000 in FY 2017-2018 (General Fund – Information Systems).

(23) Authorize the issuance of a blanket purchase order with Active Network for annual licensing, maintenance and support not to exceed $43,000 in FY 2017-2018 (General Fund – Information Systems).

(24) Alternatively, discuss and take other possible actions related to these items.

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 –

14. Consideration and possible action to report on current City efforts to mitigate community concerns (crime, littering/trash, parking) in and around Clutter’s Park, located at the intersection of Imperial Avenue and Sheldon Street.
   (Fiscal Impact: To Be Determined)

Recommendation – 1) Receive and file report; 2) Direct staff to explore other options for addressing the concerns associated with Clutter’s Park; 3) Alternatively, discuss and take other possible action related to this item.

Mayor Fuentes –

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MEMORIALS –

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

ADJOURNMENT

POSTED:

DATE: Sept. 28, 2017

TIME: 12:45 PM

NAME: [Signature]
Proclamation

WHEREAS, fire departments in the United States responded to an estimated 365,500 home fires in 2015, according to the latest research from the National Fire Protection Association (NFPA); and

WHEREAS, home fires killed more than 2,500 people in the United States in 2015, representing the majority (78 percent) of all U. S. fire deaths; and

WHEREAS, many of today’s products and furnishings produce toxic gases and smoke when burned, making it impossible to see and breathe within moments; and

WHEREAS, these conditions contribute to a much smaller window of time for people to escape a home fire safely, with people having as little as one to two minutes to escape from the time the smoke alarm sound; and

WHEREAS, a home escape plan provides the skill set and know-how to quickly and safely escape a home fire situation; and

WHEREAS, a home escape plan includes two exits from every room in the home; a path to the outside from each exit; smoke alarms in all required locations; and a meeting place outside where everyone in the home will meet upon exiting; and

WHEREAS, home fire escape plans should be developed by all members of the household and practices at least twice a year to ensure everyone know what to do in a real fire situation; and

WHEREAS, The El Segundo Fire Department, which is dedicated to the safety of life and property from the devastating effects of fires and other emergencies, is joined by concerned citizens of our community, as well as businesses, the school district, service clubs and other organizations, in its fire safety efforts.

NOW, THEREFORE, the Mayor and Members of the City Council of the City of El Segundo, California, in commemoration of the great Chicago Fire of 1871, which killed 250 persons, left 100,000 homeless, and destroyed more than 17,400 buildings, and in order to raise the awareness in the community of the importance of practicing fire prevention and fire safety to avoid needless loss of property and life, do hereby proclaim the week of October 8 through October 14, 2017 as:

FIRE PREVENTION WEEK

FURTHER, the Mayor and Members of the City Council join Fire Chief Christopher Donovan in inviting the El Segundo community to observe Fire Prevention Week by practicing fire prevention and fire safety year-round and heeding the message “Every Second Counts, Plan 2 Ways Out!”

Mayor Suzanne Fuentes
Mayor Pro Tem Drew Boyles
Council Member Carol Pirsztuk

Council Member Michael Dugan
Council Member Dr. Don Brann

15
AGENDA DESCRIPTION:
Consideration and possible action regarding Approval of Environmental Assessment No. EA-1150 and Introduction of an Ordinance (Zone Text Amendment No. ZTA 16-02) to sections of the El Segundo Municipal Code (ESMC) Title 15 (Zoning) regarding signs. Adopting this Ordinance is statutorily exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§21000, et seq., “CEQA”) and CEQA Guidelines (14 California Code of Regulations §§15000, et seq.), because it consists only of minor revisions and clarifications to existing zoning regulations and related procedures. (Fiscal Impact: None) (Applicant: City of El Segundo).

RECOMMENDED COUNCIL ACTION:
1. Introduce an Ordinance (Zone Text Amendment No. ZTA 16-02) regarding amendments to various sections of the Zoning Code regarding signs;
2. Schedule second reading and adoption of the Ordinance for October 17, 2017;
3. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Proposed Ordinance (strike-out/underline version)
2. Planning Commission Resolution No. 2823

FISCAL IMPACT: None.

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

STRATEGIC PLAN:
Goal: 1(a). Provide unparalleled service to internal and external customers
Objective: City services are convenient, efficient and user-friendly for all residents, businesses, and visitors
Activity: Amend zoning code in response to emerging issues discovered by staff and customers

PREPARED BY: Rancika Brooks, Assistant Planner
REVIEWED BY: Gregg McClain, Planning Manager
Sam Lee, Planning and Building Safety Director
APPROVED BY: Greg Carpenter, City Manager
INTRODUCTION:

The proposed ordinance amends sections of the El Segundo Municipal Code (ESMC) Title 15 (Zoning) regarding signs that will: (1) ensure the City does not regulate sign content; (2) update definitions and terms related to signs; (3) clarify general provisions for signs; (4) modify sign standards; and (5) streamline the review process for signs.

BACKGROUND:

On June 18, 2015, the United States Supreme Court issued a unanimous decision in the case of Reed v. Town of Gilbert, holding that the Town of Gilbert’s sign ordinance violated the First Amendment because the ordinance applied stricter rules to certain signs based on the sign’s content.

In response to the Reed case, the City Attorney’s office and Planning Division staff reviewed the City’s sign regulations and suggested revisions that would not only comply with the Supreme Court’s decision, but would also simplify sign regulations for the business community. The changes will minimize any perceived inconsistencies with the Court’s opinion, thereby reducing the potential for litigation against the City on the basis of violating the First Amendment of the Constitution. Also included in the changes are updated definitions regarding signs, reorganized sections of the sign chapter, clarification on general provisions for signs, modified sign standards, and streamlined language.

Planning Commission consideration

On July 27, 2017 and August 24, 2017, the Planning Commission held public hearings and considered the proposed ordinance. At the conclusion of the public hearings, the Planning Commission voted 5-0 to adopt Resolution No. 2823 recommending approval of the ordinance as presented.

EDAC, Chamber of Commerce consideration

On September 18, 2017 and September 20, 2017, Planning staff discussed the proposed ordinance with the El Segundo Chamber of Commerce (Governmental Affairs Committee) and the El Segundo Economic Development Advisory Council (EDAC). Neither of the stakeholder groups expressed concerns about the draft ordinance nor did they recommend any changes.

DISCUSSION:

1. New and updated definitions of terms

The proposed ordinance amends the Zoning Code to include new definitions for the terms “building face,” “sign (copy),” “sign (directory),” “sign (electronic message center),” and “store front.” In addition, it updates and clarifies the terms “sign,” “sign area,” “sign (building marker),” “sign (changeable copy),” “sign (identification),” “sign (information),” “sign (light emitting diode or LED),” “sign (pole),” “sign (projecting),” “sign (roof),” “sign (window),” and “tenant.” The definition for “political sign” is deleted. These updates and clarifications minimize perceived inconsistencies with the Supreme Court’s decision in Reed, incorporate previous staff
interpretations into the Zoning Code, and improve staff’s and the public’s understanding of these terms.

2. Minimize inconsistency with the Supreme Court’s decision in Reed

The proposed ordinance inserts and clarifies language to ensure the City does not regulate sign content.

3. Prohibited and exempt signs

The proposed ordinance includes “signs that resemble official traffic lights, signs, or signals or signs that interfere with the effectiveness of traffic lights, signs, or signals” and “abandoned signs” as prohibited. In addition, “signs that are consistent with an approved master sign program” and “signs required by federal, state, or local law” are included as exempt.

4. Clarify and update general sign standards

The proposed ordinance clarifies and updates standards for the following signs: a) store front signs; b) ground mounted signs; and c) LED signs.

a) The proposed ordinance clarifies store front signs as those placed on the ground/street level of the primary entryway for a commercial building.

b) The proposed ordinance updates the standards for ground mounted signs by reducing the required setback from the property line from 5 feet to 3 feet, allows one ground mounted sign for every 100 linear feet of street frontage, increases the permitted maximum height of monument signs from 6 feet to 8 feet before an administrative use permit is required, and adds new provisions for ground directory signs.

c) The current provisions for LED signs are outdated and limit the use of new technology for illuminated signs. The proposed ordinance reclassifies LED signs as electronic message centers (EMCs) which provides increased flexibility for illuminated signs. The minimum transition time for EMCs is decreased from 20 seconds to 7 seconds, EMCs must be equipped with a default setting to freeze in case of malfunction, and may include the use of animated graphics or video when viewed primarily by pedestrians and minimally visible from the public rights of way. The proposed ordinance also allows EMCs for nonresidential uses in the Multi-Family Residential zone with the approval of an administrative use permit.

5. Update, clarify, and streamline review process for signs

The proposed ordinance reorganizes sections of the chapter so the provisions are easier to understand. In addition, the following modifications are made to streamline the review process for signs:

a) The proposed ordinance clarifies the process for master sign programs, which are now only required for properties that serve three or more tenants. The proposed ordinance reduces the review time for master sign programs and expedites the review process of building permits applications for signs previously reviewed and approved in a master sign program;

b) The proposed ordinance clarifies that, if a discretionary application is required for a sign, it must be approved before a building permits can be issued for a sign;

c) The proposed ordinance authorizes the director to refer new sign types to the planning commission for classification;
d) In an effort to reduce redundancies in the municipal code, provisions for nonconforming signs and the abatement of signs have been relocated to the corresponding sections of the code.

**General Plan and Zoning Consistency**

*Consistency with the El Segundo Municipal Code.*

Pursuant to ESMC Title 15, Chapter 26 (Amendments), in order to approve the proposed amendments, the City Council must find that the amendments are necessary to carry out the general purpose of ESMC Title 15. The purpose of this Title (ESMC §15-1-1) 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. Staff believes that the City Council can make the findings to approve the proposed amendment. The findings are discussed in the proposed ordinance.

*Consistency with the El Segundo General Plan*

ESMC Section 15-1-1 (Purpose, Title) states that Title 15 is the primary tool for implementation of the goals, objectives, and policies of the El Segundo General Plan. Accordingly, the City Council must find that the proposed Zone Text Amendment is consistent with those goals, objectives, and policies. Staff believes that the City Council can make the findings in order to approve the proposed amendment. The findings are discussed in the proposed resolution.

**ENVIRONMENTAL REVIEW:**

Approval of the proposed ordinance is exempt from review 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 “State CEQA Guidelines”) because the ordinance consists only of minor revisions and clarifications to existing zoning regulations and related procedures. It does not have the effect of deleting or substantially changing any regulatory standards or findings required thereof. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment. In addition, any environmental impacts associated with this ordinance are adequately addressed in the General Plan FEIR. Accordingly, this ordinance is consistent with the General Plan FEIR and is exempt from further environmental review requirements under CEQA. Furthermore, this ordinance constitutes a component of the El Segundo Municipal Code which the Planning Commission determined to be consistent with the FEIR for the City of El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to 14 Cal. Code Regs. §15168(c)(2).

**RECOMMENDATION:**

Planning staff recommends that the Council:
1. Introduce an Ordinance (Zone Text Amendment No. ZTA 16-02) regarding amendments to various sections of the Zoning Code;
2. Schedule second reading and adoption of the Ordinance for October 17, 2017;
3. Alternatively, discuss and take other possible action related to this item.
ORDINANCE NO. ___

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE (ESMC) TITLE 15 (ZONING CODE) REGARDING SIGNS.

(ZONE TEXT AMENDMENT NO. 16-02)

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

SECTION 1: The Council finds and declares as follows:

A. On June 18, 2015, the United States Supreme Court issued a unanimous decision in the case of Reed v. Town of Gilbert, holding that various provisions of the Town of Gilbert's sign ordinance violated the First Amendment. Some of the offending provisions afforded differing time, place and manner restrictions to signs based on their individual content. Others required specific minimum content requirements on certain types of signs;

B. On March 2, 2016, the City initiated the process to amend ESMC Title 15 (Zoning Code) related to sign provisions that could be perceived as being contrary to the Court's decision. Also included in the amendment are updated definitions, updated general provisions, and modified sign standards to streamline the review process for signs;

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

D. The Planning and Building Safety Department completed its review and scheduled the public hearing regarding the application before the Planning Commission for July 27, 2017;

E. On July 27, 2017, the Planning Commission reviewed and considered the proposed code amendments to Title 15 and continued the item to the August 10, 2017 Planning Commission meeting. The item was subsequently continued to August 24, 2017;

F. On August 24, 2017, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed amendment, including, without limitation, information provided to the Planning Commission by city staff; and, adopted Resolution No. 2823 recommending the City Council approve the proposed project;
G. On October 3, 2017, the City Council held a public hearing and considered the information provided by City staff and public testimony regarding this Ordinance; and

H. 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 October 3, 2017 hearing and the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Factual Findings And Conclusions. The City Council finds that implementing the proposed ordinance would result in the following:

A. Add and clarify the definitions of: building face, sign, sign (abandoned), sign area, sign (building marker), sign (changeable copy), sign (copy), sign (directory), sign (electronic message centers), sign (identification), sign (information), sign (light emitting diode or LED), sign (pole), sign (political), sign (projecting), sign (roof), sign (window), store front, and tenant;

B. Reorganize sections of the chapter to make it easier to understand;

C. Clarify the review process for signs in order to secure a building permit;

C. Insert and clarify language to ensure the City does not regulate sign content;

D. Prohibit signs that imitate or resemble official traffic lights, signs, or signals or signs that interfere with the effectiveness of traffic lights, signs, or signals;

E. Prohibit abandoned signs;

F. Exempt signs that are consistent with an approved master sign program;

G. Exempt signs required by federal, state, or local law;

H. Modify the required setback for signs;

I. Modify the requirements for monument, ground, and freestanding pole signs;

J. Add provisions for ground directory sign;

K. Update provisions for LED signs, reclassifying them as “electronic message centers (EMC’s)”;

L. Modify provisions for EMC’s to allow the director to approve administrative use permits for EMC’s for nonresidential uses in the Multi-Family (R-3) zone;

M. Update and streamline process for review of master sign programs;
N. Update and clarify process for discretionary review for signs;

N. Clarify provisions for noncomforming signs;

O. Clarify provisions for the abatement of signs.

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

A. The proposed ordinance is consistent with Objective LU1-2 and Policy LU1-2.2 because it will prevent deterioration and blight throughout the City by maintaining the property at all times in accordance with City of El Segundo codes.

B. The proposed ordinance is consistent with Goal LU1-5 and Policy LU1-5.2 in that the amendment recognizes the City as a comprehensive whole and is creating policies, design standards and documentation that will help create a sense of place for the entire City. The amendment will modify the sign ordinance that regulates the quantity, quality, and location of signs.

C. The proposed ordinance is consistent with Policy C1-1.9 of the General Plan Circulation Element in that it will help provide all residential, commercial, and industrial areas with efficient and safe access for emergency vehicles through the implementation of driveway and intersection clearance requirements.

SECTION 4: Zone Text Amendment Findings. In accordance with ESMC Section 15-26-4 and based on the findings set forth in Section 2, the proposed zone text amendment is consistent with and necessary to carry out the general purpose of ESMC Title 15 as follows:

A. The ordinance is consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources.

B. The ordinance is necessary to facilitate the development process and ensure the orderly placement and maintenance of signs. The intent of the ordinance is to clarify definitions of terms, clarify and update the development standards for signs, and streamline the review process for signs.

SECTION 5: Environmental Assessment. Pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000, et seq. ("CEQA"), and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000,
et seq., the "State CEQA Guidelines"), the proposed ordinance is exempt from further review, because it consists only of minor revisions and clarifications to existing zoning regulations and related procedures. It does not have the effect of deleting or substantially changing any regulatory standards or findings required thereof. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment. Accordingly, no further environmental review is required pursuant to 14 Cal. Code Regs. § 15168(c)(2).

SECTION 6: Section 15-1-6 is amended to read as follows:

"The following words and phrases, when used in this title, shall have the meanings respectively ascribed to them in this chapter:

* * *

BUILDING AREA: See definition of Floor Area (Gross).

BUILDING FACE: Horizontal plane of a building façade which may include recessed portions of the building.

* * *

SIGN: Any structure, device, or material, temporary or permanent, fixed or portable, moving or stationary, whether located inside or outside a building, that is visible from any property where the primary purpose of the sign is to convey visual communication. "Sign" does not include the following:

A. Interior signs that are located entirely within an enclosed structure and not visible from the exterior;

B. Building features that are only decorative or architectural and do not include lettering, trademarks, or moving parts; Such building features may include minimal lettering or moving parts.

C. Symbols of noncommercial organizations or concepts including, without limitation, religious or political symbols when they are permanently integrated into the structure of a building;

D. Items or devices of personal apparel, decoration or appearance including, without limitation, tattoos or makeup;

E. Marks on tangible products that identify the maker, seller, provider or product, and that customarily remain attached to the product even after completion of a sale;

F. Traffic, directional, emergency, warning or informational signs required or authorized by a government agency having jurisdiction;
G. Public utility signs;

H. Advertisements or banners mounted on duly licensed mass transit vehicles including, without limitation, buses and trains, that legally pass through the city;

I. Insignia located on legal vehicles and watercraft including, without limitation, license plates, registration insignia, noncommercial messages, messages relating to the business for which the vehicle is an instrument or tool, and messages relating to the proposed sale, lease or exchange of vehicles or watercraft;

J. Building marker signs; and

K. Newsracks and newsstands.

SIGN, ABANDONED: Any sign which was lawfully erected, but whose use has ceased or whose structure has been abandoned for a period of one year. A lawfully erected sign structure for a vacant property or building which is actively available for lease is not abandoned unless the planning and building safety director determines the sign is a public nuisance, pursuant to section 15-18-4 15-18-8 of this title.

*   *   *

SIGN AREA: The face or display area of a sign, including its border only when the border carries or displays part of the message or copy. Supports or uprights on which such sign is placed are excluded from the sign area calculation. For signs Signs using individual channel letters, the sign area is determined by not more than 2 rectangles, of at least 6-inch width, drawn around the entire grouping of letters or words, may exclude the space between the letters.

*   *   *

SIGN, BUILDING MARKER: Any sign indicating the name of a building and/or date and incidental information about its of construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

*   *   *

SIGN, CHANGEABLE COPY: A sign, or part of a sign, that includes commercial or noncommercial copy that can be changed through manual or electronic means, regardless of method of attachment or materials of construction.

SIGN, COPY: That portion of a sign which contains the letters, words, numbers, pictures, or logos that convey a message to the viewer.

*   *   *
SIGN, DIRECTORY: A sign listing the tenants or occupants and their locations throughout building or development.

SIGN, ELECTRONIC MESSAGE CENTERS (EMCs): An outdoor sign that displays words, symbols, figures, or images that can be electronically or mechanically changed by remote or automated means.

* * *

SIGN, IDENTIFICATION: A sign with copy that identifies only the business name, product, or service sold, and/or street address of the building upon which it is placed.

SIGN, INFORMATION: A sign which conveys information such that informs people of the purpose of an object or gives them instruction on the use of something. An example is an as "air/water", the location of restrooms or similar information, but does not contain advertising, brand, trade, or center name information.

* * *

SIGN, LIGHT EMITTING DIODE OR LED: A sign incorporating light emitting diodes (LED) to display a commercial or noncommercial changeable copy. Signs that utilize LEDs for decorative, artistic or accent purposes, or as the primary source of illumination behind translucent elements are not included in this definition.

* * *

SIGN, POLE: A freestanding sign that is supported by a single pole or post or poles/posts.

SIGN, POLITICAL: A temporary freestanding sign with noncommercial copy erected for an upcoming election.

* * *

SIGN, PROJECTING: Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches (6") beyond the surface of such building or wall. Marquee signs are included in this definition.

SIGN, ROOF: Any sign erected and constructed wholly on and over the roof or parapet of a building, supported by the roof structure, and extending vertically above the roof. Signs that are attached to or painted upon a structure attached to the roof of a building are included in this definition.

* * *

SIGN, WINDOW: Any sign that is placed within 3 feet of the inside of a window or upon the window panes or glass and is visible from the exterior of the window.
STORE FRONT: The façade or entryway of a retail store which faces the street and is located on the ground floor or street level of a commercial building.

TENANT: The lessee or sublessee of a facility space at an applicable within a development project.

SECTION 7: ESMC Chapter 15-18 (Signs) is amended in its entirety to read as follows:
Chapter 18
SIGNS

15-18-1 PURPOSE AND INTENT
15-18-2 PROHIBITED SIGNS
15-18-3 EXEMPT SIGNS
15-18-4 GENERAL SIGN STANDARDS
15-18-5 MASTER SIGN PROGRAMS, APPLICATIONS, AND PERMITS
15-18-6 NONCONFORMING SIGNS
15-18-7 SUBSTITUTION CLAUSE
15-18-8 ENFORCEMENT AND MAINTENANCE

15-18-1 PURPOSE AND INTENT

A. The purpose of this chapter is to encourage the effective use of signs, to help maintain the aesthetic environment and the city's ability to attract businesses, to encourage harmonious integration of signs with their surroundings, to ensure pedestrian and traffic safety, and to minimize possible adverse effects.

B. This chapter was adopted pursuant to the city's police powers to advance the goals set forth in the general plan to regulate the time, place, and manner that signs may be used within the city.

C. Nothing in this chapter is intended to limit or circumscribe the content of any sign placed pursuant to this chapter.

15-18-2 PROHIBITED SIGNS

All signs not expressly permitted under this chapter are prohibited. Such prohibited signs include, but are not limited to:

A. Beacon signs, used in connection with commercial premises for commercial purposes;

B. Balloons or other inflated devices or signs used in connection with commercial premises for commercial purposes;

C. Billboards;

D. Flags and pennants, except those exempt under Section 15-8-3;

E. Signs that emit sounds (except ordering menu boards at drive-throughs), odor, or visible matter, such as smoke or steam;
F. Strings of lights not permanently mounted to a surface, except those exempt under Section 15-8-3;

G. Trailer or portable signs;

H. Signs that flash, rotate, pulsate, or otherwise move in a way that create a traffic hazard;

I. Signs that imitate or resemble official traffic lights, signs, or signals or signs that interfere with the effectiveness of traffic lights, signs, or signals;

J. Strobe lights used in signs;

K. Abandoned signs.

15-18-3 EXEMPT SIGNS

The following signs and/or face changes are exempt from plan review, but all such signs may require a building permit and must comply with the corner clearance and driveway visibility standards of Chapter 2 of this title:

A. Any sign that is on a property with an approved master sign program and fully complies with the program's standards and design requirements.

B. Face changes of existing signs previously approved under a valid master sign program pursuant to 15-18-5C below;

C. Signs inside a building not attached to a window or door;

D. Signs required by federal, state, or local law;

E. Building marker signs;

F. Lights used for holiday decorations;

G. Temporary Election Season Signs: Temporary election season sign are allowed in an zone subject to the following:

1. Sign cannot exceed four square feet in area;

2. Except as otherwise allowed by this chapter, such signs cannot be erected more than 60 days before an election in which residents of the City of El Segundo are eligible to vote; and,
3. Except as otherwise allowed by this chapter, such signs must be removed not later than 48 hours after the election.

H. Works of Art: Works of art, including decorative flags and murals, such as historical and community oriented murals, which are not for commercial purposes are permitted, subject to the following standards:

The use of registered, copyrighted, or trademark names, insignia, or logos is permitted within the sponsor’s portion of the artwork, but names, insignia, or logos larger than 6 square feet or 1 percent of the area of the artwork, whichever is less, may not include registration, copyright, or trademark symbols. Such artwork is subject to review by the director or their designee to determine if the extent of any commercial message in the mural is a minor component of the artwork. When the use of names, insignia, or logos is larger than 6 feet of 1 percent, the entire artwork will be treated as a sign that is subject to the requirements of this chapter.

15-18-4 GENERAL SIGN STANDARDS

A. SIGNS IN NON-RESIDENTIAL ZONES: All signs in non-residential zones must be erected and maintained consistent with the purposes of the chapter.

1. Sign Types

i. Signs on Freestanding Buildings: Freestanding buildings allow wall, fin, marquee, canopy, awning, projecting, and roof signs to have a cumulative area up to 5 percent of each building face. This standard is applicable to signs installed on the second story and above.

ii. Signs on Store Fronts: Store front shops are allowed signs up to 15 percent of each shop front per tenant space, including any wall, fin, marquee, canopy, awning, and projecting signs. This standard is applicable to signs installed on the ground floor or street level of the primary entryway for a commercial building. Signs proposed on walls other than primary entryway (i.e. side walls or rear wall) are allowed a cumulative sign area up to 5 percent of each building face.

iii. Monument, Ground, Freestanding, or Pole Signs: One monument, ground, freestanding, or pole sign that provides a shared usage of such signs is allowed for every 100 linear feet of street frontage, or fraction thereof. Such signs are allowed a sign area up to 150 square feet per sign and must not be placed closer than 50 linear feet from another monument, ground, freestanding, or pole sign on the same property. Any such sign may be erected and maintained in a required
building setback, provided it is at least 3 feet from the property line and is not located in a required corner clearance or driveway visibility area.

Additional development standards are as follows:

1. Monument or ground signs: Maximum height of 8 feet by right. Signs over 8 feet and up to a maximum of 20 feet are allowed with an administrative use permit.

2. Ground Directory Signs: Maximum height of 20 feet and are:
   a. Designed to be viewed primarily by pedestrians and
   b. Designed to have minimal visibility from the public rights-of-way to the satisfaction of the director.

3. Freestanding or Pole Signs: Maximum height of 25 feet.

4. Off-Site Directional Signs: Maximum height of 8 feet by right and must:
   a. Provide directions to a business located on another property within the city.
   b. Maintain a maximum distance of 500 feet from the property on which the sign is located.
   c. Require an administrative for signs over 8 feet and up to a maximum of 20 feet

2. Electronic Message Centers: Electronic Message Centers (EMCs) are allowed in all non-residential zones. EMCs may be approved for nonresidential uses in the Multi-Family (R-3) zone upon the approval of an administrative use permit, pursuant to the requirements of chapter 22 of this title. EMCs are subject to the following standards:

   i. EMCs may have up to 2 faces;

   ii. For all ground-mounted signs, the changeable copy portion of the sign cannot exceed 75 percent of the total permitted sign area;

   iii. EMCs may include animated graphics and video only when they are:
1. Designed to be viewed primarily by pedestrians and

2. Designed to have minimal visibility from the public rights-of-way to the satisfaction of the director.

iv. When visible from the public right of way, the sign display must remain fixed for at least 7 seconds and transitions between slides must be instantaneous. Any form of blinking, scrolling, or sliding of image elements is prohibited.

v. EMCs must be equipped with a sensor or other device that automatically determines the ambient illumination, that are programmed to automatically dim according to ambient light conditions;

vi. In the case of malfunction, EMCs must contain a default design to either freeze the sign in one position or go blank.

3. Large Signs: Any sign over 500 square feet that otherwise meets the provisions of this chapter, requires an administrative use permit, pursuant to Chapter 24 of this title.

B. SIGNS IN RESIDENTIAL ZONES: All signs in residential zones must be erected and maintained consistent with the requirements of this chapter.

1. Sign Types

i. Identification Signs: One identification sign per lot is allowed, not to exceed 20 square feet in area. The sign must not extend more than 6 inches above or out from the front wall and must contain only the name and street address of the building upon which it is placed.

ii. Wall Signs: Permitted nonresidential uses in residential zones that are currently in compliance with this code, except home occupation businesses, are permitted one wall sign, not to exceed 6 square feet in size for the purpose of identifying the business located on the property. Such signs must not contain advertising.

C. TEMPORARY SIGNS: Except as otherwise provided, two temporary signs not exceeding a cumulative total of 6 square feet, are allowed at all times. The following additional types of temporary signs may be displayed upon the city's issuing a temporary sign permit, provided the sign meets the following requirements:
1. Special Event or Sale Sign: A sign placed in connection with and on the site of a special event or sale, up to a maximum size of 100 square feet, for a specific maximum 30 day period is allowed, which may be renewed up to a total of 120 days. Animals or human beings, live or simulated, designed or used to attract attention to the premises may be used, provided they are not located on public property or in the public right of way.

2. Construction Signs: Signs placed on an active, lawfully permitted construction site up to a maximum size of 32 square feet per construction site are allowed for a maximum period of 6 months. The Director may grant up to three separate 6 month extensions. Construction signs must be removed within 1 week after completion of construction.

3. New Development/New Business Signs: One temporary sign on the site of a new development or business may be erected and maintained from the time a building permit is issued until final inspection, but in no case may a new development or business sign be displayed for more than one year. New development or business signs for nonresidential uses are allowed a maximum size of 100 square feet; residential uses are allowed a maximum size of 6 square feet.

D. REAL ESTATE SIGNS: Real estate signs as defined and authorized by Civil Code Section 713, do not require a building permit, but must comply with the following:

1. Signs must be displayed on private real property and only with consent of the owner;

2. One sign may be placed on the real property to which it pertains in residential zones; 3 signs may be placed on the real property to which they pertain in all other zones;

3. Signs cannot exceed 6 square feet in size for residential uses in residential zones, exceed 12 square feet in size for nonresidential uses in the R-3 zone, or exceed the cumulative total of 50 square feet in size for all other zones;

4. Before the city issues a certificate of occupancy, multi-family apartment buildings with four or more units must install one monument, ground, freestanding, or pole sign that is for the sole purpose of unit owners advertising their units. The design for the sign and its location on the property must be approved by the planning and building safety director, or his designee, before its installation. The sign may have up to 2 faces and cannot exceed a cumulative total of 9 square feet in size per sign face.
5. Removal: Signs must be removed within 5 days after the advertised property is sold, rented, or leased.

6. Temporary Real Estate Directional Signs: Directional signs authorized by Civil Code Section 713(a)(2) that identify and provide directional information to any residential property that is offered for sale, lease, or exchange by the owner or his or her agent must comply with the following:

   i. Signs must be located only along direct routes to the residential property from arterial streets;

   ii. Not more than one sign is permitted at each intersection on private property and only with consent of the owner;

   iii. Signs must be removed when the subject property is sold or when the event ends;

   iv. Signs cannot exceed 9 square feet in area or 5 feet in height;

   v. No real estate signs are allowed on public property.

E. SIGNS WITHIN 500 FEET OF FREEWAY OR HIGHWAY:

Notwithstanding any other provisions of this title, no outdoor advertising structure, outdoor advertising display, or billboard, regardless of size, which does not advertise the business conducted, the services rendered, or the goods produced upon the property upon which the sign is placed may be placed within 500 feet of either side of a state or county freeway or highway in a manner which makes the sign thereon visible to persons or passengers upon any such thoroughfare.

15-18-5   MASTER SIGN PROGRAMS, APPLICATIONS, AND PERMITS

A. MASTER SIGN PROGRAMS

Multi-tenant developments of three or more commercial tenants require an approved master sign program by the director or their designee. No permit may be issued for an individual sign requiring a building permit until a required master sign program is approved. A master sign program is not required for a development, lot, or business that has less than three tenants.

   1. An application for the master sign program must include:

      i. Accurate plot plan of the lot;
ii. Location of buildings, parking lots, driveways, and landscaped areas;

iii. Computation of the maximum sign area allowed, maximum area allowed for individual signs, height and number of signs, and total building wall area on which signs are proposed;

iv. Proposed location of each sign, present and future, whether requiring a permit or not, shown on both the plot plan and elevations;

v. On site signs including, but not limited to, building marker signs, directional signs, identification signs and onsite signs used for wither ingress or egress, identification of facilities or similar features must be submitted as a part of a master sign program;

vi. Optional consistency standards among all signs on the lots affected by the program with regard to:

   1. Color scheme;
   2. Lettering or graphic style;
   3. Lighting;
   4. Material; and/or
   5. Sign dimensions.

vii. Payment of the applicable fees established by the city council.

2. Window Signs: A master sign program may indicate the areas and general types of window signs without specifying the exact dimension or nature of every window sign.

3. Consent: Master sign programs must be signed by the property owner or their authorized agent.

4. Review Procedure: Within 10 working days of receiving a complete master sign program application, the director must either:

   i. Approve the proposed program if it conforms with the provisions of this chapter, or
   
   ii. Deny the proposed program if it fails to conform with the provisions of this chapter. In cases of a denial, the director will specify in writing

Page 15 of 20
the sections of this chapter with which the program is inconsistent. The director's determination may be appealed pursuant to chapter 25 of this title.

5. Modifications: Any new sign locations or the increased size of signs require an application for an amended master sign program that conforms to all requirements of this chapter. Minor changes to signs including, but not limited to, color scheme, material, sign dimensions, location on building face, at the discretion of the director do not require an amended master sign program.

B. ADMINISTRATIVE USE PERMITS, ADJUSTMENT, VARIANCES, AND CONDITIONAL USES

1. Proposed signs that require discretionary review must be approved by the director before building permits are issued.

2. Signs that require the approval of an administrative use permit will be processed pursuant to chapter 22 of this title.

3. Deviations from any nonstructural provision of this chapter, including, but not limited to, the number of permitted signs, the size of proposed signs up to a maximum of 20 percent of the area of the building face, and setbacks, may be granted upon the approval of an adjustment, pursuant to chapter 24 of this title. The director may consider a deviation request to be a request for a variance and refer the request to the planning commission for review pursuant to chapter 23 of this title.

4. Except as otherwise provided, all deviations from this chapter must comply with the variance procedures set forth in chapter 23 of this title. All sign regulations for land uses requiring conditional use permits are controlled by this chapter and must be processed without regard to the proposed message, content, or copy of proposed signs.

C. PERMITS REQUIRED

1. Before erecting, modifying, repairing, or relocating any sign, the City must issue the building permit if the proposed sign meets all provisions of this chapter and of the applicable master sign program.

2. Building permit applications reviewed for consistency with the applicable master sign program do not require additional master sign program fee.

D. SIGNS ON PUBLIC PROPERTY AND PUBLIC RIGHT-OF-WAYS
No signs shall be allowed on public property or in the public right of way, except as approved by the public works department, consistent with title 9 of this code, and as listed below:

1. Permanent Signs:
   i. Public signs erected by or on behalf of a governmental body.
   ii. Bus stop signs erected by a public transit company.
   iii. Informational signs of a public utility regarding its poles, lines, pipes, or facilities.
   iv. Awning, canopy, marquee, projecting and suspended signs which are attached to private property but project over public property or a public right of way in conformance with the provisions contained within the latest adopted uniform building code and uniform sign code.

2. Emergency Or Construction Signs: Emergency and construction warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within public property or the public right of way.

3. Encroachment Permit: If a sign requires an encroachment permit under this chapter, then the terms and conditions of the encroachment permit may be incorporated into the sign permit.

4. Removal Of Other Signs: All signs installed or placed on public property or in the public right of way not in conformance with this section may be removed without complying with this chapter. Said signs shall be retained by the city for a period of not less than three (3) working days. Thereafter, any unclaimed signs may be discarded. Should the city be required to remove any illegal sign pursuant to this section, the cost of removal shall be assessed against the owner or person placing such sign.

5. Unless otherwise provided by this chapter or by city council resolution, it is unlawful to display signs on public property owned by the city.

15-18-6 NONCONFORMING SIGNS

Nonconforming signs are subject to the provisions contained in chapter 21 of this title (Nonconforming Buildings and Uses).
SUBSTITUTION CLAUSE

Noncommercial copy may be substituted for any commercial copy on any sign that is allowed by this chapter, whether permitted or exempt. Noncommercial copy of any kind may be substituted for any other type of noncommercial copy on any sign that is allowed by this chapter whether by permit or exemption. Message substitution may be made without additional city approval or permitting. This section prevails over any more specific provision to the contrary within this chapter. The purpose of this section is to prevent any inadvertent favoring of commercial speech over any other noncommercial message. This section does not create a right to increase the total number or size of signs on property, does not affect the permitting requirements of this chapter, nor overrides terms and conditions in private contracts.

ENFORCEMENT AND MAINTENANCE

A. SIGN CLASSIFICATION: The director of planning and building safety may classify signs proposed in accordance with this chapter. Signs that do not clearly fall within one of the definitions provided by this title must be placed in a classification based on the sign’s design, location, physical characteristic, and purpose. Unless appealed to the planning commission pursuant to this code, the director’s decision is final. The director may refer any such request to the planning commission for review.

B. COMPLIANCE WITH CODES: Signs must comply with applicable provisions of the latest adopted building code, electrical code, and sign code at the time of permit issuance.

C. PERMANENT MATERIALS: Except for banners, flags, temporary signs, and window signs conforming with the provisions of this chapter, signs must be constructed of permanent materials, and must be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame, or structure.

D. MAINTENANCE: Signs permitted pursuant to this chapter must be maintained in good repair, structural condition, function properly, be free from defects including, but not limited to, cracking, rusting, and peeling. Signs not so maintained will be deemed a public nuisance and may be abated pursuant to this code.

E. ABATEMENT OF SIGNS: When the permittee, property owner, or person in possession of control of the property fails to comply with the director’s order requiring compliance with the chapter, the city may declare the sign as a public nuisance in accordance with Title 7 of the El Segundo Municipal Code. Once designated as a nuisance, the City is authorized to abate the nuisance according to the provisions of this code.
SECTION 8: ESMC Chapter 15-21 (Nonconforming Buildings and Uses) is amended to add a new Section 15-21-9 to read as follows:

15-21-9: NONCONFORMING SIGNS:

A nonconforming sign may not be:

A. Changed to another nonconforming sign or replaced by the same nonconforming sign, except for face changes;
B. Structurally or electrically expanded or altered unless such alteration is designed to and does bring the sign into greater conformance with current provisions of this chapter and/or building and electrical codes;
C. Relocated to another site on the same property or any other property within the city;
D. Reestablished after discontinuance of the use for 90 days or more; or
E. Reestablished after damage or destruction of more than 50% of the value of the structure of the sign prior to said damage or destruction.

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 ___________, 2017.

__________________________
Suzanne Fuentes, Mayor

APPROVED AS TO FORM:

By: ________________________
Mark D. Hensley, 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 Ordinance No. ________ was duly introduced by said City Council at a regular meeting held on the ___ day of __________ 2017, 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 __________ 2017, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________
Tracy Weaver, City Clerk
RESOLUTION NO. 2823

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE (ESMC) TITLE 15 (ZONING CODE) REGARDING SIGNS.

(Environmental Assessment No. 1150 and Zone Text Amendment No. 16-02)

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

SECTION 1: The Planning Commission finds and declares that:

A. On June 18, 2015, the United States Supreme Court issued a unanimous decision in the case of Reed v. Town of Gilbert, holding that various provisions of the Town of Gilbert's sign ordinance violated the First Amendment. Some of the offending provisions afforded differing time, place and manner restrictions to signs based on their individual content. Others required specific minimum content requirements on certain types of signs;

B. On March 2, 2016, the City initiated the process to amend ESMC Title 15 (Zoning Code) related to sign provisions that could be perceived as being contrary to the Court's decision. Also included in the amendment are updated definitions, updated general provisions, and modified sign standards to streamline the review process for signs;

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

D. The Planning and Building Safety Department completed its review and scheduled the public hearing regarding the application before the Planning Commission for July 27, 2017;

E. On July 27, 2017, the Planning Commission reviewed and considered the proposed code amendments to Title 15 and continued the item to the August 10, 2017 Planning Commission meeting. The item was subsequently continued to August 24, 2017;

F. On August 24, 2017, the Planning Commission adopted PC Resolution No. 2823 recommending to the City Council approval of Environmental Assessment No. EA-1050 and Zone Text Amendment No. ZTA 16-02; and,
G. This Resolution and its findings are made based upon the evidence presented to the Commission at its July 27 and August 24, 2017, hearings including, without limitation, the staff reports submitted by the Planning and Building Safety Department.

SECTION 2: Factual Findings And Conclusions. The Commission finds that implementing the proposed ordinance would result in the following:

A. Add and clarify the definitions of: building face, sign, sign (abandoned), sign area, sign (building marker), sign (changeable copy), sign (copy), sign (directory), sign (electronic message centers), sign (identification), sign (information), sign (light emitting diode or LED), sign (pole), sign (political), sign (projecting), sign (roof), sign (window), store front, and tenant;

B. Reorganize sections of the chapter to make it easier to understand;

C. Clarify the review process for signs in order to secure a building permit;

C. Insert and clarify language to ensure the City does not regulate sign content;

D. Prohibit signs that imitate or resemble official traffic lights, signs, or signals or signs that interfere with the effectiveness of traffic lights, signs, or signals;

E. Prohibit abandoned signs;

F. Exempt signs that are consistent with an approved master sign program;

G. Exempt signs required by federal, state, or local law;

H. Modify the required setback for signs;

I. Modify the requirements for monument, ground, and freestanding pole signs;

J. Add provisions for ground directory sign;

K. Update provisions for LED signs, reclassifying them as "electronic message centers (EMC's);"

L. Modify provisions for EMC's to allow the director to approve administrative use permits for EMC's for nonresidential uses in the Multi-Family (R-3) zone;

M. Update and streamline process for review of master sign programs;

N. Update and clarify process for discretionary review for signs;

N. Clarify provisions for nonconforming signs;
O. Clarify provisions for the abatement of signs.

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

A. The proposed ordinance is consistent with Objective LU1-2 and Policy LU1-2.2 because it will prevent deterioration and blight throughout the City by maintaining the property at all times in accordance with City of El Segundo codes.

B. The proposed ordinance is consistent with Goal LU1-5 and Policy LU1-5.2 in that the amendment recognizes the City as a comprehensive whole and is creating policies, design standards and documentation that will help create a sense of place for the entire City. The amendment will modify the sign ordinance that regulates the quantity, quality, and location of signs.

C. The proposed ordinance is consistent with Policy C1-1.9 of the General Plan Circulation Element in that it will help provide all residential, commercial, and industrial areas with efficient and safe access for emergency vehicles through the implementation of driveway and intersection clearance requirements.

SECTION 4: Zone Text Amendment Findings. In accordance with ESMC Section 15-26-4 and based on the findings set forth in Section 2, the proposed zone text amendment is consistent with and necessary to carry out the general purpose of ESMC Title 15 as follows:

A. The ordinance is consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources.

B. The ordinance is necessary to facilitate the development process and ensure the orderly placement and maintenance of signs. The intent of the ordinance is to clarify definitions of terms, clarify and update the development standards for signs, and streamline the review process for signs.

SECTION 5: Environmental Assessment. Pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000, et seq. ("CEQA"), and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "State CEQA Guidelines"), the proposed ordinance is exempt from further review, because it consists only of minor revisions and clarifications to existing zoning regulations and related procedures. It does not have the effect of deleting or substantially
changing any regulatory standards or findings required thereof. The proposed Ordinance
is an action that does not have the potential to cause significant effects on the
environment. Accordingly, no further environmental review is required pursuant to 14
Cal. Code Regs. § 15168(c)(2).

SECTION 6: Recommendation. The Planning Commission recommends that the City
Council adopt the ordinance in a form substantially similar to the draft attached as Exhibit
"A," which is incorporated into this resolution by reference.

SECTION 7: 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

SECTION 8: Limitations. The Planning Commission’s analysis and evaluation of the
project is based on information available at the time of the decision. It is inevitable that in
evaluating a project that absolute and perfect knowledge of all possible aspects of the
project will not exist. In all instances, best efforts have been made to form accurate
assumptions.

SECTION 9: This Resolution will remain effective until superseded by a subsequent
resolution.

SECTION 10: The Commission secretary is directed to mail a copy of this Resolution to
any person requesting a copy.
PASSED AND ADOPTED this 24th day of August 2017.

Ryan Baldino, Chair
City of El Segundo Planning Commission

ATTEST:

Sam Lee, Secretary

Baldino - Aye
Hoeschler - Aye
Newman - Aye
Nicol - Aye
Wingate - Aye

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

By:
    David King, Assistant City Attorney
AGENDA DESCRIPTION:
Consideration and possible action regarding the following matters which relate to a project to make improvements to the golf course and club house and convert the driving range to a Top Golf facility at the existing Lake’s at El Segundo golf course and driving range owned by the City (located at 400 S. Sepulveda Boulevard):
- Zone Change No. ZC 16-01 and Zone Text Amendment No. ZTA 1604, to change the underlying land use zoning designation from O-S (Open Space), to TLSP (The Lakes Specific Plan) with two Subareas classified PUB-REC/OS (Public Recreation/Open Space) and CPR/OS (Commercial Public Recreation/Open Space);
- General Plan Amendment No. 16-01, to change the underlying General Plan Land Use designation of the Lakes at El Segundo golf course property from “Parks”, to “The Lakes Specific Plan” (SP No. SP 16-02);
- Site Plan Review No. 16-01, for the development within The Lakes Specific Plan area, including a new Topgolf building, a redeveloped clubhouse, and modified holes in the golf course;
- Lot Line Adjustment No. SUB 16-03, to reconfigure the existing two parcels in The Lakes Specific Plan; and,
- Conditional Use Permit No. CUP 16-05, to allow onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities.
- Amendment No. 3 to the Due Diligence and Lease Agreement between the City and CenterCal regarding the City’s use of the Topgolf driving range, including but not limited to use of the facility by golf professionals and youth groups, approval of the final design plan for the golf course, shared parking arrangement and security issues.
- Potential revisions to the monthly rental payments and beverage sales profit sharing by CenterCal to the City.
- Approval of a parking license agreement between the City and West Basin Water District.

An Environmental Impact Report (EIR) was prepared for the proposed project, which assessed impacts in accordance with the provisions of the California Environmental Quality Act. The City Council, at its September 5, 2017 meeting certified the EIR.

Applicant: CenterCal Properties, LLC

RECOMMENDED COUNCIL ACTION:
1. Waive second reading and adopt Ordinance No. _______ for Zone Change No. ZC 16-01, Specific Plan No. SP 16-02, Zone Text Amendment No. ZTA 16-04, amending the Zoning Code and Zoning Map contained in the El Segundo Municipal Code, and creation of The Lakes Specific Plan;
2. Adopt Resolution No. _______, General Plan Amendment No. 16-01 and Specific Plan No. SP 16-02, Site Plan Review No. 16-01, Lot Line Adjustment No. SUB 16-03, and Conditional Use Permit No. CUP 16-05;
3. Approval of Amendment No. 3 to the Due Diligence and Lease Agreement between the City and CenterCal;
4. Approval of a parking license agreement between the City and West Basin Water District;
5. Discussion and possible action regarding revisions to the monthly rental payments and other remuneration to be paid by CenterCal to the City pursuant to the Due Diligence and Lease Agreement; and/or,
6. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Ordinance No. 
2. Resolution No. ____, conditionally approving General Plan Amendment No. 16-01 and Specific Plan No. SP 16-02, Site Plan Review No. 16-01, Lot Line Adjustment No. SUB 16-03, and Conditional Use Permit No. CUP 16-05
3. Amendment No. 3 to the Due Diligence and Lease Agreement between the City and CenterCal (to be distributed prior to Council Meeting).

FISCAL IMPACT: N/A

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STRATEGIC PLAN:

| Goal: Champion economic development and fiscal sustainability. |
| Objective: Encourage a vibrant business climate that is accessible, user-friendly and welcoming to all residents and visitors. |

PREPARED BY: Mark Hensley, City Attorney

APPROVED BY: Mark Hensley, City Attorney

BACKGROUND

At the September 5, 2017, the Council adopted the EIR for the project and approved a revised Third Amendment to the Due Diligence and Lease Agreement between the City and CenterCal, LLC (“CenterCal”). Based upon learning that Topgolf had entered into what appeared to be a more favorable financial deal with the City of Burlingame than what was offered to El Segundo, the Council appointed Council Members Dugan and Pirztkuk to a subcommittee to determine if a more favorable financial deal could be achieved. Finally, the potential second read of the Ordinance amending the City’s zoning code and adoption of the Resolution approving of the General Plan Amendment, Specific Plan, lot line adjustment, and the Conditional Use Permit for alcohol sales was scheduled for October 3, 2017.
SUBCOMMITTEE NEGOTIATIONS AND REQUEST BY CENTERCAL FOR A CONTINUANCE

There were communications between the Council Subcommittee and CenterCal and Topgolf to determine whether the financial terms of the proposed Lease could be improved. The current version of the Lease provides for $525,000 in annual rents and payment of 3% of the gross beverage sales receipts beginning in the third year of the Lease. CenterCal offered to increase the annual rent by $100,000, if the City would agree to a reduction in the number of hitting bays that would be available to City programs (golf professionals, youth groups and camps, high school students, etc.). CenterCal also offered to commence the sharing of gross beverage receipts during the first year of the Lease.

In response to CenterCal’s offer, the subcommittee communicated to CenterCal that it would not support a deal that resulted in a reduction in the number of hitting bays available for the uses described above. The Subcommittee requested that CenterCal and Topgolf provide the City with its last, best and final financial offer so that the Council could consider such at the October 3rd Council Meeting and potentially take final action on the project. CenterCal and Topgolf responded with a request to continue the CenterCal/Topgolf agenda item on the October 3rd Council Meeting, so that a meeting could be scheduled with the Subcommittee to further explore the financial deal points of the Lease.

Council Member Pirsztuk is recommending that the Council grant CenterCal’s and Topgolf’s request for an extension as she believes such could be productive. Conversely, Council Member Dugan believes that CenterCal and Topgolf had sufficient time to formulate an offer and believes it is time for the Council to make a decision on the project.

LEASE AMENDMENT NO. 3

At the September 5th Council Meeting, the Council did approve the form of the Lease Amendment including changes that were orally communicated by the City Attorney. CenterCal did deliver an executed copy of the Amendment today, but it has not been executed by the Mayor and there are some issues that need to resolved. The Lease agreement actually expired at midnight on Saturday, September 30th.

First, CenterCal and Topgolf requested that the security requirement be taken out of the Lease Amendment and rather be inserted in the conditions of approval for the conditional use permit for alcohol sales. The City Attorney is okay with this change but it needs to be approved by the Council. More importantly, the Lease Amendment required that the form of the agreement between Chevron and CenterCal whereby Chevron would agree to CenterCal’s and Topgolf’s proposed use of the property, be attached as an Exhibit to the Amendment. The purpose of this is to provide the City with assurances as to the wording of the Chevron/CenterCal agreement. The draft of this agreement was provided to the City last Friday afternoon.

The City Attorney’s Office has a few concerns about some of the language in the agreement which it needs to discuss with CenterCal and/or Chevron. It is not possible that such can be resolved before tomorrow night’s Council Meeting. Accordingly, the City Attorney’s Office drafted some alternative language (attached) that provides that the Council in its discretion must approve of the Chevron agreement before the expiration of the due diligence period for the project to move forward.
The City Attorney’s Office prefers the arrangement of having the final approved language of the Chevron/CenteCal agreement attached to the Lease Amendment but came up with this solution in the event the Council wants to extend the due diligence period through December 31, 2017. As was set forth in the September 5th staff report, the Lease Amendment amended the Lease in several ways – extends due diligence period, changes and clarifies issues relating to golf professionals, youth groups’ use and other City uses of the driving range, approves of the final golf course design, and was to provide for the approval of the Chevron/CenteCal agreement.

Again, at this point in time, there is no agreement in effect between the City and CenterCal and Council needs to decide whether it wants to enter into a Lease Amendment to extend the prior agreement. This is premised on CenterCal agreeing to the Amendment described above and attached to this staff report.

WEST BASIN PARKING LICENSE AGREEMENT

City staff and West Basin’s staff drafted a Parking License Agreement that provides for 103 parking spaces of the 523 parking spaces provided for the golf course and Topgolf facility. It was staff’s understanding that this Agreement would be provided for the Board’s approval prior to the Council potentially approving the project and the Parking License Agreement. The Board has deferred taking action on the Parking License Agreement until the Council takes action on the project.

While there is no guarantee, City and West Basin staff believe the Board will approve of the Parking License Agreement, if the Council approves the project. In the event that the Council does approve the project but the Board does not approve of the Agreement, then the conditions of approval require that CenterCal and Topgolf come up with a valet parking plan approved by staff to handle the parking needs for the golf course and Topgolf facility.

POSSIBLE ACTIONS TO BE TAKEN BY COUNCIL

1. Approval or Denial of Amendment No.3 to Due Diligence and Lease Agreement;
2. Approval or Denial of CenterCal’s request to continue the decision on the Ordinance and Resolution described below;
3. Adoption or non-adoption of the Ordinance approving the zone change and zone text amendment to the El Segundo Municipal Code necessary for the project;
4. Adoption or non-adoption of the Resolution approving the General Plan Amendment, Specific Plan, lot line adjustment, and conditional use permit for alcohol sale; and/or
5. Approval or Denial of the Parking License Agreement between the City and West Basin Water District.
ORDINANCE NO. _____

AN ORDINANCE APPROVING SPECIFIC PLAN NO. SP 16-02, ZONE CHANGE NO. ZC 16-01, AND ZONE TEXT AMENDMENT NO. ZTA 16-04, AMENDING THE EL SEGUNDO ZONING MAP AND ADDING ESMC § 15-3-2(A)(11) FOR THE LAKES SPECIFIC PLAN PROJECT LOCATED AT 400 SOUTH SEPULVEDA BOULEVARD.

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 June 20, 2016, CenterCal Properties, LLC, filed an application for Environmental Assessment No. EA-1135, General Plan Amendment No. 16-01, Zone Change No. ZC 16-01, Specific Plan No. SP 16-02, Zone Text Amendment No. ZTA 16-04, Site Plan Review No. 16-01, Lot Line Adjustment No. SUB 16-03, and Conditional Use Permit No. CUP 16-05 for approval of a specific plan and related discretionary entitlements to facilitate a development project at the Lakes golf course consisting of replacing an existing driving range and hitting bays with a three-story golf-themed commercial recreation and entertainment facility, including hitting bays, a restaurant/bar, and other supporting accessory uses to be operated under the “Topgolf” brand (the “Project”). Additional project improvements include demolition of the existing clubhouse and reconstruction of a smaller clubhouse, modification of the fairways and layouts of three holes at the existing 9-hole executive golf course, new golf course lighting, and modification and expansion of the existing parking to accommodate additional parking to serve the facility;

B. After submittal of additional information, Staff deemed the project applications complete on August 31, 2016;

C. 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., the City’s Local CEQA Guidelines (City Council Resolution No. 2805, adopted March 16, 1993), and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the City of El Segundo prepared an Environmental Impact Report (State Clearinghouse Number 2016091003) (the “EIR”);

D. The City prepared an Initial Environmental Study (the “Initial Study”) for the Project pursuant to Section 15063 of the CEQA Guidelines,
and on September 1, 2016, the Initial Study (IS) and Notice of Preparation (NOP) were released to the public and public agencies for a comment period of 33 days (through October 3, 2016). On September 1, 2016, a Public Notice was mailed to property owners within a 300-foot radius from the subject property, the Notice was published in the El Segundo Herald, and the Notice was posted on the City’s website. Lastly, a copy of the Initial Study was made available at the public counter at City Hall and the local library, and was made available on the City’s website for the public to download and review;

E. On September 8, 2016, the Planning Commission conducted a public scoping meeting to provide a forum for agencies and members of the community to provide verbal comments on the IS/NOP;

F. After the NOP comment period ended, the Draft EIR was prepared taking the comments into account. After completing the Draft EIR, the document was made available to the public on January 26, 2017 for a 47-day public comment period that concluded on March 13, 2017;

G. On February 2, 2017, City Staff hosted a noticed public commenting session to provide the public with an opportunity to submit verbal comments, in addition to the typical written comments, on the Draft EIR. Advertisement of the public commenting session was provided by a Notice published in the El Segundo Herald, a Notice mailed to all property owners within a 300-foot radius, a Notice was posted at The Lakes clubhouse facility, and a Notice was posted on the City’s website;

H. On May 25, 2017, the Final EIR was completed and Notice was provided via mail to all property owners within a 300-foot radius of the subject site, and on May 25, 2017 a Notice was published in the El Segundo Herald announcing that a public hearing was scheduled with the Planning Commission on June 8, 2017 to review the Final EIR and the entitlement applications for the proposed project;

I. On June 8, 2017, the Planning Commission conducted a public hearing to receive public testimony and other evidence regarding the applications including, without limitation, information provided to the Commission by City staff and public testimony, and the applicant;

J. On July 13, 2017, the Planning Commission adopted Resolution No. 2821 recommending that the City Council approve Environmental Assessment No. EA-1135, General Plan Amendment No. 16-01, Zone Change No. ZC 16-01, Specific Plan No. SP 16-02, Zone Text
Amendment No. ZTA 16-04, Site Plan Review No. 16-01, Lot Line Adjustment No. SUB 16-03, and Conditional Use Permit No. CUP 16-05;

K. On August 24, 2017, a Notice was provided via mail to all property owners within a 300-foot radius of the subject site, and on August 24, 2017, a Notice was published in the El Segundo Herald announcing that a public hearing was scheduled with the City Council on September 5, 2017. Lastly, the notice was posted on the City’s website;

L. On September 5, 2017, the City Council held a public hearing and considered the information provided by City staff and public testimony regarding this Ordinance, and the Planning Commission's recommendation; and

M. 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 September 5, 2017 hearing and the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Environmental Assessment. On September 5, 2017, the Council adopted Resolution No. _____ certifying a Final Environmental Impact Report (FEIR) and adopting a Mitigation Monitoring and Reporting Program (MMRP) for this Project which, among other things, properly assesses the environmental impact of this Ordinance, and the Project, in accordance with CEQA. This Ordinance incorporates by reference the environmental findings and analysis set forth in Resolution No. _____.

SECTION 3: Findings of Fact and Conclusions. The findings of fact and conclusions set forth in Resolution No. _____, adopted by the City Council on ________, 2017, are incorporated herein by reference as if fully set forth.

SECTION 4: Specific Plan. The City Council makes the following findings:

A. Specific Plans create “mini-zoning” regulations for land uses within particular areas of the City. All future development plans and entitlements within the Specific Plan boundaries must be consistent with the standards set forth in the adopted Specific Plan, even when they may be different from the general regulations within the ESMC.

B. The proposed specific plan is in the public interest, and there will be a community benefit resulting from the specific plan. The Lakes Specific Plan provides flexibility for The Lakes golf course to expand its existing operations or develop new facilities that are compatible
with the existing facilities and uses. The Specific Plan includes a development concept that accounts for and allows for the Topgolf facility; includes new land use and zoning categories and identifies the properties that are effected; includes design guidelines to help promote high-quality development; and development standards to address uses, lot area, height, setbacks, floor area, parking, landscaping and signage. All development in the project area is subject to the development standards and requirements of the specific plan. The Lakes Specific Plan is set forth and illustrated in attached Exhibit “A”.

SECTION 5: The City Council amends the current Zoning Map to reflect a change to the zoning designation of the Project area at 400 South Sepulveda Boulevard from Open Space (O-S) to The Lakes Specific Plan (TLSP), as set forth and illustrated in attached Exhibit “B”, based on the following factual findings:

A. The proposed Zone Change is necessary to carry out the proposed project because the proposed General Plan Amendment would change the land use classification of the project site from Parks, to The Lakes Specific Plan. The proposed Zone Change is necessary to maintain consistency with the proposed General Plan land use designation of The Lakes Specific Plan.

B. The purpose of ESMC Title 15 is to implement the goals, objectives and policies of the El Segundo General Plan. The zone change is consistent with the General Plan goals, objectives and policies discussed in Section 4 of this resolution.

SECTION 6: Zone Text Amendment Findings. Based on the factual findings of this Resolution, the proposed Zone Text Amendment is necessary to carry out the proposed project to establish the proposed The Lakes Specific Plan (TLSP) Zone. An amendment to ESMC § 15-3-2(A)(11) to create The Lakes Specific Plan (TLSP) Zone is necessary for consistency with the General Plan.

SECTION 7: El Segundo Municipal Code (ESMC) §15-3-2(A)(11) is added to read as follows:

"11. The Lakes Specific Plan: There is one zone intended to be used within the boundaries of The Lakes Specific Plan. The zone is:

TLSP – The Lakes Specific Plan”

SECTION 8: Specific Plan Findings. Creation of The Lakes Specific Plan (TLSP) is desirable to implement the Project. Without amending the ESMC, the current zoning would not permit commercial entertainment and recreational development. An amendment to ESMC § 15-3-2(A) to create The Lakes Specific Plan (TLSP) is
necessary for consistency with the General Plan.

SECTION 9: Actions. The City Council takes the following actions:

A. The City's General Plan Land Use Element and Land Use Map are amended as set forth in the attached Exhibits A thru D.

B. ESMC § 15-3-2(A)(11) is added to read as follows:

“11. The Lakes Specific Plan: There is one zone intended to be used within the boundaries of the El Segundo South Campus Specific Plan. The zone is:

TLSP -- The Lakes Specific Plan”

C. The City's Zoning Map is amended by changing the Project site from “Light Industrial” to “El Segundo South Campus Specific Plan.” The corresponding changes to the Zoning Map are set forth in attached Exhibit “A”.

D. The Lakes Specific Plan is adopted as set forth in attached Exhibit “F,” which is incorporated into this Ordinance by reference.

E. To the extent they are not otherwise adopted or approved by this Ordinance, the City Council approves General Plan Amendment No. 16-01, Zone Change No. ZC 16-01, Specific Plan No. SP 16-02, Zone Text Amendment No. ZTA 16-04.

SECTION 10: Technical Corrections. The City Manager, or designee, is authorized to make technical corrections, in a form approved by the City Attorney, to maps, diagrams, tables, and other, similar, documents (collectively, “Maps”) that may be required to reconcile the changes made by this Ordinance with amendments made to the Zoning Map by other City Council action in unrelated land use applications.

SECTION 11: Reliance on Record. Each and every one of the findings and determinations in this Ordinance 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 12: 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 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: 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 14: Effectiveness of ESMC. Repeal or amendment of any provision of the ESMC will 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 15: Recordation. 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 16: 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 17: Effective Date. 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 ____________, 2017.

________________________________________
Suzanne Fuentes, Mayor
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 ____________, 2017, 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 __________, 2017, 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
THE LAKES
SPECIFIC PLAN

Specific Plan No. SP 16-02

September 5, 2017
# TABLE OF CONTENTS

## I. INTRODUCTION

- Specific Plan Area ................................................. 1
- Background .......................................................... 2
- Demographics ....................................................... 8
- Economic Context .................................................. 8

## II. OVERVIEW OF THE SPECIFIC PLAN

- Purpose and Authority of Specific Plan ....................... 9
- Specific Plan Scope and Goals ................................ 10
- Consistency with the General Plan ............................. 10
- Entitlements ......................................................... 16
- Existing Land Uses ............................................... 16

## III. LAND USE PLAN

- Development Concept ........................................... 18
- Land Use Plan ...................................................... 18
- Phasing .............................................................. 26
- Circulation Plan .................................................. 26
- Grading Concept .................................................. 26

## IV. EXISTING UTILITIES AND INFRASTRUCTURE

- Water Service ...................................................... 27
- Reclaimed Water ................................................... 39
- Sewer Service ..................................................... 29
- Drainage ................................................................ 32
- Gas ...................................................................... 34
- Electric .................................................................. 34
- Telecommunications Utilities ................................... 34
- Solid Waste Disposal .............................................. 36
- Fire Protection ....................................................... 36
- Police Services ..................................................... 36

## V. DESIGN GUIDELINES

- Design Objectives and Intent .................................... 37
VI. DEVELOPMENT STANDARDS..............................................44
   A. Permitted Uses......................................................44
   B. Development Standards........................................45
   C. Circulation.........................................................47
   D. Parking and Loading............................................48
   E. Landscaping.........................................................49
   F. Public Safety.......................................................50
   G. Signage............................................................51
   H. Sustainability......................................................51
   I. Enclosed Uses......................................................52

VII. ADMINISTRATION.......................................................53
   A. Introduction.......................................................53
   B. Municipal Code References....................................53
   C. Modifications.....................................................53
   D. Site Plan Review..................................................54
   E. Amendment........................................................59
   F. California Environmental Quality Act Compliance........59
## EXHIBITS

<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exhibit 1</td>
<td>Regional Vicinity Map</td>
<td>3</td>
</tr>
<tr>
<td>Exhibit 2</td>
<td>Local Vicinity Map</td>
<td>4</td>
</tr>
<tr>
<td>Exhibit 3</td>
<td>Local Vicinity Aerial View</td>
<td>5</td>
</tr>
<tr>
<td>Exhibit 4</td>
<td>Existing Development</td>
<td>7</td>
</tr>
<tr>
<td>Exhibit 5</td>
<td>Land Use Plan</td>
<td>21</td>
</tr>
<tr>
<td>Exhibit 6</td>
<td>Conceptual Site Plan</td>
<td>22</td>
</tr>
<tr>
<td>Exhibit 6a</td>
<td>Conceptual Site Plan – Public Recreation/Open Space Subarea</td>
<td>23</td>
</tr>
<tr>
<td>Exhibit 6b</td>
<td>Conceptual Site Plan – Commercial Public Recreation/Open Space Subarea</td>
<td>24</td>
</tr>
<tr>
<td>Exhibit 7</td>
<td>Lot Line Adjustment Map</td>
<td>25</td>
</tr>
<tr>
<td>Exhibit 8</td>
<td>Conceptual Water Plan</td>
<td>28</td>
</tr>
<tr>
<td>Exhibit 9</td>
<td>Conceptual Reclaimed Water Plan</td>
<td>30</td>
</tr>
<tr>
<td>Exhibit 10</td>
<td>Conceptual Sewer Plan</td>
<td>31</td>
</tr>
<tr>
<td>Exhibit 11</td>
<td>Conceptual Drainage Plan</td>
<td>33</td>
</tr>
<tr>
<td>Exhibit 12</td>
<td>Electric, Gas and Telecommunication Conceptual Plan</td>
<td>35</td>
</tr>
</tbody>
</table>
THE LAKES SPECIFIC PLAN

TABLES

Table I-1  Existing Uses .................................................................6
Table I-2  Existing Buildings .........................................................6
Table III-1 Land Use Summary—Conceptual Site Plan Development Scenario .............20
Table VI-1 Allowable Uses ..............................................................44

APPENDICES

Appendix A  The Lakes Specific Plan Legal Description ..............................................60
I. INTRODUCTION

A. SPECIFIC PLAN AREA

The Lakes Specific Plan (TLSP) area is located in the City of El Segundo, County of Los Angeles, California. El Segundo is situated 15 miles southwest of downtown Los Angeles. The City of El Segundo is located south of the City of Los Angeles, west of the City of Hawthorne and the County of Los Angeles, north of the City of Manhattan Beach, and the east of the City of Los Angeles and the Pacific Ocean (refer to Exhibit 1, Regional Vicinity Map).

More specifically, the roughly 26.54 gross acre area within the Specific Plan is located in the southeast quadrant of the City of El Segundo, approximately 2.0 miles south of the Los Angeles International Airport (LAX) and the Glen Anderson Century Freeway (I-105), two miles west of the San Diego Freeway (SR-405), and approximately 2.0 miles west of the juncture of these two freeways. The site is bounded by a small commercial shopping center and El Segundo Boulevard to the north, the Southern California Edison high voltage transmission lines and the Raytheon Company Campus to the east, Hughes Way and a public storage facility to the south, the West Basin Municipal Water District Water Recycling Facility to the southeast, and Sepulveda Boulevard and the Chevron oil refinery to the west (refer to Exhibit 2, Local Vicinity Map, and Exhibit 3, Local Vicinity Aerial View). The adjacent land uses are commercial retail and restaurant uses in the Commercial General (C-3) Zone and surface parking lot in the Automobile Parking (P) Zone to the north; a mixture of commercial, industrial and recreational uses in the recently adopted El Segundo South Campus Specific Plan (ESSCSP) to the east; the West Basin Municipal Water District Water Recycling Facility and offices, light industrial and regional commercial retail uses in the Public Facilities (P-F) Zone, Light Industrial (M-1) Zone, and Commercial Center (C-4) Zone respectively to the south and southeast; and industrial uses in the Heavy Industrial (M-2) Zone to the west. A Multi-Media Overlay (MMO) District overlies the entire eastern half of the City, including the Specific Plan area.

A.1 SPECIFIC PLAN SUBAREAS

The Lakes Specific Plan area contains two subareas, as illustrated in Exhibit 5: Public Recreation Open Space (PUB-REC/OS), and Commercial Public Recreation/Open Space (CPR/OS).

PUBLIC RECREATION/OPEN SPACE: The Public Recreation/Open Space subarea measures approximately 16.06 acres in area, and is located in the northern portion of the TLSP area. Future uses and developments allowed by the TLSP includes maintaining the existing Lakes golf course, a 9-hole executive golf course; putting green; Pro Shop with outdoor dining; and a maintenance building at the northern end of the course.

COMMERCIAL PUBLIC RECREATION/OPEN SPACE: The Commercial Public Recreation/Open Space subarea measures approximately 10.49 acres in area, and is located in the southern portion of the TLSP area. Future uses and development allowed by the TLSP include commercial recreation and entertainment facilities that are open to the public. This will allow for a commercial golf entertainment facility, consisting of a driving range; a multi-story building with hitting bays,
restaurants and kitchen areas, meeting/event facilities, office space, bar areas, and lounges; and surface parking for the TLSP area.

B. BACKGROUND

The Lakes at El Segundo is a municipal golf course owned by the City of El Segundo which opened to the public in June 1994. The 9-hole executive golf course and practice facilities (2-level, 5,953 square-foot 57 bay driving range and putting green) are currently operated by the professional management group Lane/Donovan Golf Partners with the support of City of El Segundo Parks and Recreation Department staff. Additionally, the existing golf course has a 5,330 square-foot Pro Shop with approximately 750 square feet of patio space used for outdoor dining. A small 396 square-foot storage building is located east of the Pro Shop. A 1,775 square-foot maintenance building is located at the northern end of the course. The golf course uses a 3.58-acre portion of the Southern California Edison property directly east of the golf course subject to a license agreement between Southern California Edison and the City that will continue with the adoption of the Specific Plan. The City of El Segundo is negotiating an agreement with the West Basin Municipal Water District to use a 0.67-acre portion of the northwest corner of their property to support additional parking for the future development that would be allowed by this Specific Plan.
EXHIBIT 3
LOCAL VICINITY AERIAL VIEW
The buildings that currently exist on site cumulatively measure approximately 14,204 square feet, for an FAR of approximately 0.012 (refer to Exhibit 4, Existing Development). The current square footage is broken down as follows between uses:

<table>
<thead>
<tr>
<th>Use</th>
<th>Square Footage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>110</td>
</tr>
<tr>
<td>Retail (Pro Shop)</td>
<td>1,030</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1,870</td>
</tr>
<tr>
<td>Outdoor Dining</td>
<td>750</td>
</tr>
<tr>
<td>Meeting/Event Space</td>
<td>700</td>
</tr>
<tr>
<td>Storage (Pro Shop, Maintenance and Separate Storage Buildings)</td>
<td>2,321</td>
</tr>
<tr>
<td>• Pro Shop – 150</td>
<td></td>
</tr>
<tr>
<td>• Maintenance Building – 1,775</td>
<td></td>
</tr>
<tr>
<td>• Detached Storage Building - 396</td>
<td></td>
</tr>
<tr>
<td>Restrooms</td>
<td>1,470</td>
</tr>
<tr>
<td>Driving Bays</td>
<td>5,953</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>14,204</strong></td>
</tr>
</tbody>
</table>

The existing buildings consist of:

<table>
<thead>
<tr>
<th>Building</th>
<th>Use</th>
<th>Square Footage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pro Shop Building</td>
<td>Retail, Restaurant, Office, Meeting Room/Event Space, Restrooms and Storage</td>
<td>5,330</td>
</tr>
<tr>
<td>Maintenance Building</td>
<td>Maintenance</td>
<td>1,775</td>
</tr>
<tr>
<td>Detached Storage Building</td>
<td>Storage</td>
<td>396</td>
</tr>
<tr>
<td>Driving Range Building</td>
<td>Golf Course Driving Range (Hitting Bays)</td>
<td>5,953</td>
</tr>
<tr>
<td>Patio</td>
<td>Patio and Outdoor Dining</td>
<td>750</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>14,204 square feet</strong></td>
<td></td>
</tr>
</tbody>
</table>
Under the existing Open Space (O-S) development standards, an additional 912,437 square feet could be built based on the limitations of 40 percent lot coverage and twenty-six foot high buildings. This equates to a total FAR of 0.80. With this FAR, the Property is underdeveloped and could support additional building area and recreational uses.

The City entered into a Lease Agreement with E.S. Centercal, LLC (“Centercal”) which has a Commencement Date of February 3, 2016 to develop a commercial recreation and entertainment golf facility on the site, as well as build a new Pro Shop and make modifications to the existing golf course and green areas. The Lease Agreement was contingent on CEQA being completed and the proposed project being approved by the City Council. In order to complete this development, CenterCal filed for this Specific Plan in June 2016 along with other applications, including an Environmental Assessment, a General Plan and General Plan Map Amendment, Zoning Map Amendment, Zone Text Amendment, Lot Line Adjustment, Site Plan Review and Conditional Use Permit.

The intent of the Specific Plan is to allow development of the subareas identified by the Specific Plan. Thus, adoption of this Specific Plan will allow future expansion of uses permitted on the site with development standards for each subarea that are tailored to the unique recreation and entertainment uses in the Specific Plan area.

C. DEMOGRAPHICS

According to the 2010 United States Census, as of 2010 El Segundo had a population of 16,654 persons and a total of 7,410 dwelling units. The California Department of Finance reported a population estimate of 16,646 persons in January 2016. The 2015 Profile of the City of El Segundo prepared by the Southern California Association of Governments (“SCAG”) indicates that as of 2013 there were 39,554 jobs in the City of El Segundo.

D. ECONOMIC CONTEXT

At its peak before the economic recession of 2007, El Segundo had a daytime population of approximately 85,000 persons compared to its resident population of approximately 17,000 persons. There was a net loss of jobs in the City between 2007 and 2012 with the number of jobs beginning to increase in 2013. According to SCAG’s 2015 profile the total number of jobs dropped from 56,559 in 2007 to 38,447 jobs in 2012. In addition to the fiscal benefits of increased sales tax resulting from additional recreational golf amenities that will attract both local and regional visitors, there is a potential for approximately 500 additional jobs that could be created by implementing this Specific Plan, which will help improve the overall economic health of the City and contribute to the City’s ability to provide high quality municipal services to the benefit of the City’s resident and business community.

---

II. OVERVIEW OF THE SPECIFIC PLAN

A. PURPOSE AND AUTHORITY OF SPECIFIC PLAN

The purpose of this Specific Plan is to provide a regulatory framework to govern the land uses and development within the subject area through the application of regulations, standards and design guidelines. The Lakes Specific Plan provides text and exhibits which describe the proposed subareas, land uses and associated guidelines, and development standards.

This Specific Plan is adopted pursuant to Government Code §§ 65450 through 65457.

Pursuant to Government Code § 65451, a Specific Plan must include text and a diagram or diagrams which specify all of the following in detail:

- The distribution, location, and extent of the uses of land, including open space within the area covered by the plan.

- The proposed distribution, location, extent, and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy and other essential facilities proposed to be located within the land area covered by the plan and needed to support the land uses described in the plan.

- Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

- A program of implementation measures including regulations, programs, public works projects and financing measures necessary to carry out the above items.

- A discussion of the relationship of the Specific Plan to the General Plan.

A thorough review of the El Segundo General Plan shows that this Specific Plan is compatible and consistent with the goals and policies outlined in the General Plan. This Specific Plan will further the goals and policies of the General Plan as more fully described below.

This Specific Plan was prepared to provide the essential relationship between the policies of the El Segundo General Plan and the development anticipated in the Specific Plan area. By functioning as a regulatory document, The Lakes Specific Plan provides a means of implementing the City of El Segundo's General Plan. All future development plans and entitlements within the Specific Plan boundaries must be consistent with the standards set forth in this document.
B. SPECIFIC PLAN SCOPE AND GOALS

The City of El Segundo is an employment-led community and accordingly, development has been led by employment rather than housing growth. The Lakes Specific Plan will serve the mission of economic development in the City which is to create, maintain, and implement a business climate that fosters a strong economic community, develop a strategic plan that will result in business retention and attraction, provide an effective level of City services to all elements of the community, and maintain the quality of life that has characterized El Segundo for more than nine decades.

Permitted uses within the Specific Plan area will create job opportunities and provide additional recreational and entertainment options for the residential and business community alike. Furthermore, the growth allowed by the Specific Plan will create a synergy with other commercial and industrial uses in the area by providing additional recreational and entertainment amenities in the City which will help these businesses to attract and retain employees. The development allowed under the Specific Plan will provide a basis for a positive contribution to the maintenance and expansion of El Segundo’s economic base as development typically increases the City’s business license taxes, increases the City’s utility user taxes, and increases the City’s sales taxes. An increased economic base will provide the City with resources to provide high-quality services to its residents and daytime population.

C. CONSISTENCY WITH THE GENERAL PLAN

The El Segundo General Plan provides the underlying fundamentals of The Lakes Specific Plan, which serves both as a planning and regulatory document. The Specific Plan is the document implementing the El Segundo General Plan for the Specific Plan area.

Proposed development plans, lot line adjustment maps, and any other development approvals must be consistent with the Specific Plan. Projects consistent with this Specific Plan will be automatically deemed consistent with the General Plan.

The Lakes Specific Plan requires a General Plan Amendment to change the Land Use designation from Parks, to The Lakes Specific Plan with an accompanying Land Use Map change. With approval of this amendment, the Specific Plan is consistent with the General Plan of the City of El Segundo, that is, it is compatible with, and will not impede, the General Plan’s goals, objectives and policies. More particularly, The Lakes Specific Plan directly implements or furthers the intent of the following goals, objectives and policies of the General Plan:

LAND USE ELEMENT

Goal LU4: Provide a stable tax base for the City through development of new commercial uses, primarily within a mixed-use environment, without adversely affecting the viability of Downtown.

Objective LU4-1: Promote the development of high quality retail facilities in proximity to major employment centers.
Policy LU4-1.1: Require landscaping, its maintenance, and permanent upkeep on all new commercial developments.

Policy LU4-1.2: All commercial facilities shall be built and maintained in accordance with Health and Safety Code requirements and shall meet seismic safety regulations and environmental regulations.

Policy LU4-1.4 New commercial developments shall meet seismic safety standards and regulations, as well as comply with all noise, air quality, water and environmental regulations.

Objective LU4-4: Provide areas where development has the flexibility to mix uses, in an effort to provide synergistic relationships which have the potential to maximize economic benefit, reduce traffic impacts, and encourage pedestrian environments.

Goal LU6: Maintain and upgrade the existing excellent parks, recreation, and open space facilities within the City of El Segundo.

Objective LU6-1: The development of parks, open space, and recreational facilities should be consistent with the guidelines, policies, and programs of the Open Space and Recreation Element.

Policy LU6-1.1: Continue to provide uniform and high quality park and recreational opportunities to all areas of the City, for use by residents and employees.

Policy LU6-1.3: Utilization of utility easements (flood control, power line rights-of-way) for recreational, open space, and beautification purposes should continue and additional possibilities should be explored.

Goal LU7: Provide the highest quality public facilities, services, and public infrastructure possible to the community.

Objective LU7-1: Provide the highest and most efficient level of public services and public infrastructure financially possible.

Policy LU7-1.2: No new development shall be allowed unless adequate public facilities are in place or provided for.

Policy LU7-2.3: All new development shall place utilities underground.

Policy LU7-2.4: All new public buildings shall have adequate off-street parking spaces, or the City shall provide adequate public transportation, in accordance with the provisions and standards of all elements
of the General Plan, to accommodate employees and the public.

Policy LU7-2.5: All public facilities and utilities should be designed to enhance the appearance of the surrounding areas in which they are located.

ECONOMIC DEVELOPMENT ELEMENT

Goal ED1: To create in El Segundo a strong, healthy economic community in which all diverse stakeholders may benefit.

Objective ED1-1 To build support and cooperation among the City of El Segundo and its business and residential communities for the mutual benefits derived from the maintenance and expansion of El Segundo’s economic base.

Policy ED1-1.2: Focus short-run economic development efforts on business retention and focus longer-run efforts on the diversification of El Segundo’s economic base in order to meet quality of life goals.

Objective ED1-2: Center diversification efforts on targeted industries that meet the City’s criteria for job creation, growth potential, fiscal impact, and fit with local resources.

Policy ED1-2.1: Seek to expand El Segundo’s retail and commercial base so that the diverse needs of the City’s business and residential communities are met.

Policy ED1-2.2: Maintain and promote land uses that improve the City’s tax base, balancing economic development and quality of life goals.

Policy ED1-2.3: Seek to balance the City’s economic development program with the City’s resources and infrastructure capacity.

CIRCULATION ELEMENT

Goal C1: Provide a safe, convenient, and cost-effective circulation system to serve the present and future circulation needs of the El Segundo community.

Policy C1-1.8: Provide all residential, commercial, and industrial areas with efficient and safe access to the major regional transportation facilities.

Policy C1-1.9: Provide all residential, commercial, and industrial areas with efficient and safe access for emergency vehicles.
Policy C1-3.2: Ensure that the development review process incorporates consideration of off-street commercial loading requirements for all new projects.

Policy C2-2.2: Encourage new development to provide facilities for bicyclists to park and store their bicycles and provide shower and clothes hanging facilities at or close to the bicyclist’s work destination.

Policy C2-5.1: Ensure that Transportation Demand Management (TDM) measures are considered during the evaluation of new developments within the City, including but not limited to ridesharing, carpooling and vanpooling, flexible work schedules, telecommuting and car/vanpool preferential parking.

Policy C3-1.8: Require the provision of adequate pedestrian and bicycle access for new development projects through the development review process.

Policy C3-2.1: Ensure the provision of sufficient on-site parking in all new development.

OPEN SPACE AND RECREATION ELEMENT

Goal OS1: Provide and maintain high quality open space and recreational facilities that meet the needs of the existing and future residents and employees within the City of El Segundo.

Objective OS1-1: Preserve existing and acquire future public park and recreation facilities which are adequate for serving the existing and future resident population.

Objective OS1-2: Preserve existing and support acquisition of additional private park and recreation facilities to foster recognition of their value as community recreation and open space resources.

Objective OS1-3: Provide recreational programs and facilities for all segments of the community.

Policy OS1-3.4: Encourage commercial recreational uses to locate in El Segundo.

Objective OS1-4: Develop utility transmission corridors for active or passive open space and recreational use.

CONSERVATION ELEMENT
Policy CN2-5: Require new construction and development to install water-conserving fixtures and appliances to reduce the amount of new demand.

Policy CN2-7: Require new construction and development to incorporate the principles and practices of sound landscape design and management, particularly those conserving water and energy.

Policy CN2-8: Encourage the retrofitting of existing landscapes to incorporate the principles and practices of sound landscape design and management, particularly those conserving water and energy.

Policy CN2-11: Encourage, whenever appropriate and feasible, development techniques which minimize surface run-off and allow replenishment of soil moisture. Such techniques may include, but not be limited to, the on-site use and retention of storm water, the use of pervious paving material (such as walk-on-bark, pea gravel, and cobble mulches), the preservation of vegetative covers, and efficiently designed and managed irrigation systems.

NOISE ELEMENT

Goal N1: Encourage a high quality environment within all parts of the City of El Segundo where the public’s health, safety, and welfare are not adversely affected by excessive noise.

Objective N1-1: It is the objective of the City of El Segundo to ensure that City residents are not exposed to mobile noise levels in excess of the interior and exterior noise standards or the single event noise standards specified in the El Segundo Municipal Code.

Objective N1-2: It is the objective of the City of El Segundo to ensure that City residents are not exposed to stationary noise levels in excess of El Segundo’s Noise Ordinance standards.

Policy N1-2.1: Require all new projects to meet the City’s Noise Ordinance Standards as a condition of building permit approval.

Program N1-2.1A: Address noise impacts in all environmental documents for discretionary approval projects, to insure that noise sources meet City Noise Ordinance standards. These sources may include mechanical or electrical equipment, truck loading areas, or outdoor speaker systems.
PUBLIC SAFETY ELEMENT

Objective PS1-1:  It is the objective of the City of El Segundo to reduce exposure to potentially hazardous geological conditions through land use planning and project review.

Program PS1-1.1A: The City shall review projects to ensure that slope design considers the potential effects of high rainfall, private sewage systems, landscaping irrigation, and possible runoff from adjacent future development.

Policy PS1-1.2: Enforce, monitor and improve development standards which place the responsibility on the developer, with advice from qualified engineers and geologists, to develop and implement adequate mitigation measures as conditions for project approval.

Program PS1-1.2A: The City shall review projects to ensure that adequate geotechnical investigation has been completed in areas susceptible to landsliding and debris flows and in areas where collapsible or expansive soils occur, and to approve only those which mitigate these hazards to the satisfaction of the City Engineer.

Goal PS2: Minimize injury and loss of life, property damage, and social cultural and economic impacts caused by earthquake hazards.

Policy PS2-1.2: The City shall assist in the prevention of structural damage in areas with a high potential for liquefaction, landslides, and mudslides by requiring geotechnical studies for new development to mitigate potential impacts.

Objective PS6-1: It is the objective of the City of El Segundo that the City minimize threats to public safety and protect property from wildland and urban fires

Policy PS6-1.1: Review projects and development proposals, and upgrade fire prevention standards and mitigation measures in areas of high urban fire hazard.

Program PS6-1.2C: The City shall continue to require that all property be maintained in compliance with the fire code.

Goal PS7: Protect public health, safety, and welfare, and minimize loss of life, injury, property damage, and disruption of vital services, resulting from earthquakes, hazardous material incidents, and other natural and man-made disasters.
D. **ENTITLEMENTS**

The following entitlements are required in conjunction with this Specific Plan (SP No. 16-02):

- Environmental Assessment No. EA 1135 for a 66,294 square-foot commercial recreation and entertainment facility, a 2,500 square-foot Pro Shop, modifications to six holes at the existing golf course, and parking lot expansions and modifications.

- General Plan Amendment No. GPA 16-01 to change the land use designation from Parks, to “The Lakes Specific Plan (TLSP)”. The amendment also includes a change to the General Plan Land Use Map.

- Zone Text Amendment No. ZTA 16-04 to add a new section to the City’s Zoning Code, ESMC §15-3-2(A)(11) “The Lakes Specific Plan (TLSP).”

- Zone Change No. ZC 16-01 to rezone the property from Open Space (OS), to The Lakes Specific Plan (TLSP).

- Lot Line Adjustment No. SUB 16-03 to reconfigure the two existing city-owned parcels that comprise The Lakes Specific Plan area.

- Conditional Use Permit No. CUP 16-05 to allow the on-site sale and consumption of beer, wine and alcohol at the Commercial recreation and entertainment facility for the restaurant, bar and entertainment areas.

- Administrative Use Permit No. AUP 16-09 for review of the signs.

- Site Plan Review No. SPR 16-01 for development improvements consistent with The Lakes Specific Plan.

Findings justifying the General Plan Amendment and Zone Change include:

1. The primary objective of The Lakes Specific Plan is to provide for superior, more comprehensive site planning of the Specific Plan area and development standards that address the needs of the unique public recreation and commercial recreation uses on site.

2. Uses permitted within The Lakes Specific Plan area are fundamentally consistent with the prior zoning and are compatible with adjacent uses.

E. **EXISTING LAND USES**

The City of El Segundo has distinctive land use patterns, which are divided into four quadrants by the intersection of Sepulveda Boulevard and El Segundo Boulevard. Compatibility of an individual land use is determined mainly by its relationship to other uses within its quadrant. The Lakes
Specific Plan area is located in the southeastern quadrant of the City of El Segundo, which is east of Sepulveda Boulevard and south of El Segundo Boulevard. The design and implementation of this Specific Plan relate directly to its position within this larger context.

The southeast quadrant of the City is primarily designated for light industrial which allows a mixture of industrial and office uses. This quadrant also contains a commercial region which is home to the retail development of Plaza El Segundo, an approximately 500,000 square foot lifestyle commercial retail shopping center and the Lakes Municipal Golf Course, which is the subject site of this Specific Plan. The northeast quadrant of the City lies north across El Segundo Boulevard and consists primarily of corporate office and urban mixed uses which allow for office and commercial uses. The southwest quadrant of the City lies directly across Sepulveda Boulevard and consists primarily of an oil refinery/heavy industrial use. A Multimedia Overlay District overlies both the southeast and northeast quadrants of the City. Before the adoption of The Lakes Specific Plan (TLSP) the property was designated as Parks in the General Plan Land Use Element with Open Space zoning.

Adjacent land uses include the following:

**North:** The land uses to the north include a small commercial shopping center with retail and restaurants directly adjacent to the existing golf course and mid- and high-rise office buildings with multi-story parking structures are located across El Segundo Boulevard. LAX is located approximately 1.0 mile north of the Specific Plan area.

**East:** The adjacent land uses to the east include the Edison transmission lines, the industrial uses in the El Segundo South Campus Specific Plan and the elevated MTA Green Line. The El Segundo Boulevard Green Line station is located at the northeast corner of the El Segundo South Campus Specific Plan along El Segundo Boulevard at Nash Street.

**South:** The adjacent land uses to the south/southeast include a public storage facility and the West Basin Municipal Water District Recycling Facility and offices, The Plaza El Segundo commercial retail shopping center is located south of the public storage facility. A Federal Express distribution facility and the City of El Segundo Stormwater retention basin are located further south of the West Basin Municipal Water District Recycling Facility and offices.

**West:** Land uses to the west include the Chevron Refinery which is located directly across Sepulveda Boulevard.
III. LAND USE PLAN

The Lakes 9-hole executive municipal golf course at 400 South Sepulveda Boulevard has been located on a 26.54 acre site since 1994. The golf course currently extends into a 3.58 acre portion of the Southern California Edison (SCE) property directly east of the site, which part is subject to a license agreement between the City of El Segundo and Southern California Edison. The 3.58 acre SCE area is not part of this Specific Plan and has a zoning designation of Open Space (OS) Zone which allows golf course uses. The existing golf course also has a two-level, 57-bay driving range, putting green and a 5,330 square-foot Pro Shop with an approximately 750 square-foot patio used for outdoor dining. The golf course also has a 1,775 square-foot maintenance building at the northernmost part of the site that will remain. The 5,330 square-foot Pro Shop and a 396 square-foot storage building would be demolished as part of the development authorized under The Lakes Specific Plan. The buildings would be replaced with a new smaller 2,500 square-foot Pro Shop with outdoor patio area. The driving range and putting green will also be demolished and replaced with a new target green, putting green and chipping green area. The 9-hole golf course would be redesigned to accommodate the construction of a new, approximately 66,300 gross square-foot commercial recreation and entertainment facility that would be constructed south of the existing 9-hole golf course. The development project will also involve the expansion of the parking lot onto a 0.67-acre portion of an abutting property owned by the West Basin Municipal Water District. The 0.67 acre West Basin Municipal Water District property is not a part of this Specific Plan. The West Basin property has a zoning designation of Public Facilities (P-F) Zone, which allows parking lots as an accessory use.

A. DEVELOPMENT CONCEPT

The Lakes Specific Plan establishes the general type, parameters and character of the development in order to develop an integrated Project area that is also compatible with and complements the surrounding area. The proximity of the Specific Plan Area to freeways, major arterials, and the Metro Rail makes it a regionally accessible and attractive recreation and entertainment facility in an ideal location to facilitate economic development in El Segundo.

The Lakes Specific Plan provides flexibility to modify and modernize existing uses and to add new compatible uses that are not currently permitted with standards that are tailored for the unique uses on the site. The Lakes Specific Plan establishes the following two subareas: Public Recreation/Open Space subarea; and Commercial Recreation/Open Space subarea.

B. LAND USE PLAN

The Lakes Specific Plan is based upon the following subareas (refer to Exhibit 5, Land Use Plan):

1. Public Recreation/Open Space (PUB-REC/OS) Subarea

The Public Recreation/Open Space (PUB-REC/OS) subarea of The Lakes Specific Plan is located on the northern parcel fronting onto Sepulveda Boulevard, totaling approximately 16.06 acres. The PUB-REC/OS subarea allows for several public recreation uses. The specific recreation uses are limited in this land use category as shown in the Specific Plan's
development regulations. The parcel currently contains a 9-hole executive golf course that will remain a permitted use under The Lakes Specific Plan, as shown in the conceptual site plan in Exhibit 6, Conceptual Site Plan. Additionally, the Pro Shop and the uses therein will become permitted uses.

In this subarea, a new 2,500 square foot Pro Shop with 1,010 square feet of outdoor patio/dining area will be constructed, which will replace an existing 5,330 square foot Pro Shop and 750 square foot outdoor patio/dining area. The Pro Shop will continue to have retail sales as well as food and alcohol service.

2. Commercial Public Recreation/Open Space (CPR/OS) Subarea

The Commercial Public Recreation/Open Space (CPR/OS) subarea of The Lakes Specific Plan is located on the southern parcel fronting on both Sepulveda Boulevard, with a small “L-shaped” portion of the parcel fronting on Hughes Way. The CPR/OS subarea measures approximately 10.48 acres in area, and allows a commercial recreation and entertainment facility, as well as other recreational uses allowed in the Public Recreation/Open Space subarea. A commercial recreation and entertainment facility is defined as a Private Commercial Recreation Facility that is open to the public (see ESMC § 15-1-6 for illustrative examples) that also includes supportive accessory uses as listed in Table VI-1, Allowable Uses of this Specific Plan. In this subarea, it is anticipated that a commercial recreation and entertainment facility will be constructed.

3. Conceptual Site Plan

Table III-1, Conceptual Land Use Summary, is a breakdown of the anticipated development of the site, implementing the uses and standards of this Specific Plan based upon the lot line adjustment. This summary is for both the Pro Shop on the Public Recreation/Open Space subarea and the commercial recreation golf and entertainment facility on the Commercial Public Recreation/Open Space subarea. The Conceptual Site Plan is shown in Exhibits 6A and 6B.
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EXHIBIT 5
LAND USE PLAN

- Public Recreation / Open Space (PUB-REC/OS)
- Commercial - Public Recreation / Open Space (CPR/OS)
EXHIBIT 6B
CONCEPTUAL SITE PLAN
COMMERCIAL PUBLIC RECREATION/OPEN SPACE SUBAREA
EXHIBIT 7
PROPOSED LOT LINE ADJUSTMENT

LEGEND

PROPERTY LINE
CENTER LINE
ADJACENT PROPERTY LINE
PROPOSED LOT LINE
EXISTING LOT LINE TO BE ADJUSTED

PROPOSED PARCEL 1
10.08 ACRES

PROPOSED PARCEL 2
10.48 ACRES

EXISTING EASEMENT FOR GOLF COURSE
3.06 ACRES

SOUTHERN CALIFORNIA
EDISON R/W
C. PHASING

Construction of the commercial recreation and entertainment facility and parking lot expansion and modifications in the CR/OS subarea, as well as the modifications to the 9-hole municipal golf course and construction of the new Pro shop in the PR/OS subarea will be done concurrently in one phase over a period of 10 months to one year.

D. CIRCULATION

Regionally, the Specific Plan site is accessible from the San Diego freeway (405), Century Freeway (105), the Metro Green Line, and the major arterial Sepulveda Boulevard. The Specific Plan site has vehicular access points off of both Sepulveda Boulevard and Hughes Way. The Specific Plan will facilitate on-site circulation and parking. Access will be provided for emergency vehicles via the two vehicle access points and the parking lot. Development within the Specific Plan site would be required to provide infrastructure and facilitate access for various modes of travel including automobiles, bicycles, and pedestrians. Pedestrian and handicap access must be provided between buildings and to public sidewalks on the two street frontages along the site.

VEHICULAR CIRCULATION

Sepulveda Boulevard. Sepulveda Boulevard is an existing public major arterial street that abuts the property on its western edge. No additional right-of-way improvements are required as a result of the development allowed in the Specific Plan. No additional curb cuts besides the one existing curb cut may be allowed along Sepulveda Boulevard.

Hughes Way. Hughes Way is an existing public secondary arterial street that abuts the property on its southern edge. No additional curb cuts besides the one existing curb cut may be allowed along Hughes Way.

NON-VEHICULAR CIRCULATION

Walkways will be provided connecting the various components within the Specific Plan area and the public sidewalk on Sepulveda Boulevard.

Bicycle parking facilities in the form of a mix of racks and bicycle enclosures in accordance with Municipal Code and California Green Building Code requirements will be provided in multiple locations in the Specific Plan area.

E. GRADING CONCEPT

Site grading includes cut and fill to create building pads and to partially redesign the existing 9-hole municipal golf course. The grading is estimated to result in approximately 5,500 cubic yards of soil export. Final grading plans will be approved by the City Engineer before the City issues a grading permit.
IV. EXISTING UTILITIES AND INFRASTRUCTURE

The following is a summary of existing and proposed public infrastructure for development of the site. All infrastructure will be constructed in accordance with the standards of the governing agency.

A. WATER SERVICE

EXISTING CONDITION

Water utility service is provided by the City of El Segundo and is currently available within the site. Water is purchased through West Basin Municipal Water District which is a member of The Metropolitan Water District of Southern California. The site is currently served by an existing 8-inch ductile iron water pipe that is connected to an existing 10-inch water line under Hughes Way on the south side and connected to an existing 8-inch water line under Sepulveda Boulevard on the west side.

Water for fire suppression is provided by on-site building sprinklers and from two off-site fire hydrants located on Sepulveda Boulevard.

PROPOSED CONDITION

Due to proposed grading for the project some portions of the existing 8” water line may require reconstruction to maintain proper depth of the pipe. Two new PVC water laterals will connect the existing 8” ductile iron water line to the proposed commercial recreation and entertainment facility building and the new Pro Shop building to supply water and fire water. Fire flows for the proposed building and new Pro Shop building will be based on County of Los Angeles Fire Department Land Development Unit Standards. A Conceptual Water Utility Plan has been developed for the Specific Plan area (refer to Exhibit 8, Conceptual Water Plan).
EXHIBIT 8
CONCEPTUAL WATER PLAN
B. RECLAIMED WATER

EXISTING CONDITION

Reclaimed water utility service is provided by the West Basin Municipal Water District from a treatment plant just south of the site and is already being used for landscaping the site. A current point of connection to the reclaimed water system is located on Hughes Way adjacent to the Southern California Edison property.

PROPOSED CONDITION

Future reclaimed water service is anticipated to be provided through the existing point of connection on Hughes Way. Points of connection will be based on West Basin Municipal Water District’s and the City of El Segundo’s input. A Conceptual Reclaimed Water Utility Plan has been developed for the Specific Plan area (refer to Exhibit 9, Conceptual Reclaimed Water Plan).

C. SEWER SERVICE

EXISTING CONDITION

Sewer utility service is provided by the City of El Segundo and the Sanitation Districts of Los Angeles County and is currently available within the site. The site is currently served by an existing sewer lateral that is connected to a public 8-inch VCP (verified clay pipe) sewer line at the southeast corner of the parking lot and flows southerly through the adjacent parcel and connects to an existing sewer line under Hughes Way.

PROPOSED CONDITION

The existing sewer lateral within the site will be abandoned. Two new laterals will be constructed to serve the proposed commercial recreation and entertainment building and the new Pro Shop building. Each will be connected to a new 8-inch sewer line that will extend from the terminus of the existing 8-inch public line at the southeast corner of the parking lot across the main drive aisle of the parking lot. A conceptual sewer plan has been developed for the Specific Plan area (refer to Exhibit 10, Conceptual Sewer Plan).
EXHIBIT 9
CONCEPTUAL RECLAIMED WATER PLAN

SCALE: 1"=250'

LEGEND
- PROPERTY LINE
- PROPOSED RECLAIMED WATER
- EXISTING RECLAIMED WATER

ABBREVIATION
p. PROPERTY LINE

JOIN EXISTING RECLAIMED WATER

EXISTING RECLAIMED WATER

PROPOSED RECLAIMED WATER LATERAL & IRRIGATION METER

EXISTING 6" RECLAIMED WATER LATERAL & IRRIGATION METER

EL SEGUNDO GOLF COURSE

SEPULVEDA BLVD
EXHIBIT 10
CONCEPTUAL SEWER PLAN

LEGEND

PROPERTY LINE

PROPOSED SEWER

EXISTING 8" SEWER

ABBREVIATION

PROPERTY LINE

EL SEGUNDO GOLF COURSE

PROP. SEWER

JOIN EXISTING SEWER

EXISTING 8" VCP SEWER

SEPULVEDA BLVD
D. DRAINAGE

EXISTING CONDITION

The existing storm drains collect the storm water from the site and discharge into the existing public 48-inch RCP (reinforced concrete pipe) that runs along Sepulveda Boulevard, then along the south side of the site and turns east under Hughes Way to discharge into an existing City of El Segundo detention and infiltration basin southeast of the site.

Federal Emergency Management Agency (FEMA) map #06037C1770F shows this Project site is located within Zone X, which is described to be an area determined to be outside of the 0.2% annual chance floodplain. There are no Special Flood Hazards on-site.

PROPOSED CONDITION

A storm drain system is proposed for the new driving range and another system for the new buildings and parking area. The two systems will confluence at the south side of the proposed parking area and discharge into a proposed underground detention and infiltration system to be constructed under the parking lot. The detention system will discharge into the existing 48-inch RCP storm drain pipe at the south side of the site.

Storm Water Quality

The proposed detention/infiltration system will also function as a treatment system designed to remove or reduce pollutants of concern from the storm water before discharge from the site. The collected storm water will be pre-treated to remove trash and larger sediment particulates before entering the underground infiltration/detention storage system. The storm water quality design will be consistent with applicable Low Impact Development (LID) standards, which includes storage and infiltrate into the soil system within 48 hours. Drainage must comply with all applicable laws and regulations, including without limitation, the City’s National Pollution Discharge Elimination System (NPDES) Permit.

A Conceptual Drainage Plan has been developed for the Specific Plan area (refer to Exhibit 11, Conceptual Drainage Plan).
E. GAS

EXISTING CONDITION

Natural gas service is provided by Southern California Gas Company and is currently available within the site.

PROPOSED CONDITION

The existing gas service will be abandoned by Southern California Gas Company and the future natural gas service will be provided through a public main line in Sepulveda Boulevard and the site will be serviced by a private gas service line secured by an easement granted to Southern California Gas Company for access and maintenance.

A conceptual plan has been developed for the Specific Plan area (refer to Exhibit 12, Conceptual Electric, Gas & Telecommunication Plan).

F. ELECTRIC

EXISTING CONDITION

Electric power is provided by Southern California Edison to the Specific Plan area through an underground utility conduit system.

PROPOSED CONDITION

A new underground utility conduit system within the site parking lot shall intercept the existing underground electric system and provide electrical power to the proposed improvements. An easement will be granted to Southern California Edison for access and maintenance. Final locations and points of connection for the electrical system will be based on a final approved Southern California Edison design. A conceptual plan has been developed for the Specific Plan area (refer to Exhibit 12, Conceptual Electric, Gas & Telecommunication Plan).

G. TELECOMMUNICATIONS UTILITIES

EXISTING CONDITION

Cable and telecommunication service is provided by Cox Communications (Cable TV) and Frontier Communications (Telephone) and is currently available through an underground dry utility system in Sepulveda Boulevard.

PROPOSED CONDITION

A new underground utility conduit system within the site parking lot will intercept the existing underground telecommunications system and provide services to the proposed buildings. An easement will be granted to the telecommunication companies for access and maintenance. Final
EXHIBIT 12
CONCEPTUAL ELECTRIC, GAS & TELECOMMUNICATION PLAN

SCALE: 1" = 250'

LEGEND

PROPERTY LINE

ELECTRICITY LINE

GAS LINE

TELEPHONE LINE

ABBREVIATION

ELEC

ELECTRICITY

PROPERTY LINE

EL SEGUNDO
GOLF COURSE

EXISTING DRY
UTILITY JOINT
PACKAGE

SEPULEDA BLVD

ELEC

TRANSFORMER
PAD

ELEC

TELEPHONE
GAS

ELEC

TRANSFORMER
PAD

ELEC

TELEPHONE
locations and points of connection for the telecommunications system will be based on a final approved design of the communications company. A conceptual plan has been developed for the Specific Plan area (refer to Exhibit 12, Conceptual Electric, Gas & Telecommunication Plan).

H. SOLID WASTE DISPOSAL

EXISTING CONDITION

Solid waste disposal is provided to recreational and commercial users by a variety of private haulers.

FUTURE CONDITION

Development within the Specific Plan area would contract with a provider. Landfill capacity is adequate for assumed population and commercial growth within Los Angeles County. Solid waste facilities within the Specific Plan area will comply with all ESMC requirements pertaining to building, fire, and zoning codes (e.g., adequate trash enclosures and screening).

I. FIRE PROTECTION

EXISTING CONDITION

The Specific Plan area is less than one mile from Fire Station 2, located at Mariposa Avenue and Douglas Street. The provision of water for fire suppression is provided by on-site building sprinklers and from 2 off-site fire hydrants located on Sepulveda Boulevard.

FUTURE CONDITION

Buildings will be sprinklered as required by the ESMC. Development will be required to pay fire impact fees to off-set the additional demand for municipal fire protection services as a result of the new development. If required, new fire hydrants will be provided in accordance with the El Segundo Fire Department.

J. POLICE SERVICES

EXISTING CONDITION

Police services are provided by the El Segundo Police Department which is located at 348 Main Street.

FUTURE CONDITION

Development will be required to pay police impact fees to off-set the additional demand for municipal police services as a result of the new development.
V. DESIGN GUIDELINES

These design guidelines are intended as "guidelines" instead of "development regulations." During the review of any project proposed in this Specific Plan area, the Director of Planning and Building Safety, the Planning Commission and City Council may use discretion in applying these design guidelines. It is not anticipated that each guideline will apply equally to every project. One or more guidelines may have more design significance than another, depending on the nature of the proposed project. Consequently, strict compliance is not required. The overall objective is to establish criteria that enhance the coordination, organization, function and identity of the site, while maintaining a compatible relationship with the surrounding development of The Lakes Specific Plan.

A. DESIGN OBJECTIVES AND INTENT

Design guidelines for the Lakes Specific Plan will promote and reinforce the City’s commitment to high-quality development. The objectives of these guidelines are to:

- Provide for high-quality recreational development within the Specific Plan area.
- Promote orderly and predictable development.
- Encourage individual creativity and innovative solutions by allowing flexibility in how a particular guideline is met as long as the intent of the guideline is achieved.
- Ensure functional pedestrian, bicycle and motor vehicle circulation within the Project and convenient pedestrian and bicycle linkages to and from adjacent residential, commercial and industrial areas.

1. Site Planning

   a. The arrangement of new buildings, parking and circulation areas should recognize the particular characteristics of the site and should create a cohesive identity.

   b. Site development should utilize variations on building orientation and landscaping adjacent to the public streets so that a monolithic “wall” of building faces is not created.

   c. The design and location of accessory buildings (e.g., maintenance and storage buildings, trash and recycling enclosures, and outdoor mechanical equipment enclosures) should be incorporated into and be compatible with the overall design of the Project and the main buildings on the site.
d. Appropriate linkages between internal Project components and buildings should be incorporated, including pedestrian walkways.

e. Buildings should be arranged to create opportunities for outdoor amenities (e.g., plazas, courtyards, outdoor eating areas, etc.) where appropriate.

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

2. **Access and Parking**

   a. A single entry driveway for shared vehicular use must be maintained on each public street frontage (one on Sepulveda Boulevard and one on Hughes Way).

   b. Entry driveway areas should be clearly marked by identifying features, (e.g., prominent landscape features and well-designed monument-type signs).

   c. Access to each building should be clearly visible to pedestrians and motorists through the use of signage, color, and/or design elements.

   d. Surface parking lots adjacent to and visible from public streets should incorporate landscaping to minimize undesirable visual impacts.

   e. Surface parking areas should be enhanced and visually broken up through the use of appropriate trees and landscape improvements.

   f. Surface parking areas should include canopy trees spaced appropriately throughout the parking area to reduce the effects of heat gain.

   g. Parking lot design is encouraged to include water quality storm water facilities consistent with City standards and a Water Quality Management Plan.
3. **Architecture/Orientation/Massing**

a. The massing, scale and architectural style should consider compatibility with the surrounding character and existing buildings to reflect a cohesive project area character.

b. The orientation of the newly constructed buildings should facilitate and encourage pedestrian activities.

c. The mass and scale of new buildings should be compatible with the existing and adjacent structures and with each other. This can be accomplished by transitioning from the height of adjacent buildings to the tallest elements of the new building, stepping back the upper portions of taller buildings, and incorporating human scale elements, such as pedestrian scaled doors, windows, and building materials on the ground floor.

d. Buildings should be divided into distinct massing elements and should be articulated with architectural elements and details. Changes in height, horizontal plane, materials, patterns and colors should be used to reduce building scale and mass.

e. Primary building entries should be easily identified through the use of prominent architectural elements, signage, landscaping, decorative hardscape, lighting, canopies, roof form, architectural projections, columns, vertical and/or horizontal elements, and other design features that help emphasize a building's entry.

f. Building elevations, whether front, side, or rear, that are visible from public rights-of-way should be architecturally detailed to incorporate quality materials and architectural features that reflect the theme of surrounding structures and facades. Building entrances should be readily identifiable. The use of recesses, projections, columns, and other design elements to articulate entrances is encouraged.

g. Facades should be ‘divided’ by vertical and horizontal variations in wall planes, building projections, door and window bays, and similar elements. Building articulation should be present on the side and rear walls of the building, unless it is not visible to the public.

h. The exterior surfaces of buildings for the ground floor must be protected with anti-graffiti coating where appropriate.

4. **Color and Materials**

a. Colors and materials should be consistent and complementary throughout the Project area.
b. Exterior materials and architectural details should complement each other and should be stylistically consistent.

c. Building materials must be durable and resistant to damage, defacing, and general wear and tear. Acceptable building materials may include concrete, fiber cement siding, stone masonry, metal, stucco, glass and/or other contemporary composites.

d. Building materials that support sustainability through the use of environmentally sound building materials and local resources (e.g., locally available, contain high recycled-content, are reused, come from renewable sources, and that contain low volatile organic compound (VOC) levels) is highly encouraged.

5. Screening and Mechanical Equipment

a. All screening devices must be compatible with the architecture, materials and colors of the building.

b. Loading docks, bays and parking spaces, delivery service areas, outdoor storage areas, stand-alone mechanical equipment facilities, should be located and designed to minimize their visibility, circulation conflicts and adverse noise impacts. These facilities must be oriented so that they do not face any public rights-of-way or are screened from view. Sound attenuation walls must be used where appropriate to reduce noise where required by code or the Project’s environmental analysis.

c. Utility and mechanical equipment must be screened from view of public streets and nearby buildings on all sides with landscaping and/or architectural elements.

d. Rooftop mounted equipment visible from the surrounding area, adjacent buildings, and any public rights-of-way must be screened from public view and equipment should be painted to match the roof color when equipment is visible.
e. Trash and recycling receptacles areas must be completely screened from public view from public rights-of-way with solid walls, wood, and/or landscaping.

f. Ground mounted enclosures must be protected with anti-graffiti coating.

6. Landscaping

A Landscape Master Plan for the Specific Plan area must be provided to the City to provide for a unified concept within the Specific Plan area prior to the issuance of the first building permit.

General

a. All areas not covered by buildings, walkways, driveways, parking spaces, and service areas must be landscaped (with drought tolerant plantings and sustainable hardscapes in accordance with the City’s water conservation requirements).

b. Landscaping should enhance the quality of the Project by framing and softening the appearance of buildings, defining site functions, screening undesirable views and buffering incompatible uses.

c. Landscaping at the perimeter of buildings is encouraged to soften the transition between building and parking lot. Parking lot landscaping must be distributed evenly to provide for consistent design and shading.

d. Landscaped areas should generally incorporate a combination of planting materials utilizing a three tiered system consisting of: 1) trees, 2) shrubs or vines, 3) groundcover/ornamental grasses. Landscaping should be in scale with the adjacent buildings and be of appropriate size at maturity.

e. Placement of landscaping should not interfere with the lighting of the Project area or restrict access to utilities.

f. Landscaping should be utilized to define edges, buffer adjacent properties, screen parking areas and storage areas.

g. In order to reduce the heat-island effect, space parking lot trees to achieve shading at ratios required by the development regulations of this Specific Plan. Trees must adequately shade parking lots and provide sufficient area for water quality requirements.
h. Paving materials should include pervious hardscape materials to facilitate water treatment and reduce runoff.

i. Bio-retention areas can be used to detain/percolate run-off in planted swales, raised open-bottomed planters, etc.

j. Site furnishings including, but not limited to, fixed and moveable seating, trash and recycling receptacles, bike racks, and pedestrian scaled lighting should be of durable and sustainable materials.

k. Design and selection of site furniture should include considerations for the security, safety, comfort and convenience of the user.

8. Walls and Fences

a. Wall and fence design should complement the Project’s architecture. Landscaping may be used to soften the appearance of the wall surface.

b. Wall and fencing materials must be made of a durable material. Wall and fencing materials may consist of wrought iron, tubular steel, stone, stucco, or brick. Solid walls should incorporate pilasters with decorative caps and offsets, consistent with the overall architecture.

c. Landscaping should be used to soften the appearance of the wall surfaces and deter graffiti.

d. Fencing for safety and security of the golf course and the outdoor target area at the commercial recreation and entertainment facility may utilize netting and/or chain link if approved in the site plan review process. Chain link fencing is not permitted in the public parking lot that is visible from any public rights-of-way.

e. Razor wire is not permitted.

f. Walls and fences must be protected with anti-graffiti coating.
9. Lighting Design

a. Pedestrian scale lighting should be present at all entries, plazas, courtyards, parking lots, pedestrian ways, and other areas where nighttime pedestrian activity is expected.

b. Lighting design of fixtures and their structural support should be architecturally compatible with the architecture of the Project.

c. When appropriate, wall-mounted lighting may be incorporated. Wall-mounted lights should be compatible with the building's architectural style.

10. Signage

a. Unless specifically modified by this Specific Plan, all signage must comply with ESMC requirements.

b. Billboards, pole signs, and signs incorporating flashing or blinking lights are not permitted within this Specific Plan area.

c. The character of the signage, including the location, size, height, design and lighting must be in keeping with the architectural character and monument style of the overall Project.

d. Signs should make a positive contribution to the desired character of the Project and provide for clear identification and wayfinding.

e. Vehicle, bicycle, and pedestrian circulation throughout the Project site to parking and various destinations should be enhanced through a comprehensive system of directional signage and related wayfinding elements.
VI. DEVELOPMENT STANDARDS

Upon adoption of The Lakes Specific Plan, the development standards and procedures established herein become the governing zoning standards for land uses within The Lakes Specific Plan area, as specified for each subarea. In accordance with the requirements of the El Segundo Municipal Code, the development standards and use restrictions throughout the City shall govern the development, use and operation of the properties within The Lakes Specific Plan area, except as otherwise provided in The Lakes Specific Plan. In the case of a conflict between the applicable rules governing new development in the El Segundo Municipal Code and the spirit, intent or requirements of The Lakes Specific Plan, this Specific Plan shall govern. Where the Specific Plan is silent, the El Segundo Municipal Code shall apply.

A. PERMITTED USES

Table VI-1 (Allowable Uses) provides a listing of those uses which are permitted by right, are subject to Conditional Use Permit review, are subject to an Administrative Use Permit review, are permitted as an accessory use, and prohibited within the two subareas of this Specific Plan. The two subareas are the Public Recreation/Open Space (PUB-REC/OS) subarea and the Commercial Public Recreation/Open Space (CPR/OS) subarea. Uses not shown as Permitted, Conditionally Permitted, approval of an Administrative Use Permit, or Accessory are prohibited, unless the Planning and Building Safety Director makes a determination that a proposed use while not listed in the following table closely corresponds to a listed use which is permitted by right, as an accessory use to a permitted or conditionally permitted use, or which is permitted subject to the granting of a discretionary permit.

<table>
<thead>
<tr>
<th>Use</th>
<th>PUB-REC/OS</th>
<th>CPR/OS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cafes</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Comfort Stations</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Commercial golf entertainment facility</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>Concession Stands</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Conference room/Event space</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Entertainment, including live entertainment</td>
<td>-</td>
<td>A</td>
</tr>
<tr>
<td>General Offices</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>General Storage</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Golf Courses (including driving range)</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Maintenance Buildings/Facilities</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>On-site sale and consumption of alcohol at restaurants and cafes</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>On-site sale and consumption of alcohol at bars</td>
<td>-</td>
<td>C</td>
</tr>
<tr>
<td>Outdoor Dining</td>
<td>A</td>
<td>A</td>
</tr>
</tbody>
</table>
### B. DEVELOPMENT STANDARDS

1. **Lot Area**
   
a. The minimum lot area is 10 acres.

2. **Height**
   
a. Buildings and structures within the PR/OS subarea cannot exceed 26 feet in overall height, as measured from the lowest finished grade covered by the building or structure.

b. Buildings and structures within the CR/OS subarea cannot exceed 65 feet in overall height, as measured from lowest finished grade covered by the building or structure.

c. Exceptions to building height are permitted in accordance with ESMC §15-2-3.

d. In both subareas, a maximum of 175 feet in overall height measured from...
lowest finished grade is permitted for safety fences and netting and their associated support posts located on or adjacent to property lines as approved by site plan review.

3. Setbacks

a. Front Setback: In both subareas, buildings and structures must maintain a minimum setback of twenty-five feet (25’) from the property lines along Sepulveda Boulevard and Hughes Way. Visually permeable fences, safety netting and associated support poles may be located in the setback area, including on property lines as approved by site plan review.

b. Side Setback: In both subareas, buildings and structures must maintain a minimum setback of five feet (5’) from each side lot line. (Additional setbacks may be required depending on Building Code requirements that relate to type and height of the structure). Fences, walls, safety netting and associated support poles may be located in the setback area, including on property lines as approved by site plan review.

c. Rear Setback: In both subareas, buildings and structures must maintain a minimum setback of five feet (5’) from each rear lot line. (Additional setbacks may be required depending on Building Code requirements that relate to type and height of the structure). Fences, walls, safety netting and associated support poles may be located in the setback area, including on property lines as approved by site plan review.

d. “Architectural landscape features” including fountains, water features and waterfalls, free-standing arbors/pergolas, and similar features as determined by the Director of Planning and Building Safety, may encroach into the front, side and rear yard setback areas subject to site plan review, provided a minimum landscaped setback of three feet is maintained. The features may cover a maximum of twenty five percent of the total area of the setback, and be a maximum of twenty feet in height.

e. Exceptions to setback requirements are permitted subject to the requirements of ESMC § 15-2-7 Open Space Areas and Encroachments, and as permitted in Sections VI(D) and VI(E) of this Specific Plan.

4. Lot Frontage

a. A minimum of 100 feet of frontage on a dedicated public street must be provided for all lots.

5. Lot Coverage and Floor Area

a. Buildings and structures within the PR/OS subarea shall not cover more
than forty percent (40%) of the lot area.

b. The cumulative total size of all buildings and structures within the CR/OS subarea shall not exceed a floor area 0.147.

c. The Director of Planning and Building Safety has the authority to administratively allow an adjustment between the net square footage of listed land uses in each subarea set forth in Table III-1, provided that no adjustment results in a single land use increasing by more than ten percent (10%) and provided that, appropriate evidence is submitted substantiating that the increase will not result in a significant impact as determined by the Director.

6. Walls and Fences

a. All walls and fences must comply with ESMC § 15-2-4 except as otherwise specified in Section VI(B)(2)(d) of this Specific Plan.

7. Lighting

a. Lighting fixtures shall not exceed 65 feet in height, as measured from adjacent grade to the top of the fixture.

b. All lighting must prevent direct glare and spillover on to adjacent properties.

8. Ancillary Structures

a. Trash and recycling enclosures, outdoor storage areas, mechanical equipment enclosures, transformers and similar structures are permitted subject to the screening requirements contained in ESMC § 15-2-8 and the Design Guidelines in Section V.A(5) of this Specific Plan.

C. CIRCULATION

1. Transportation Demand Management (TDM) Plan, that identifies trip reduction methods in accordance with the guidelines set forth in ESMC Chapter 15-16 and Chapter 15-17, must be prepared for development within The Lakes Specific Plan area. A TDM Plan must be submitted for City review prior to issuance of a building permit.

2. Public streets must be designed and constructed in accordance with the General Plan and in the overall right-of-way size identified in the Street Classification and Standards (Exhibit C-8) in the Circulation Element of the General Plan or as exempted subject to the regulations in ESMC Chapter 15-24A Right of Way.
Dedications and Improvements. No public or private streets are located within the Specific Plan area. This Specific Plan does not involve the extension or expansion of any right-of-way of the public streets adjoining the Specific Plan area which include Sepulveda Boulevard (a major arterial street that is a Caltrans owned State Highway Facility) and Hughes Way (a secondary arterial street).

D. PARKING AND LOADING

1. Parking and loading spaces must be provided in accordance with ESMC Chapter 15-15, except as provided below:

   a. The number of required parking spaces will be determined based upon review and approval of a Parking Demand Study subject to the criteria required in ESMC Chapter 15-15.

   b. The number of required parking spaces may be modified subject to the approval of a Transportation Systems Management Plan, as specified in the ESMC Chapter 15-16 “Developer Transportation Demand Management.”

   c. Off-site parking is permitted in areas east of Sepulveda Boulevard. The parking must be located within 1,000 feet of the boundary of The Lakes Specific Plan area unless otherwise approved by the City Council. A written agreement must be executed by all parties concerned, to the satisfaction of the Director of Planning and Building Safety and the City Attorney assuring the continued availability of the number of stalls located off-site. Reciprocal access easements or covenants must be recorded for contiguous lots before issuance of a building permit and must be shown or noted on the applicable site plans.

   d. Parking lots and driveways may straddle lot lines subject to the provisions contained in a reciprocal parking and access easement or covenant. Driveways that connect parking lots with a right-of-way may encroach into a required landscape setback on interior and/or rear property lines. Such documents must include provisions for maintenance.

2. Required parking stalls may encroach into the required setbacks (specified in Section VI(B)(3) of the Lakes Specific Plan), provided that a minimum 3-foot landscaped buffer is provided and maintained between the property lines and the paved portions of the parking stalls.

3. Preferential parking must be provided for carpool and vanpool drivers.

E. LANDSCAPING

This section will ensure that adequate landscaping area and permanent maintenance is provided for the development. This mandate is also in accordance with the City’s requirements to landscape commercial and recreational areas.

Landscaped areas must be provided and permanent irrigation systems installed in the landscaped areas at: 1) around the perimeter of the buildings in the setbacks, 3) within the required setbacks along the property perimeter and, 4) in the Vehicular Use Areas (VUAs) as defined in ESMC §15-1-6.

A Landscape Master Plan must be prepared for The Lakes Specific Plan area to ensure a unified appearance implementing the intent of the Design Guidelines and objectives of this Specific Plan. The Landscape Master Plan must be submitted to the City prior to approval of the first site plan review within the Specific Plan area.

ALL LANDSCAPING

1. Landscaping must conform to the City’s Water Conservation in Landscaping requirements as set forth in ESMC 15-15A.

BUILDING PERIMETER LANDSCAPING

1. Except as otherwise allowed by this Plan, a minimum horizontal depth of five feet of landscape materials, excluding curbs, must be provided around each building except for entrances to buildings and any other required paved areas. In instances where two buildings are separated by ten feet, the landscape requirement may be reduced to allow for pedestrian walkways/access.

PROPERTY PERIMETER LANDSCAPING

1. An average of one shade tree must be provided for every 25 feet of street frontage adjacent to parking lot areas.

2. There shall be a minimum landscaped perimeter of three feet along Sepulveda Boulevard and Hughes Way.
VEHICULAR USE AREAS

1. Vehicular Use Areas (VUA) include parking lots and loading areas. Landscaping in the VUAs must cover a minimum of five percent of the VUA and be distributed uniformly throughout the VUA. Such landscaping is in addition to the required property perimeter and building perimeter landscaping. The figure to the right represents a typical parking area within the Specific Plan.

a. A minimum of a three foot landscape buffer must be provided at all parking lot edges to screen parking lots and provide shading.

b. Planting areas containing trees must have a minimum width of five feet except for existing planting areas along the property perimeter abutting Sepulveda Boulevard and Hughes Way where the minimum width may be three feet. Trees are required to provide shade.

F. PUBLIC SAFETY

In an effort to ensure the safety of employees and visitors to The Lakes Specific Plan area, the following strategies must be incorporated into site development:

1. Lighting must be adequate throughout the Specific Plan area and shielded to minimize off-site illumination. Submittal of photometric studies is required as part of any site plan review submittal which includes parking lots, and parking structures in the Specific Plan area.

2. The site design and operation must comply with fire and police safety regulations with regard to site layout, building configurations, landscape design, and infrastructure requirements.

3. Street lighting must be provided in accordance with ESMC requirements.
G. SIGNAGE

1. The following signs are not permitted within the Specific Plan area:
   - Billboards, as defined in the ESMC; and
   - Pole signs; and
   - Signs incorporating flashing or blinking lights.

2. A Master Sign Program for the Specific Plan area must be developed and submitted for review and approval by the Director of Planning and Building Safety prior to installation of signs within the Specific Plan area. The Master Sign Program must include the following elements:
   - Master signage (entryways, common sign design throughout the Specific Plan area);
   - Sign standards developed for the uses allowed under the Specific Plan;
   - Provisions for way finding and decorative elements such as banners;
   - General features that all signs are required to comply with; and
   - Regulations for temporary signs (including construction signs).

3. One monument sign is permitted along Sepulveda Boulevard, which must comply with the following standards:
   i. The maximum height shall be limited to not more than 20-feet in height (as measured from lowest grade adjacent to the sign to the highest point of the monument sign);
   ii. The maximum sign area per side is limited to 200 square feet;
   iii. The monument sign must advertise both uses in the Specific Plan area;
   iv. The monument sign must be included in the Master Sign Program; and,
   v. Any increase to the height or sign area shall be subject to review through an AUP.

4. All other signage within The Lakes Specific Plan area must conform to the signage regulations of the ESMC except as established and approved in a Master Sign Program for the Specific Plan.

H. SUSTAINABILITY

1. All new development must have buildings designed to be energy efficient to meet or exceed Title 24 requirements.
2. Parking lot areas must include Stormwater management practices that treat Stormwater runoff from 90% of the average rainfall on the site using structural and non-structural management measures.

3. Bicycle parking must comply with the ESMC and Green Building Code.

4. Exterior lighting must be energy efficient and designed to minimize light pollution.

5. Low-emitting building materials must be utilized.

6. Reclaimed water must be utilized for all landscaped areas if available and feasible.

I. ENCLOSED USES

All uses must be conducted wholly within an enclosed building or structure except for the following:

1. Mechanical equipment provided it complies with the requirements of ESMC § 15-2-8.

2. Outdoor restaurants and cafes incidental to the permitted use, provided they comply with the provisions of ESMC §15-2-16.

3. Recreational facilities customarily conducted in the open.

5. Wireless communications facilities (including antennas, and dishes) provided they comply with the requirements of ESMC Chapter 15-19.

6. Entertainment, provided it complies with the requirements and standards contained in ESMC Chapter 7-2.

7. Other ancillary uses as determined by the Director of Planning and Building Safety.
VII. ADMINISTRATION

A.  INTRODUCTION

Unless regulated by this Specific Plan, development will be administered and enforced by the City in accordance with the ESMC. This Specific Plan supersedes any conflicting ESMC zoning regulation.

1.  The Director of Planning and Building Safety may grant administrative use permits in accordance with ESMC Chapter 15-22.

2.  The Director of Planning and Building Safety may make other administrative determinations using the same procedures set forth in ESMC Chapter 15-22.

3.  The Director of Planning and Building Safety may grant adjustments and administrative adjustments in accordance with ESMC Chapter 15-24.

4.  The Planning Commission may grant conditional use permits in accordance with ESMC Chapter 15-23.

B.  MUNICIPAL CODE REFERENCES

All section references in the Specific Plan refer to the El Segundo Municipal Code (ESMC) as adopted at the time of building permit application submittal.

C.  MODIFICATIONS

1.  Major Modifications

Any proposed modifications or changes to this document that would substantially alter the requirements contained in this document shall require an amendment to The Lakes Specific Plan. Major Modifications requiring an amendment to this Specific Plan include, without limitation:

a.  Any decrease in the required building setbacks as set forth in Section VI.B.3 above;

b.  Any increase in the total developable square footage of the entire Specific Plan in excess of the maximum allowed under the Specific Plan;

c.  Any increase in height of buildings or structures on the Property above the limits set forth in the Specific Plan except for fencing and associated posts for the municipal golf course and other safety netting in the side yards and rear yards as allowed in this Specific Plan;
d. Any change to a use which is not permitted under the Specific Plan, except as approved by the Director in accordance with Chapter 15-22 of the ESMC;

e. Any change in the land use plan categories identified in Exhibit 5 of this plan;

f. Any decrease in the minimum required lot area;

g. Any decrease in the minimum required lot frontage;

h. Any material modification that requires modification to the EIR other than an Addendum; and

i. Any modification determined by the Director of Planning and Building Safety as a major modification and requiring amendment to this Specific Plan.

2. Minor Modifications

Any modification to this Specific Plan not listed above as a “major modification,” including a use approved subject to an Administrative Use Permit, is a Minor Modification. Upon the administrative approval of the Director of Planning and Building Safety or designee, Minor Modifications to this Specific Plan may be made, provided that such modifications are consistent with the Development and Design Standards, Applicable Rules, and Project Approvals. Such Minor Modifications may include, without limitation:

- Adjustments, Administrative Adjustments, Administrative Determinations subject to the requirements in Section VII.A, above.

- Modifications to the conceptual infrastructure plans

D. SITE PLAN REVIEW

1. Overview

A Site Plan Review ("SPR") is required for any development proposed in the Specific Plan area and an application shall be filed with the Department of Planning and Building Safety.

2. Application for Site Plan Review - Contents

The Site Plan Review Application must conform to the following. The number of copies required for submittal will be determined by City policy at time of submittal:

a. Plans and landscape plans for projects must be prepared by a registered architect and a licensed landscape architect respectively.
b. Site Plan. A fully dimensioned site plan, drawn to scale and showing:

1. Location of existing and proposed structures, including signs, showing dimensions from property line;

2. Location, size and species of existing trees or natural attributes;

3. Location of off-street parking. The number of parking spaces (specifying handicapped, compact and regular spaces), type of paving, direction of traffic flow, parking stall dimensions, and areas for turning and maneuvering vehicles;

4. Location and dimension of driveway approaches, street and highway dedications (if applicable), and off-street loading areas;

5. Refuse disposal and recycling;

6. Location, height, and material of existing and/or proposed fences and walls;

7. Means of screening all vents, pipes, antennas and machinery placed on roofs;

8. Location, height and specifications of all existing and/or proposed exterior lighting;

9. Location of all utility pipes, valves, vaults and similar appurtenances; and

10. Location of structures on abutting lots showing dimensions to property line.

11. Any other information deemed necessary by the Director of Planning and Building Safety.

c. Photometric Analysis for parking lots and parking structures.

d. Elevation Drawings. Elevation drawings dimensioned and fully illustrating all sides of the proposed structures. These drawings must include:

1. Location of signs and size, height, color, material and type of illumination of all signs. A Master Sign Plan must be submitted when the development includes two or more tenant spaces;

2. Location, size and style of architectural features, such as awnings, doors, windows and other wall openings; and
3. All exterior materials and their colors.

e. Landscape Plan. A preliminary landscape plan showing the location and design of the following listed items:

1. Existing trees (by species and size) proposed to be retained, removed or relocated on the site;

2. Landscaped areas and the numbers, varieties and sizes of plant materials to be planted therein and all other landscape features;

3. Softscape, hardscape (walkways, paving, textured concrete) and lighting; and

4. All submittal material required by ESMC Chapter 10-2,

f. Colors and Materials. A materials and colors board showing all colors and materials, with color chips and textures keyed to the principal plan elements where those components are found.

g. Floor Plans (fully dimensioned).

h. Photo Board. Showing subject site, and all surrounding properties.

i. Rendering/Illustration. One set of color elevation drawings or a color rendering. The Director of Planning and Building Safety may require, at his/her discretion, a computer model where such is necessary to evaluate scale, massing and architectural treatment.

3. **Site Plan Review – Procedure**

a. The Director of Planning and Building Safety must review the application to ensure there is consistency with the Specific Plan within 45 days after the Director deems the application complete in accordance with Government Code section 65940 et seq.

b. The Site Plan Review process is discretionary and is subject to the requirements of the California Environmental Quality Act (CEQA).

c. The Site Plan Review must be scheduled for public hearing before the Planning Commission within the time limits established by applicable Government Code Sections, which can include, but are not limited to the Permit Streamlining Act (Government Code § 65920 et seq.) and the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 et seq.). Notice of public hearings must be given in accordance with
ESMC Section 15-27-5. The Planning Commission must render its decision in writing, either approving, approving with conditions, or denying the Site Plan Review application, and stating the reasons for such action. The decision of the Planning Commission is final unless appealed to the City Council.

c. Any aggrieved person may appeal the Planning Commission’s decision to the City Council. Such appeal must be filed in writing with the Department of Planning and Building Safety within ten days after the date of the written decision by the Planning Commission. Upon receipt of such an appeal and the payment of the appropriate filing fee, the matter must be scheduled for consideration by the City Council in accordance with ESMC Chapter 15-25.

d. The Site Plan is valid for two years from the date of approval. If construction does not commence within such time, but the applicant has diligently pursued the Project plan review process, the Director of Planning and Building Safety may extend the Site Plan approval for up to two additional years.

e. After the Site Plan is approved, the Director of Planning and Building Safety may approve minor changes in the Site Plan or its conditions if the Director finds that there are practical reasons for such changes, that such changes do not substantially vary from the previously approved site plan and applicable law and that such changes do not involve deviations from the design’s intent.

4. Site Plan Review Criteria

The purpose of the Site Plan Review procedure is to ensure that the development provides a cohesive visual identity and coordinated design character for the Specific Plan area of high quality. The overall coordinated design character must be expressed in the site planning, architecture, landscaping, lighting, and signage. The architectural design is to be compatible in character, massing and materials consistent with the conceptual plan depicted in this Plan.

In approving the Site Plan Review the Planning Commission, or City Council on appeal, must consider the following factors:

a. The dimensions, shape and orientation of the parcel;

b. The placement of buildings and structures on the parcel;

c. The height, setbacks, bulk and building materials;

d. The building materials and design;
e. The distance between buildings or structures;

f. The location, number and layout of off-street parking and loading spaces;

g. The internal vehicular patterns and pedestrian safety features;

h. The location, distribution, amount and type of landscaping materials and the sustainability of the landscaping material with the El Segundo climate in compliance with the applicable climate zone;

i. The placement, photometrics, height and direction of illumination of light standards;

j. The location, number, size and height of signs;

k. The location, height and materials of walls, fences or hedges;

l. The location and method of screening refuse and storage areas, roof equipment, pipes, vents, utility equipment and all equipment not contained in the main buildings of the development;

m. Compliance with all applicable development standards including, but not limited to, height, setbacks, FAR, and off-street parking requirements; and,

n. Consistency with the Design Guidelines of this Specific Plan.

5. Approval Criteria

The Planning Commission, or City Council on appeal, may approve the Site Plan Review if it finds that the proposed development, with conditions if necessary, is consistent with this Specific Plan.

6. Exempt Activities

The following is a list of activities which are exempt from the Site Plan Review process. This list is not all-inclusive; the Director of Planning and Building Safety may exempt other activities not listed that constitute minor changes to an approved Site Plan:

a. All interior changes and alterations

b. Exterior mechanical equipment (heating, air conditioning, water heater, transformers) designed with mechanical equipment screening compatible with the architecture of the building to which it is adjacent or affixed.

c. Minor exterior repairs with the same or similar types of building materials as determined by the Director of Planning and Building Safety.
d. Re-glazing new mullions.

e. Re-landscaping consistent with the landscape palette.

f. Repainting.

g. Reroofing with similar style roofing materials.

E. AMENDMENT

In accordance with the Government Code §§ 65450-65457, Specific Plans must be prepared, adopted and amended in the same manner as General Plans except that Specific Plans may be adopted by resolution or by ordinance.

This Specific Plan may be amended as necessary by ordinance. Said amendment or amendments do not require a concurrent General Plan amendment unless the Director of Planning and Building Safety determines that the proposed amendment would substantially affect General Plan goals, policies, objectives or programs.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

The Lakes Specific Plan and related entitlements were approved in accordance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines (Guidelines), and City policies adopted to implement the CEQA and the Guidelines.
APPENDIX A

THE LAKES SPECIFIC PLAN LEGAL DESCRIPTION

PARCEL A:

IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING PARCEL 1 OF PARCEL MAP NO. 17749 AS SHOWN ON A MAP RECORDED IN BOOK 207, PAGES 56 TO 60, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY TOGETHER WITH THE LAND DESCRIBED IN A GRANT DEED RECORDED JULY 18, 1995 AS INSTRUMENT NO. 95-1161504, OF OFFICIAL RECORDS.

EXCEPTING THEREFROM THE LAND DESCRIBED IN A GRANT DEED RECORDED MARCH 12, 1999 AS INSTRUMENT NO. 99-0411887, OF OFFICIAL RECORDS.

THE ABOVE DESCRIBED PARCEL CONTAINS 25.757 ACRES, MORE OR LESS.

PARCEL B:

IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING THE LAND DESCRIBED IN A GRANT DEED RECORDED JUNE 19, 1996 AS INSTRUMENT NO. 96-967352, OF OFFICIAL RECORDS.

THE ABOVE DESCRIBED PARCEL CONTAINS 34,358 SQUARE FEET, MORE OR LESS.
RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL CONDITIONALLY APPROVING ENVIRONMENTAL ASSESSMENT NO. EA-1135, GENERAL PLAN AMENDMENT NO. GPA 16-01, SITE PLAN NO. 16-01, LOT LINE ADJUSTMENT NO. SUB 16-03, AND CONDITIONAL USE PERMIT NO. CUP 16-05 FOR THE LAKES SPECIFIC PLAN AND TOPGOLF PROJECT, LOCATED AT 400 SOUTH SEPULVEDA BOULEVARD.

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

SECTION 1: The City Council finds and declares that:

A. On June 20, 2016, CenterCal Properties, LLC, filed an application for Environmental Assessment No. EA-1135, General Plan Amendment No. 16-01, Zone Change No. ZC 16-01, Specific Plan No. SP 16-02, Zone Text Amendment No. ZTA 16-04, Site Plan Review No. 16-01, Lot Line Adjustment No. SUB 16-03, and Conditional Use Permit No. CUP 16-05 for approval of a specific plan and related discretionary entitlements to facilitate a redevelopment project at the Lakes golf course consisting of replacing an existing driving range and hitting bays, with a three-story golf-themed commercial recreation and entertainment facility, including hitting bays, a restaurant/bar, and other supporting accessory uses to be operated under the "Topgolf" brand. Additional project improvements include demolition of the existing clubhouse and reconstruction of a smaller clubhouse, modification of the fairways and layouts of six holes at the existing 9-hole executive golf course, new golf course lighting, and modification and expansion of the existing parking to accommodate additional parking to serve the facility;

B. After submittal of additional information, Staff deemed the project applications complete on August 31, 2016;

C. 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., the City's Local CEQA Guidelines (City Council Resolution No. 2805, adopted March 16, 1993), and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the City of El Segundo prepared an Environmental Impact Report (State Clearinghouse Number 2016091003) (the "EIR");

D. The City prepared an Initial Environmental Study (the "Initial Study") for the Project pursuant to Section 15063 of the CEQA Guidelines, and on September 1, 2016, the Initial Study (IS) and Notice of Preparation (NOP)
were released to the public and public agencies for a comment period of 33 days (through October 3, 2016). On September 1, 2016, a Public Notice was mailed to property owners within a 300-foot radius from the subject property, the Notice was published in the *El Segundo Herald*, and the Notice was posted on the City’s website. Lastly, a copy of the Initial Study was made available at the public counter at City Hall and the local library, and was made available on the City’s website for the public to download and review;

E. On September 8, 2016, the Planning Commission conducted a public scoping meeting to provide a forum for agencies and members of the community to provide verbal comments on the IS/NOP;

F. After the NOP comment period ended, the Draft EIR was prepared taking the comments into account. After completing the Draft EIR, the document was made available to the public on January 26, 2017 for a 47-day public comment period that concluded on March 13, 2017;

G. On February 2, 2017, City Staff hosted a noticed public commenting session to provide the public with an opportunity to submit verbal comments, in addition to the typical written comments, on the Draft EIR. Advertisement of the public commenting session was provided by a Notice published in the *El Segundo Herald*, a Notice mailed to all property owners within a 300-foot radius, a Notice was posted at The Lakes clubhouse facility, and a Notice was posted on the City’s website;

H. On May 25, 2017, the Final EIR was completed and Notice was provided via mail to all property owners within a 300-foot radius of the subject site, and on May 25, 2017 a Notice was published in the *El Segundo Herald* announcing that a public hearing was scheduled with the Planning Commission on June 8, 2017 to review the Final EIR and the entitlement applications for the proposed project;

I. On June 8, 2017, the Planning Commission conducted a public hearing to receive public testimony and other evidence regarding the applications including, without limitation, information provided to the Commission by City staff and public testimony, and the applicant;

J. On June 8, 2017, at the request of the Applicant, the Planning Commission continued the public hearing to June 22, 2017;

K. On June 22, 2017, the Planning Commission continued the public hearing to July 13, 2017;

L. On July 13, 2017, the Planning Commission of the City of El Segundo adopted Resolution No. 2820, recommending that the City Council certify
the EIR, make certain environmental findings of fact, and adopt a Mitigation Monitoring and Reporting Program for The Lakes Specific Plan and Topgolf Project;

M. The City Council of the City of El Segundo held a duly noticed public hearing on September 5, 2017, to review and consider the staff report prepared for the project, receive public testimony, and review all correspondence received on the project; and,

N. This Resolution, and its findings, are made, in part, based upon the evidence presented to the Planning Commission at its June 8, and July 13, 2017 public hearings and upon the evidence presented to the City Council at its September 5, 2017 and October 3, 2017 public hearings including, without limitation, the staff reports, Initial Study, Draft EIR and Final EIR submitted by the Planning and Building Safety Department.

SECTION 2: Findings of Fact and Conclusions. The City Council finds as follows:

A. The project site consists of three areas totaling approximately 31-acres, comprised of the 26.54-acre Lakes at El Segundo golf course, a 3.58-acre portion of the abutting SCE property to the east of the golf course, and a 0.67-acre portion of the abutting West Basin Municipal Water District (WBMWD) property to the south of the golf course, generally located at 400 South Sepulveda Boulevard, in the southeast quadrant of the City of El Segundo;

B. The proposed project includes The Lakes Specific Plan and a new Topgolf facility. The associated applications consists of:
(i) Environmental Assessment No. EA-1135, to certify and approve a Final Environmental Impact Report (EIR) and an associated Mitigation Monitoring and Reporting Program (MMRP);
(ii) General Plan Amendment No. 16-01, to change the underlying General Plan Land Use designation of the Lakes at El Segundo golf course property from “Parks”, to “The Lakes Specific Plan”;
(iii) Zone Change No. ZC 16-01, to change the underlying Zoning designation from O-S (Open Space), to TLSP (The Lakes Specific Plan) with two Subareas classified PUB-REC/OS (Public Recreation/Open Space) measuring 16.06-acres and CPR/OS (Commercial Public Recreation/Open Space) measuring 10.49-acres;
(iv) Specific Plan No. SP 16-02, to create a new specific plan for the Lakes at El Segundo golf course that specifies the uses permitted within the Specific Plan area, and establishes development standards tailored to the unique recreation and entertainment uses for the specific plan area;
(v) Zone Text Amendment No. ZTA 16-04, to add the new TLSP (The Lakes Specific Plan) Zoning designation to the Zoning Code;
(vi) Site Plan Review No. 16-01, for the development within The Lakes Specific Plan area, including a new Topgolf building, a redeveloped clubhouse, and modified holes in the golf course. Specifically, the development includes:

a) Replacing the existing driving range with a three-story approximately 67,170 gross square-foot Topgolf commercial recreation and entertainment facility. The new facility would measure approximately 55-feet in overall height, and will include a 32,309 square-foot hitting bay and seating/waiting area, which consists of private suites. From these hitting bays, players would hit balls into an open area that would be surrounded by netting and support poles (up to 175 feet in height) that are designed to block/contain errant balls. The facility would also include 10,024 square feet of restaurant, bar, and kitchen space; 3,144 square feet of meeting and event space; 2,439 square feet of office space; 1,895 square feet of lounge space; 1,365 square feet of lobby space; and approximately 15,994 square feet of storage, circulation, and miscellaneous space. An approximately 3,000 square foot outdoor terrace on the third floor of the building is also proposed, and would be used for entertainment involving live music from a band or disc jockey (DJ). All DJ's and bands would be required to connect to the facility's in-house sound system and speakers, allowing the ability to control the volume and other sound levels. All overhead speakers would be oriented inward and down to the facility's floors. Lastly, the driving range grass would be replaced with a high density fiber turf;

b) Modifying and expanding the existing parking lot to accommodate a total of 523 spaces, whereby 420 spaces will be located in the CPR/OS Subarea of the Specific Plan and 103 spaces will be located in the abutting WBMWD property through a license agreement between the City of El Segundo and WBMWD. The parking will serve both the Topgolf facility and the existing golf course facility;

c) Modifying the fairways and layouts of six holes at the existing golf course;

d) Installing lighting throughout the nine-hole golf course to accommodate nighttime play. The lighting would primarily be concentrated at the tee boxes and greens; and,

e) Demolishing the existing clubhouse, and constructing a new one-story clubhouse measuring 2,500 square feet, with a 1,010 square foot outdoor patio overlooking a new putting and chip-shot practice area.

(vii) Lot Line Adjustment No. SUB 16-03, to reconfigure the existing two parcels in The Lakes Specific Plan; and,
(viii) Conditional Use Permit No. CUP 16-05, to allow onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities.

C. Development standards have been developed for the Specific Plan and all uses within the Plan area must be compliant. The allowed uses identified in the development standards include the proposed development and uses;

D. The proposed General Plan re-designation and rezoning of the Project Site would change the General Plan land use designation from “Parks”, to “The Lakes Specific Plan” (TLSP) land use designation and rezone the area from Open Space (O-S) to The Lakes Specific Plan (TLSP) Zone;

E. The TLSP contains two Subareas classified PUB-REC/OS (Public Recreation/Open Space) on the northern portion of the specific plan area measuring 16.06-acres, and CPR/OS (Commercial Public Recreation/Open Space) on the southern portion of the specific plan area measuring 10.49-acres;

F. The Applicant is required to make all necessary and applicable impact fee payments prior to building permit issuance, including the one-time fire services mitigation fee, the one-time police services mitigation fee, one-time park services mitigation fee, and one-time traffic mitigation.

SECTION 3: Environmental Assessment. In City Council Resolution No. _____, adopted concurrently herewith, the City Council certified the EIR, adopted certain Environmental Findings of Fact, and adopted the Mitigation Monitoring and Reporting Program for The Lakes Specific Plan and Topgolf Project.

SECTION 4: General Plan Amendment Findings. The City Council makes the following findings:

A. The proposed amendment is in the public interest, and there will be a community benefit resulting from the amendment. The Lakes Specific Plan provides flexibility for The Lakes golf course to expand its existing operations or develop new facilities that are compatible with the existing facilities and uses. The Specific Plan includes a development concept that accounts for and allows for the Topgolf facility; includes new land use and zoning categories and identifies the properties that are effected; includes design guidelines to help promote high-quality development; and development standards to address uses, lot area, height, setbacks, floor area, parking, landscaping and signage. All development in the project area is subject to the development standards and requirements of the specific plan.
B. The proposed amendment is consistent with the following goals, policies and objectives of the Land Use Element of the City’s General Plan:

- **Goal LU4**: Provide a stable tax base for the City through development of new commercial uses, primarily within a mixed-use environment, without adversely affecting the viability of Downtown.
- **Objective LU4-1**: Promote the development of high quality retail facilities in proximity to major employment centers.
- **Policy LU4-1.1**: Require landscaping, its maintenance, and permanent upkeep on all new commercial developments.
- **Policy LU4-1.2**: All commercial facilities shall be built and maintained in accordance with Health and Safety Code requirements and shall meet seismic safety regulations and environmental regulations.
- **Policy LU4-1.4**: New commercial developments shall meet seismic safety standards and regulations, as well as comply with all noise, air quality, water and environmental regulations.
- **Objective LU4-4**: Provide areas where development has the flexibility to mix uses, in an effort to provide synergistic relationships which have the potential to maximize economic benefit, reduce traffic impacts, and encourage pedestrian environments.
- **Goal LU6**: Maintain and upgrade the existing excellent parks, recreation, and open space facilities within the City of El Segundo.
- **Objective LU6-1**: The development of parks, open space, and recreational facilities should be consistent with the guidelines, policies, and programs of the Open Space and Recreation Element.
- **Policy LU6-1.1**: Continue to provide uniform and high quality park and recreational opportunities to all areas of the City, for use by residents and employees.
- **Policy LU6-1.3**: Utilization of utility easements (flood control, power line rights-of-way) for recreational, open space, and beautification purposes should continue and additional possibilities should be explored.
- **Goal LU7**: Provide the highest quality public facilities, services, and public infrastructure possible to the community.
- **Objective LU7-1**: Provide the highest and most efficient level of public services and public infrastructure financially possible.
- **Policy LU7-1.2**: No new development shall be allowed unless adequate public facilities are in place or provided for.
- **Policy LU7-2.3**: All new development shall place utilities underground.
- **Policy LU7-2.4**: All new public buildings shall have adequate off-street parking spaces, or the City shall provide adequate public transportation, in accordance with the provisions and standards of all elements of the General Plan, to accommodate employees and the public.
- **Policy LU7-2.5**: All public facilities and utilities should be designed to enhance the appearance of the surrounding areas in which they are located.
C. The proposed amendment is consistent with the following goals, policies and objectives of the Economic Development Element of the City's General Plan:

- **Goal ED1:** To create in El Segundo a strong, healthy economic community in which all diverse stakeholders may benefit.
- **Objective ED1-1:** To build support and cooperation among the City of El Segundo and its business and residential communities for the mutual benefits derived from the maintenance and expansion of El Segundo's economic base.
- **Policy ED1-1.2:** Focus short-run economic development efforts on business retention and focus longer-run efforts on the diversification of El Segundo's economic base in order to meet quality of life goals.
- **Objective ED1-2:** Center diversification efforts on targeted industries that meet the City's criteria for job creation, growth potential, fiscal impact, and fit with local resources.
- **Policy ED1-2.1:** Seek to expand El Segundo's retail and commercial base so that the diverse needs of the City's business and residential communities are met.
- **Policy ED1-2.2:** Maintain and promote land uses that improve the City's tax base, balancing economic development and quality of life goals.
- **Policy ED1-2.3:** Seek to balance the City's economic development program with the City's resources and infrastructure capacity.

D. The proposed amendment is consistent with the following goals, policies and objectives of the Circulation Element of the City’s General Plan:

- **Goal C1:** Provide a safe, convenient, and cost-effective circulation system to serve the present and future circulation needs of the El Segundo community.
- **Policy C1-1.8:** Provide all residential, commercial, and industrial areas with efficient and safe access to the major regional transportation facilities.
- **Policy C1-1.9:** Provide all residential, commercial, and industrial areas with efficient and safe access for emergency vehicles.
- **Policy C1-3.2:** Ensure that the development review process incorporates consideration of off-street commercial loading requirements for all new projects.
- **Policy C2-2.2:** Encourage new development to provide facilities for bicyclists to park and store their bicycles and provide shower and clothes hanging facilities at or close to the bicyclist's work destination.
- **Policy C2-5.1:** Ensure that Transportation Demand Management (TDM) measures are considered during the evaluation of new developments within the City, including but not limited to ridesharing, carpooling and vanpooling, flexible work schedules, telecommuting and car/vanpool preferential parking.
• **Policy C3-1.8:** Require the provision of adequate pedestrian and bicycle access for new development projects through the development review process.

• **Policy C3-2.1:** Ensure the provision of sufficient on-site parking in all new development.

E. The proposed amendment is consistent with the following goals, policies and objectives of the Open Space and Recreation Element of the City's General Plan:

- **Goal OS1:** Provide and maintain high quality open space and recreational facilities that meet the needs of the existing and future residents and employees within the City of El Segundo.

- **Objective OS1-1:** Preserve existing and acquire future public park and recreation facilities which are adequate for serving the existing and future resident population.

- **Objective OS1-2:** Preserve existing and support acquisition of additional private park and recreation facilities to foster recognition of their value as community recreation and open space resources.

- **Objective OS1-3:** Provide recreational programs and facilities for all segments of the community.

- **Policy OS1-3.4:** Encourage commercial recreational uses to locate in El Segundo.

- **Objective OS1-4:** Develop utility transmission corridors for active or passive open space and recreational use.

F. The proposed amendment is consistent with the following goals, policies and objectives of the Conservation Element of the City's General Plan:

- **Policy CN2-5:** Require new construction and development to install water-conserving fixtures and appliances to reduce the amount of new demand.

- **Policy CN2-7:** Require new construction and development to incorporate the principles and practices of sound landscape design and management, particularly those conserving water and energy.

- **Policy CN2-8:** Encourage the retrofitting of existing landscapes to incorporate the principles and practices of sound landscape design and management, particularly those conserving water and energy.

- **Policy CN2-11:** Encourage, whenever appropriate and feasible, development techniques which minimize surface run-off and allow replenishment of soil moisture. Such techniques may include, but not be limited to, the on-site use and retention of storm water, the use of pervious paving material (such as walk-on-bark, pea gravel, and cobble mulches), the preservation of vegetative covers, and efficiently designed and managed irrigation systems.

G. The proposed amendment is consistent with the following goals, policies and objectives of the Noise Element of the City's General Plan:
• **Goal N1**: Encourage a high quality environment within all parts of the City of El Segundo where the public's health, safety, and welfare are not adversely affected by excessive noise.

• **Objective N1-1**: It is the objective of the City of El Segundo to ensure that City residents are not exposed to mobile noise levels in excess of the interior and exterior noise standards or the single event noise standards specified in the El Segundo Municipal Code.

• **Objective N1-2**: It is the objective of the City of El Segundo to ensure that City residents are not exposed to stationary noise levels in excess of El Segundo's Noise Ordinance standards.

• **Policy N1-2.1**: Require all new projects to meet the City's Noise Ordinance Standards as a condition of building permit approval.

• **Program N1-2.1A**: Address noise impacts in all environmental documents for discretionary approval projects, to insure that noise sources meet City Noise Ordinance standards. These sources may include mechanical or electrical equipment, truck loading areas, or outdoor speaker systems.

H. The proposed amendment is consistent with the following goals, policies and objectives of the Public Safety Element of the City’s General Plan:

• **Objective PS1-1**: It is the objective of the City of El Segundo to reduce exposure to potentially hazardous geological conditions through land use planning and project review.

• **Program PS1-1.1A**: The City shall review projects to ensure that slope design considers the potential effects of high rainfall, private sewage systems, landscaping irrigation, and possible runoff from adjacent future development.

• **Policy PS1-1.2**: Enforce, monitor and improve development standards which place the responsibility on the developer, with advice from qualified engineers and geologists, to develop and implement adequate mitigation measures as conditions for project approval.

• **Program PS1-1.2A**: The City shall review projects to ensure that adequate geotechnical investigation has been completed in areas susceptible to landsliding and debris flows and in areas where collapsible or expansive soils occur, and to approve only those which mitigate these hazards to the satisfaction of the City Engineer.

• **Goal PS2**: Minimize injury and loss of life, property damage, and social cultural and economic impacts caused by earthquake hazards.

• **Policy PS2-1.2**: The City shall assist in the prevention of structural damage in areas with a high potential for liquefaction, landslides, and mudslides by requiring geotechnical studies for new development to mitigate potential impacts.

• **Objective PS6-1**: It is the objective of the City of El Segundo that the City minimize threats to public safety and protect property from wildland and urban fires.
• **Policy PS6-1.1:** Review projects and development proposals, and upgrade fire prevention standards and mitigation measures in areas of high urban fire hazard.

• **Program PS6-1.2C:** The City shall continue to require that all property be maintained in compliance with the fire code.

• **Goal PS7:** Protect public health, safety, and welfare, and minimize loss of life, injury, property damage, and disruption of vital services, resulting from earthquakes, hazardous material incidents, and other natural and man-made disasters.

I. The proposed amendment is compatible with and will not frustrate the goals and policies of the General Plan.

J. The proposed amendment will not conflict with the provisions of the Municipal Code or the applicable specific plan, and complies with or exceeds the minimum standards contained therein.

K. The proposed amendment will not adversely affect surrounding properties since the proposal will continue to allow for the uses the currently exist on site, and will allow for additional uses that enhance the area by offering additional recreational uses.

**SECTION 5: General Plan Amendment.** The City Council makes the following amendments to the El Segundo General Plan:

A. An amendment to the text in the “Land Use Designations – Open Space Designations” subsection of the Land Use Element to add The Lakes Specific Plan designation, including a description of the allowed uses and the maximum land use densities allowed. The corresponding changes are set forth in attached Exhibit “A”.

B. An amendment to the text in the “Proposed Land Use – Southeast Quadrant” subsection of the Land Use Element, to reflect the changes resulting from The Lakes Specific Plan. The corresponding changes are set forth in attached Exhibit “B”.

C. An amendment to the “1992 General Plan Summary of Existing Trends Buildout” table contained in the Land Use Element, to reflect the changes resulting to the land use categories by The Lakes Specific Plan. The corresponding changes are set forth in attached Exhibit “C”.

D. An amendment to the General Plan Land Use Map to reflect the change in the land use designation from Parks to The Lakes Specific Plan (TLSP). The corresponding change to the General Plan Land Use Map is set forth in attached Exhibit “D”.

-10-
SECTION 6: Lot Line Adjustment. The proposed lot line adjustment is indicated on Exhibit E. Based on the facts set forth in this Resolution and the evidence in the administrative record as a whole, the City Council finds that the proposed Lot Line Adjustment is consistent with the evaluation criteria set forth in ESMC § 14-4-4 in that the lots/parcels will conform to the zoning criteria contained in The Lakes Specific Plan and the TLSP Zone, as both parcels will exceed the 10-acre minimum lot area. The proposed lot line adjustment also conforms to all applicable building codes.

SECTION 7: Site Plan Review. The proposed site plan layout includes a new golf-themed commercial recreation and entertainment facility with a restaurant/bar, a redeveloped clubhouse, modified holes in the golf course, and golf course lighting, as detailed above in Section 2.B(vi) of this Resolution. The City Council has considered all of the Site Plan Review Criteria set forth in the Lakes Specific Plan and, based on the facts recited herein and on the evidence in the administrative record as a whole, the Council finds the Site Plan is consistent with and complies with the development standards set forth in The Lakes Specific Plan.

SECTION 8: Conditional Use Permit. Pursuant to Section 15-23-6 of the El Segundo Municipal Code, and based on the factual findings set forth herein above and on the whole of the administrative record, 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, and the proposed use is consistent and compatible with the purpose of the zone in which the site is located.

Approval of the associated Zone Text Amendment, Zone Change, General Plan Amendment and The Lakes Specific Plan have created a zoning designation and development standards specific to the subject property. The zone, via The Lakes Specific Plan, allows onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities subject to the granting of a conditional use permit pursuant to ESMC Section 15-5F-5(I). Onsite beer, wine and alcohol is appropriate to this location as it will be part of the restaurants and entertainment facility, and distributed throughout the site. The proposal is consistent with the purpose of The Lakes Specific Plan, which is to further the goals and policies of the City’s General Plan, which are contained in Section 4 of this Resolution.

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; 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; and 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

The proposed location of the conditional use is in an urbanized area of the City that is developed with a golf course, driving range, and clubhouse that currently offers alcoholic beverages at the restaurant and banquet facilities. The proposed onsite beer, wine and alcohol will be distributed throughout the Specific Plan area, in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities, which will be located primarily indoors and sufficiently set back from Sepulveda Boulevard. No sensitive land uses are adjacent to or near the Specific Plan area that could be impacted by the operation of the onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities. 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. Lastly, the El Segundo Police Department has not identified the subject property as a high crime area. Accordingly, given the commercial and industrial/manufacturing 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, Zone Change, General Plan Amendment and The Lakes Specific Plan created development standards specific to the subject property, with specified uses, lot area, lot coverage, height, and other restrictions which allow onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities. Further, 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 June 8, 2017. In addition, proper hearing decision and records will be compiled with, and the required findings considered and adopted by the City Council at a future noticed public hearing. Lastly, appropriate conditions have been included to minimize impacts.

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

The City currently maintains a license from ABC for on-site sale and consumption of beer and wine (Type 41). The future operator of the golf-
themed commercial recreation and entertainment facility will apply for a separate license with ABC to sell alcohol.

SECTION 9: For the foregoing reasons and based on the information and findings included in the Staff Report, Resolutions, Minutes and the whole of the administrative record, the City Council of the City of El Segundo hereby:

A. Approves Environmental Assessment No. EA-1135, General Plan Amendment No. 16-01, Site Plan Review No. 16-01, Lot Line Adjustment No. SUB 16-03, and Conditional Use Permit No. CUP 16-05, subject to the conditions of approval attached hereto as Exhibit "F" and incorporated herein by this reference.

SECTION 10: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the 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 CenterCal Properties, LLC, and to any other person requesting a copy.

SECTION 15: Effective Date: Environmental Assessment No. EA-1135 will become effective immediately upon adoption of this Resolution. General Plan Amendment No 16-01, Site Plan Review No. 16-01, Lot Line Adjustment No. SUB 16-03 and Conditional Use Permit No. CUP-16-05 will become effective on the Effective Date of Ordinance No. _____.
PASSED, APPROVED AND ADOPTED this ___ day of ____________, 2017.

________________________________________
Suzanne Fuentes, Mayor

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

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. ____ was duly introduced by said City Council at a regular meeting held on the ___ day of ____________, 2017, 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 ____________, 2017, 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
The Lakes Specific Plan: The specific plan area contains two subareas that permit a mix of recreational and recreation-related entertainment uses, and other uses as specified in The Lakes Specific Plan. The maximum floor area in the PUB-REC/OS subarea is based on the maximum allowable height limit of 26-feet and the maximum allowable lot coverage of 40-percent. The maximum overall FAR in the CPR/OS subarea is 0.147, which is based on the approximately 10.49-acre size of the subarea.
Resolution No. ____
Exhibit B

El Segundo General Plan Land Use Element, Page 3-14

Proposed Land Use Plan

Revise the following paragraph on page 3-14 as illustrated below

"Southeast Quadrant

*   *   *

The remaining land in the southeast quadrant is designated as public facilities for the Green Line station along El Segundo Boulevard and the proposed water reclamation facility north of Hughes Way; parks The Lakes Specific Plan for the Golf Course and Driving Range the proposed golf-themed commercial recreation and entertainment facility along Sepulveda Boulevard; and open space along the Southern California Edison transmission line rights-of-way. A 5.4 acre portion of the Southern California Edison right-of-way is also designated as the Aviation Specific Plan area. The privately-owned park for Hughes employees is also designated as open space, to ensure it will continue to be used as a recreation facility.

*   *   *
## 1992 General Plan
### Summary of Existing Trends Buildout

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<td><strong>Population Projection</strong></td>
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1 Existing construction and recently constructed, renovated commercial centers and legal non-conforming residential uses at densities that are currently higher than allowed by the land use designations in this plan will not realistically be converted to mixed commercial/residential uses and these buildings are expected to remain for the life of the Plan.

2 The heavy industrial shown on this plan includes the Chevron Refinery and former Southern California Edison Generation Station. These facilities have processing equipment and tanks rather than buildings and are expected to remain for the life of the Plan. Therefore, no estimated building square footage is shown.
EXHIBIT "E"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR EXHIBIT "B"

LEGEND

PROJECT BOUNDARY
---
ADJUSTED PARCEL LINE
---
PROPOSED PARCEL LINE
---
ADJACENT PROPERTY LINE

SCALE: 1" = 400'

LOT LINE ADJUSTMENT
CITY OF EL SEGUNDO, CALIFORNIA

DORC Engineering, Inc.
Civil Engineering/Land Surveying/Land Planning
RESOLUTION NO. ___

Exhibit F

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), CenterCal Properties, LLC, and its successor-in-interest agrees to comply with the following provisions as conditions for the City of El Segundo's approval of Environmental Assessment No. EA-1135 (Environmental Impact Report and Mitigation Monitoring Reporting Program); General Plan Amendment No. 16-01; Zone Change No. ZC 16-01; Specific Plan No. SP 16-02; Zone Text Amendment No. ZTA 16-04; Site Plan Review No. 16-01; Lot Line Adjustment No. SUB 16-03; and Conditional Use Permit No. CUP 16-05 ("Project Conditions").

General

1. The approval is for the Lakes Specific Plan and a new Topgolf facility, consisting of the following:
   (i) Environmental Assessment No. EA-1135, an Environmental Impact Report (EIR) and an associated Mitigation Monitoring and Reporting Program (MMRP);
   (ii) General Plan Amendment No. 16-01, to change the underlying General Plan Land Use designation of the Lakes at El Segundo golf course property from "Parks", to "The Lakes Specific Plan" as specified in Ordinance No. ___ and incorporated by reference;
   (iii) Zone Change No. ZC 16-01, to change the underlying Zoning designation from O-S (Open Space), to TLSP (The Lakes Specific Plan) with two Subareas classified PUB-REC/OS (Public Recreation/Open Space) measuring 16.06-acres and CPR/OS (Commercial Public Recreation/Open Space) measuring 10.49-acres as specified in Ordinance No. ___ and incorporated by reference;
   (iv) Specific Plan No. SP 16-02, to create a new specific plan for the Lakes at El Segundo golf course that specifies the uses permitted within the Specific Plan area, and establishes development standards tailored to the unique recreation and entertainment uses for the specific plan area as specified in Ordinance No. ___ and incorporated by reference;
   (v) Zone Text Amendment No. ZTA 16-04, to add the new TLSP (The Lakes Specific Plan) Zoning designation to the Zoning Code as specified in Ordinance No. ___ and incorporated by reference;
   (vi) Site Plan Review No. 16-01, for the development within The Lakes Specific Plan area, including a new Topgolf building, a redeveloped clubhouse, and modified holes in the golf course. Specifically, the development includes:
      a) Replacing the existing driving range with a three-story approximately 67,170 gross square-foot Topgolf commercial recreation and
entertainment facility. The new facility measures approximately 55-feet in overall height, and includes a 32,309 square-foot hitting bay and seating/waiting area, which consists of private suites. From these hitting bays, players hit balls into an open area that is surrounded by netting and support poles (up to 175 feet in height) that are designed to block/contain errant balls. The facility includes 10,024 square feet of restaurant, bar, and kitchen space; 3,144 square feet of meeting and event space; 2,439 square feet of office space; 1,895 square feet of lounge space; 1,365 square feet of lobby space; and approximately 15,994 square feet of storage, circulation, and miscellaneous space. An approximately 3,000 square foot outdoor terrace on the third floor of the building is also approved and will be used for entertainment involving live music from a band or disc jockey (DJ). Lastly, the existing driving range grass will be replaced with a high density fiber turf;

b) Modifying and expanding the existing parking lot to accommodate a total of 523 spaces, whereby 420 spaces will be located in the CPR/OS Subarea of the Specific Plan and 103 spaces will be located in the abutting WBMWD property through a license agreement between the City of El Segundo and WBMWD. The parking will serve both the Topgolf facility and the golf course facility;

c) Modifying the fairways and layouts of six holes at the existing golf course;

d) Installing lighting throughout the nine-hole golf course to accommodate nighttime play. The lighting would primarily be concentrated at the tee boxes and greens; and,

e) Demolishing the existing clubhouse, and constructing a new one-story clubhouse measuring 2,500 square feet, with a 1,010 square foot outdoor patio overlooking a new putting and chip-shot practice area.

(vii) Lot Line Adjustment No. SUB 16-03, to reconfigure the existing two parcels in The Lakes Specific Plan; and,

(viii) Conditional Use Permit No. CUP 16-05, to allow Topgolf as a private/commercial recreational facility, and to allow onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities.

2. The development of the project shall be in substantial compliance with the plans, and colors and material palette as contained in the plans presented to the Planning Commission on June 8 and July 13, 2017, and approved by the City Council on __________, 2017; with The Lakes Specific Plan and zoning district; the mitigation measures, conditions and standards contained in Planning Commission Resolution No. 2820 and Planning Commission Resolution No. 2821 (unless superseded by the conditions and standards contained in this Resolution); and, the El Segundo Municipal Code.
3. The development and operation 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 __________. The mitigation measures are repeated herein under the appropriate subject heading, sometimes with clarifying language that may differ from the MMRP. All costs associated with implementation of the Mitigation Monitoring Program shall be the responsibility of the Applicant/Developer, and/or any successors in interest.

4. The Planning and Building Safety Director is authorized to approve minor modifications to the approved plans or any of the conditions if such modifications achieve substantially the same results as would strict compliance with said plans and conditions. Otherwise, all other modifications shall be subject to review and approval by the Planning Commission.

5. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.

6. In the event that a Planning, Building, Public Works, Fire Department or Police Department requirement are in conflict, the stricter standard shall apply.

7. A positive balance shall be maintained in all project Reimbursement Accounts at all times. If the balance of the Reimbursement Account(s) associated with the project becomes negative at any time, all work on the project shall be suspended (including plan checks, issuance of permits and project inspections) until such time as the sufficient funds are deposited to return the account(s) to a positive balance.

8. Centercal and TopGolf shall adhere to all conditions set forth in the Ground Lease Agreement, specifically "Section 11. Operation, Repairs and Maintenance" and "Exhibit D" of the Agreement.

9. Permitted hours and days for construction activity are 6:00 AM to 8:00 PM, Monday through Sunday. Construction hours may be extended at the discretion of the Planning and Building Safety Director

10. 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 Director. Direct illumination of an adjacent property is not allowed. 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. 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 and to ensure that the lighting does not result in a significant impact.
11. Maximum building height of the Topgolf facility shall be limited to 55-feet in overall height, as measured from lowest finish grade adjacent to the building, to the highest ridgeline or parapet wall. Any roof mounted light fixtures are allowed to project not more than 3-feet above the highest ridgeline or parapet wall, for a maximum height of 58-feet to the top of the light fixture.

12. Maximum height of the netting support poles associated with the Topgolf facility shall be limited to 175-feet in height, as measured from adjacent grade to top of pole.

13. An overall Master Sign Program for the Topgolf facility shall be submitted and approved by the Director of Planning and Building Safety prior to installation.

Impact Fee Conditions

14. Pursuant to ESMC §§ 15-27 A-1, et seq., prior to the issuance of a building and/or grading permit for the Topgolf facility, the applicant must pay a one-time library services mitigation fee. The fee amount must be based upon the adopted fee at the time the building permit is issued.

15. Pursuant to ESMC §§ 15-27 A-1, et seq., prior to the issuance of a building and/or grading permit for the Topgolf facility, the applicant must pay a one-time fire services mitigation fee. The fee amount must be based upon the adopted fee at the time the building permit is issued.

16. Pursuant to ESMC §§ 15-27 A-1, et seq., prior to the issuance of a building and/or grading permit for the Topgolf facility, the applicant must pay a one-time police services mitigation fee. The fee amount must be based upon the adopted fee at the time the building permit is issued.

17. Pursuant to ESMC §§ 15-27 A-1, et seq., prior to the issuance of a building and/or grading permit for the Topgolf facility, the applicant must pay a one-time park services mitigation fee. The fee amount must be based upon the adopted fee at the time the building permit is issued.

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

19. Pursuant to ESMC §§ 15-27 A-1, et seq., and before the City issues a certificate of occupancy for the Topgolf facility, the applicant must pay a one-time traffic mitigation fee. The fee amount must be based upon the adopted fee at the time the building permit is issued.

Construction Conditions
20. The project site shall be off with temporary chain link fencing with a green fabric backing. The fencing shall remain in place and shall be maintained in good appearance until the project has been completed, or until such time as determined by the Building Official. Another color of fabric may be utilized with prior approval from the Planning and Building Safety Department.

21. A weatherproof notice/sign to report dust, noise, or other construction-related impacts shall be posted and prominently displayed on the construction fencing clearly visible to the public from along Sepulveda Boulevard. The notice/sign shall set forth the name of the person(s) responsible for the construction site and a phone number(s) to be called in the event that a construction-related impact occurs.

22. Archaeological and Native American monitoring shall be conducted for all ground disturbing activities within the project site. Monitoring shall be performed under the direction of a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983). If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and the find must be evaluated by the qualified archaeologist. Depending upon the nature of the find, if the discovery proves to be potentially significant under CEQA, as determined by the qualified archaeologist, additional work such as on site monitoring by a qualified Native American Tribal representative, data recovery excavation, avoidance of the area of the find, documentation, testing, data recovery, rebury, archival review and/or transfer to the appropriate museum or educational institution, or other appropriate actions may be warranted at the discretion of the qualified archaeologist. The archaeologist shall complete a report of excavations and findings, and submit the report to the Director of Planning and Building Safety. After the find is appropriately mitigated, work in the area may resume.

23. If human remains are found during ground disturbing activities, State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner shall be notified immediately. If the human remains are determined to be prehistoric, the coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

24. All utility lines to serve the development shall be placed underground.
25. The developer shall be responsible for the relocation of any existing utility necessary as a result of the development.

26. Erosion control devices shall be installed at all perimeter openings and slopes. No sediment shall leave the job site. All newly graded surfaces not immediately involved in construction shall have some method of erosion protection, i.e., mulching, fiber fabric, planting, or tackifier.

27. Water spraying or other approved methods shall be used during grading operations to control fugitive dust. Recycled water shall be used for grading operations whenever available.

28. Public sidewalks must remain open at all times.

29. Any transporting of heavy construction equipment and/or materials, which require the use of oversized transport vehicles on State highways, will require a Caltrans transportation permit. Any hauling of materials should not occur during A.M and P.M peak periods of travel on State facilities during demolition and construction of the proposed project. All vehicle loads should be covered so that materials do not blow over or onto the Caltrans’ Right-of-Way.

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

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

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

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

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

35. The project must comply with ESMC Chapter 5-4, which establishes storm water and urban pollution controls.

36. Before anticipated rainfall, construction dumpsters must be covered with tarps or plastic sheeting.
37. Inspections of the project site before and after storm events must be conducted to determine whether Best Management Practices have been implemented to reduce pollutant loadings identified in the Storm Water Prevention Plan.

38. The owner or contractor must conduct daily street sweeping and truck wheel cleaning to prevent dirt in the storm drain system. Truck wheel cleaning shall be conducted onsite to minimize dirt in the public right-of-way and prevent dirt in the storm drain system.

39. Storm drain system must be safeguarded at all times during construction.

40. All diesel equipment must be operated with closed engine doors and must be equipped with factory-recommended mufflers.

41. Electrical power must be used to run air compressors and similar power tools.

**Operational Conditions**

42. Hours of operation for the Topgolf facility shall be limited to the hours of 6:00am to 2:00am, Monday through Sunday.

43. All DJ’s and bands shall connect to the facility’s in-house sound system and speakers.

44. All overhead speakers in the outdoor terrace of the Topgolf facility shall be oriented inward and down to the facility’s floors.

45. A minimum total of 511 parking spaces shall be provided to serve players, visitors, and employees of both the proposed Topgolf facility and the existing golf course facility. A minimum of 420 spaces shall be provided within the boundaries of The Lakes Specific Plan, and a minimum of 91 spaces shall be provided on the abutting West Basin Municipal Water District property to the south through a License Agreement between the City and West Basin Municipal Water District. If, in the opinion of the Director of Planning and Building Safety or of the Director of Recreation and Park, parking impacts are observed, the applicant shall implement a valet parking program as necessary to accommodate parking demand in excess of the parking capacity property by the 511 parking spaces.

Said License Agreement must be in effect prior to issuance of a Certificate of Occupancy for the Topgolf facility. In the event a License Agreement is not entered into, or if the License Agreement is terminated, the Applicant shall implement a valet parking program in accordance with the Parking Management Plan prepared by Georgia Valet Services, on file with the Director of Planning and Building Safety to accommodate a minimum of 464 parked vehicles onsite. Additionally, if, in the opinion of the Director of Planning and Building Safety or of the Director of
Recreation and Park, parking impacts are observed, the applicant shall implement a revised valet parking program as necessary to accommodate parking demand in excess of the 464 parked vehicles. Should the Parking Management Plan be implemented, a review of the circulation and parking operation will be conducted six months after issuance of a Certificate of Occupancy or Lease Agreement termination.

At the expense of the applicant, the City will monitor parking lot operations, including the valet parking operations, for 6-six months. Monitoring may include, but not be limited to, a two-hour in-person observation twice per month during the monitoring period at a time/day determined by the Director of Planning and Building Safety. Additionally, the Applicant is required to provide video camera footage of the parking management operation during the hours between 6:00am and 10:00am, and between 6:00pm and 2:00am on Fridays, Saturdays and Sundays for the six-month observation period. If parking and traffic circulation is considered deficient by the Planning and Building Safety Director, then the Director will develop additional operational conditions subject to review and approval by the Planning Commission at a noticed public hearing.

46. All utility equipment, including air conditioning equipment, at ground level shall be screened (from the parking area and adjacent surface streets) by landscaping and/or other screening methods as approved by the Planning and Building Safety Director.

47. All roof-mounted equipment shall be architecturally screened from ground level view (from the parking area and adjacent surface streets) by the parapet wall and/or other screening methods as approved by the Planning and Building Safety Director.

48. All building drainage gutters, down spouts, vents, and other roof protrusions shall be concealed from view within exterior walls. Ladders for roof access shall be mounted on the inside of the buildings.

49. All utility, mechanical, and electrical equipment, including fire risers, shall be enclosed within the buildings.

50. All buildings shall be designed to comply with all ESMC standards for the attenuation of interior noise.

Alcohol/Beer and Wine

51. The onsite sale and consumption of beer and wine, and/or alcohol (ABC Type 41 and ABC Type 47, respectively) are allowed in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities.
52. There must be no exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of specific alcoholic beverage products. Interior displays of alcoholic beverages which are clearly visible to the exterior constitute a violation of this condition.

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

54. Any and all employees hired to sell alcoholic beverages must provide evidence that they have either:
   i. Completed training in ABC- administered Leadership and Education in Alcohol and Drugs (LEAD) Program as demonstrated by an ABC-issued certificate; or,
   ii. Completed an accepted equivalent by ABC to ensure proper distribution of beer, wine and distilled spirits to adults of legal age. If any prospective employee designated to sell alcoholic beverages does not currently have such training, then;
   iii. The ABC-licensed proprietors must have confirmed with the Planning and Building Safety Department within 15 days of the Director’s decision, or by final project approval, that a date certain is scheduled within the local ABC Office to complete the LEAD course.
   iv. Within 30 days of taking said course, the employees, or responsible employer must deliver each required certificate showing completion to the Police Department.

55. The Applicant/licensee shall not permit any loitering on the subject site.

56. The owner/applicant/licensee 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.

Trash/Trash Enclosures

57. Mandatory solid waste disposal services shall be provided by a City approved waste hauler to all parcels/lots or uses affected by approval of this project.

58. The Applicant shall provide receptacles (bins) for the collection of refuse and recyclable materials, as well as a hose bib for washing collection areas. Prior to the issuance of building permits, the applicant shall provide documentation from a City approved waste hauler stating that the number and size of bins provided for the collection of refuse and recyclable materials generated by the project is adequate.
59. Prior to the issuance of building permits, the Applicant shall provide documentation from a City approved waste hauler stating that the dimensions of the refuse storage enclosure are of adequate size to accommodate containers consistent with the current methods of collection, are designed with a walk-in access component, and located and designed to facilitate trash truck access and pickup.

60. Trash enclosure areas for the project shall have a non-combustible decorative cover and be enclosed by a six (6) foot high masonry wall with decorative caps that match the building’s architecture.

Building Safety Division


62. Construction projects must comply with Best Management Practices for construction and storm-water runoff requirements of the National Pollutant Discharge Elimination System MS4 Permit.

63. Construction activity resulting in a land disturbance of one acre or more, or less than one acre but part of a larger common plan of development or sale must obtain the (SWPPP) Construction Activities Storm Water General Permit

64. A site specific soils and geotechnical report must be submitted to the Building and Safety Division for review and approval. The report shall comply with the minimum requirements of Chapter 18 of the CBC and address the possible sulfate content of the soils.

65. A stamped setback certification by a Licensed Surveyor will be required to certify the location of the new construction in relation to the setbacks prior to the first foundation inspection and stamped setback certification by a Licensed Surveyor will be required to certify the height of the structures prior to issuance of Certificate of Occupancy.

66. Plans submitted for plan check must be stamped by State-licensed architect or engineer and at a minimum shall include:
   • Complete structural calculations, details, notes and material specifications.
   • Complete Accessibility Plan with a statement from a CASp indicating that a plan review has been performed and that it complies with the requirements of Chapter 11A &11B of the CBC.
   • A stamped and signed survey by a Licensed Surveyor
   • A complete grading and drainage plan showing compliance with the Los Angeles Regional Water Quality Control Board (LARWQCB) Low Impact
Development (LID) requirement. The Los Angeles County LID Manual may be used as guidelines for preparing the LID report.

- Hydrology report along with hydraulic calculations.

67. Applicant to pay all Development fees, including school fee, prior to issuance of building permits.

Fire Department Conditions

68. 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.

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

70. The applicant must provide a manual fire alarm system with voice evacuation throughout the building, installed in accordance with California Fire Code Chapter 9 and the currently adopted edition of NFPA 72.

71. The applicant must provide a fire apparatus access roadway. The fire apparatus access roadway must meet requirements in the adopted California Fire Code and El Segundo Fire Department Fire Prevention Regulation A-1-a.

72. 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.

73. Any private fire hydrants must be installed and maintained in accordance with El Segundo Fire Department Regulation H-2-a “Fire Hydrant and Private Fire Main System Installation”.

Public Works Department Conditions
74. The applicant shall comply with the conditions and requirements contained in the Inter-Departmental Correspondence transmittal from the El Segundo Public Works Department dated May 31, 2017, a copy of which is attached hereto.

Police Department Conditions

75. The applicant shall comply with the requirements contained in Municipal Code Chapter 13.20, Security Code.

Miscellaneous

76. The applicant or 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 to 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.

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

Mitigation Measures

The development shall comply with all of the following mitigation measures of the adopted Mitigation Monitoring and Reporting Program

Air Quality:

AQ-1: In accordance with SCAQMD Rule 403, excessive fugitive dust emissions must be controlled by regular watering or other dust prevention measures, and with Rule 402, which requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site as specified in the SCAQMD's Rules and Regulations, the following shall be implemented during construction:

a. 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.

b. Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to particulate matter generation.
c. 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.

d. Any on-site stockpiles of debris, dirt, or other dusty material must be enclosed, covered, watered twice daily, or non-toxic soil binders shall be applied.

e. All grading and excavation operations must be suspended when wind speeds exceed 25 miles per hour.

f. Disturbed areas must be replaced with ground cover or paved immediately after construction is completed in the affected area.

g. Track-out devices such as gravel bed track-out aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by rock berm or row of stakes) are required to reduce mud/dirt trackout from unpaved truck exit routes. Alternatively a wheel washer must be used at truck exit routes.

h. On-site vehicle speed must be limited to 15 miles per hour.

i. All material transported off-site must be either sufficiently watered or securely covered to prevent excessive amounts of dust before departing the job site.

j. Reroute construction trucks away from congested streets or sensitive receptor areas.

Hazards and Hazardous Materials:

HAZ-1: Before a Demolition Permit is issued, an environmental professional with Phase II/site characterization experience must conduct an inspection of existing onsite structures. The inspection must determine whether or not testing is required to confirm the presence or absence of hazardous substances in building materials (e.g., sinks, drains, piping, flooring, walls, ceiling tiles). Should testing be required and results determine that hazardous substances are present in onsite building materials, the Phase II/site characterization specialist must determine appropriate prevention/remediation measures that are required and/or the methods for proper disposal of hazardous waste at an approved landfill facility, if required.

Noise:

N-1: Before the City issues the grading permit, the Project Applicant must demonstrate, to the satisfaction of the Director of Public Works that the Project complies with the following:

- All construction equipment must be equipped with mufflers and sound control devices (e.g., intake silencers and noise shrouds) no less effective than those provided on the original equipment and no equipment shall have an un-muffled exhaust.

- The contractor must maintain and tune-up all construction equipment to minimize noise emissions.
• Stationary equipment must be placed so as to maintain the greatest possible distance to the sensitive receptors.
• All equipment servicing must be performed so as to maintain the greatest possible distance to the sensitive receptors.
• Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for Project construction are required to be hydraulically or electronically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler must be used; this muffler can lower noise levels from the exhaust by up to approximately 10 dBA. External jackets on the tools themselves must be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures must be used, such as drills rather than impact equipment, whenever feasible.
• A qualified “Noise Disturbance Coordinator” will be retained amongst the construction crew to be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, malfunctioning muffler, etc.) and implement reasonable measures to resolve the complaint, as deemed acceptable by the Director of Planning and Building Safety.
• Select demolition methods to minimize vibration, where possible (e.g., sawing masonry into sections rather than demolishing it by pavement breakers).

By signing this document, _______________________ on behalf of CenterCal Properties LLC, certifies that he/she has read, understood, and agree 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}
City of El Segundo
INTER-DEPARTMENTAL CORRESPONDENCE

TO: Eduardo Schonborn, Principal Planner
FROM: Ken Berkman, Public Works Director
CC: Sam Lee, Director of Planning and Building Safety
    Lifan Xu, City Engineer
    Orlando Rodriguez, Senior Civil Engineer
DATE: May 31, 2017
SUBJECT: EA-1135, 400 S Sepulveda Blvd. (TopGolf)

The following are the Public Works Department’s Conditions of Approval for the subject project.

1. Applicant shall comply with all terms of the Agreement with the City, #4924-1 and all subsequent amendments.

2. 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.

3. 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 (ROW).

4. The Project must comply with the National Pollutant Discharge Elimination System (NPDES) Permit requirements and provide Best Management Practices (BMPs) for sediment control, construction material control and erosion control. All NPDES Permit requirements must be provided for prior to issuance of any permit for Demolition, Drainage, or Grading, as applicable.

5. The grading and drainage plan must be provided by a State-licensed Civil Engineer. Hydrologic and hydraulic calculations must be submitted to size appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. All plans and studies shall be prepared by a State-licensed Civil Engineer and approved by the City Engineer prior to issuance of a Grading Permit.
6. 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.

7. No construction-related parking or materials staging shall be permitted on or within the Public ROW.

8. Prior to commencing work, applicant shall secure all necessary permits from the Public Works Department, including lane closures.

9. All on-site drainage devices, concrete curbs and gutters, sidewalks, drive approaches, and roadway/parking lot pavement shall be designed and constructed in compliance with the latest edition of the American Public Works Association Standard Plans (“APWA Standards”) and the Standard Specifications for Public Works Construction (Greenbook), to the satisfaction of the City Engineer.

10. Sepulveda Boulevard is a Caltrans-owned and maintained roadway. All work performed within Caltrans ROW requires review and approval by Caltrans and a Caltrans-issued permit.

11. At the sole cost and expense of the Property Owner, any broken or damaged public infrastructure resulting from construction of the Project shall be repaired and reconstructed as noted in condition numbers 9 and 10.

12. All Project related solid and recyclable waste material handling shall be in accordance with any and all existing State laws at the time of Building Permit issuance. Records demonstrating compliance shall be provided to the Building Official and Public Works Director prior to issuance of a Certificate of Occupancy.

13. Pursuant to condition #12, reasonable efforts shall be used to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment and systems. A Demolition Debris Recycling Plan that indicates where select demolition debris is to be sent shall be provided to the Building Official prior to the issuance of a demolition permit. The Plan shall list the material to be recycled and the name, address, and phone number of the facility of organization accepting the materials.

14. A Construction Management Plan prepared by the construction contractor, which identifies the areas of construction staging, temporary power, portable toilet, and trash and material storage locations, shall be submitted to and approved by the Building Official and City Engineer. Prior to commencement
of work the construction contractor shall advise the Public Works Inspector and the Building Inspector ("Inspectors") of the construction schedule and shall meet with the Inspectors.

15. A Pedestrian Protection Plan shall be submitted to and approved by the Building Official and City Engineer. Such plan shall identify all areas of pedestrian protection and indicate the method of pedestrian protection or pedestrian diversion when required. When pedestrian diversion is required, the Pedestrian Protection Plan must also be approved.

16. Prior to issuance of a Certificate of Occupancy, all unused driveways must be closed off with full height curb, gutter and sidewalk per Greenbook and APWA standards, as applicable to match the existing site conditions.

17. The applicant must provide a potable water service laterals and water meters for the lot. The location and sizes of all proposed water meters must be approved by the Public Works Department/Water Division.

18. The proposed Project may affect the capacities of the existing sewer main lines. Applicant must provide the City with current and proposed daily sewage use calculations. The City will review the calculations and will inform the applicant if sewer main upgrades are necessary. If sewer main upgrades are necessary, the applicant will provide a one-week flow analysis on manholes and a sewage flow study for the proposed improvements, and design and construct the necessary upgrades to the satisfaction of the City Engineer. Design must be approved by the City Engineer prior to issuance of a Building Permit; Construction must be completed and accepted by the Public Works Director prior to issuance of a Certificate of Occupancy.

19. The sewer connection fee for this project must be paid to the Los Angeles County Sanitation District. They can be reached at 310.638.1161.

20. The applicant must provide sewer laterals with cleanouts and pay the required sewer connection fees.

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

22. All Record Drawings ("As-Built") and supporting documentation shall be submitted to the Public Works Engineering Division prior to scheduling the project's final inspection.
23. A Construction Traffic Management Plan shall be prepared by a State-licensed Traffic or Civil Engineer. The Construction Traffic Management Plan shall be submitted to the City Engineer for review and approval prior to the issuance of any Project demolition, grading, or drainage permit. The Construction Traffic Management Plan shall also be reviewed and approved by the City's Fire and Police Departments. The City Engineer reserves the right to reject any engineer at any time and to require that the Plan be prepared by a different engineer. The Construction Traffic Management Plan shall contain, but not be limited to, the following:

a. The name and telephone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations.

b. An up-to-date list of local police, fire, and emergency response organizations and procedures for the continuous coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Coordination shall include the assessment of any alternative access routes that might be required through the Property, and maps showing access to and within the Property and to adjacent properties.

c. Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan.

d. The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas.

e. The location and travel routes of off-site staging and parking locations.
City of El Segundo
INTER-DEPARTMENTAL CORRESPONDENCE

LOT LINE ADJUSTMENT CONDITIONS

1. Provide current Preliminary Title Report (within 30-days).

2. Application must be completed and signed by the property owners.

3. Show all existing and proposed easements.

4. Provide a legal description and plat showing clearly delineating existing and proposed lot lines. Provide closure calculations.

5. Provide acreage (before and after) of each lot.

6. Must be prepared by a State-licensed Land Surveyor, or properly State-licensed Civil Engineer.
EA-1135, SUB 16-03 – Top Golf

Facility Address: 400 S. Sepulveda Bl.

Owner Name: City of El Segundo

Phone: -----

Applicant Name: ES Centeral, LLC

Phone: -----

INSTRUCTIONS:
Prior to approval, the plans must indicate the information, revisions, and/or corrections indicated below. To the left of the corrections, please indicate the sheet number of the plans on which the correction has been made. Cloud all corrections on plans. Notes are not acceptable.

ADDRESSING
1. The street addressing shall be a minimum of 6 inches high, visible from the street or driving surface, of contrasting color to the background and directly or backlit illuminated during hours of darkness.
   • Note on the plans how the addressing will be illuminated (direct or backlit).
2. All addressing locations and sizes shall be depicted on the elevation pages.

LANDSCAPING
1. All landscaping shall be low profile around perimeter fencing, windows, doors and entryways taking special care not to limit visibility or provide climbing access. Floral or grass ground cover is recommended. Bushes shall be trimmed to 2 to 3 feet and away from buildings. Dense bushes shall not be clumped together; this provides a hiding place for criminal activity. Trees shall be trimmed up to 7 feet.
2. Trees/bushes/shrubs shall not be planted next to or near any light fixture or light standard. When grown to maturity this landscaping will block the light and reduce lighting on the ground surface.
   • Are you intending to plant trees throughout in the parking lot? If so, where are they located in relation to the light standards?

LIGHTING (Photometric Study - Sheet 13):
1. The parking lot, all entry and service doors, bicycle racks, sidewalks and trash dumpster shall be illuminated with a maintained minimum of one footcandle of light on the ground surface during hours of darkness.
2. A photometric study, which includes all of the above, shall be provided prior to issuing the Building Permit.
3. A site plan shall be provided showing buildings, parking areas, walkways, and the point-by-point photometric calculation of the required light levels. Footcandles shall be measured on a horizontal plane and conform to a uniformity ratio of 4:1 average/minimum.
4. Street lighting shall not be included in the calculations.
EXTERIOR LADDERS
1. Exterior mounted ladders are prohibited except:
   o Ladders with a minimum 1/8 inch thick steel plate, securely attached to the ladder edge on each side and extending to within two inches of the wall for a height of ten feet above ground level. A door or cover shall be securely attached to the front of the ladder and be constructed of a minimum 1/8-inch steel, extending from ground level to at least ten feet high. The ladder door shall have nonremovable hinge pins and be locked tight against the side wall by a locking mechanism with a minimum five pin tumbler operation, and attached with nonremovable bolts from the exterior; or,
   o Ladders beginning at a height of ten feet above ground.

SECURITY CAMERAS (Include notes in plan)
1. 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.
2. The Police Department shall determine the monitoring and recording location of the security cameras, which include, but are not limited to: receiving areas, cash handling/counting areas, the manager's office, the safe, all access doors and any other areas deemed necessary by the Police Department.
3. Monitor and recording equipment shall be stored in a secure area (ex. manager's office).
4. The Police Department's minimum camera requirements shall be listed after the Camera Specifications.
5. Camera Specifications:
   • All security cameras shall be in color.
   • Cameras, especially those viewing customers as they enter the business or stand at cash registers, shall capture the individual from the waist to the top of the head, straight on.
   • If storefront windows and entry doors are constructed of glass, cameras shall be positioned to face away from them to prevent glare.
   • Cameras facing Point of Sale shall be slightly off set so the employee at the register does not block full view of the customer.
   • Cameras shall be situated low enough so that caps/hats or other disguises (typically used when committing a crime) will not obstruct the view of the individual's face. This will provide the best possible picture for identification during the investigation process.
   • Interior cameras: the maximum mounting height shall be 8 feet. Parking lot cameras: the maximum mounting height shall be 10-12 feet.
   • 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 (ex. manager's office).
   • Security camera recordings shall be made available to law enforcement.
6. The minimum camera locations for this project shall capture, but is not limited to:
   - All public access doors, facing the customers as they exit.
   - Customers as they stand at all points of sale.
   - The parking lot and driveway entrances (capturing the license plate).
   - Each safe.
   - Public Restroom doors.
   - The lobby desk/lobby area.
   - First floor stairwell doors and elevator lobby.
   - Bar seating and bar area seating.
   - Café seating area.

SAFE
1. A safe shall be installed in all commercial/retail businesses in a secured location (ex: manager’s office) and shall be equipped with suitable anchors in concrete blocks or to the premises in which it is located.
   - Note in plans the location of each safe and that it “shall be equipped with suitable anchors in concrete blocks or to the premises in which it is located.”

DOCK AREA
1. Sectional/roll-up door(s) shall have an interior locking device located on each side of the door (padlocks or cane bolts can be used).

STAIR WELL DOORS (INTERIOR AND EXTERIOR)
1. Pedestrian doors which provide access to stairwells shall be constructed and equipped as follows:
   - A minimum 100 square inch vision panel with the width not less than five inches shall be installed to provide visibility into the area being entered. Vision panels shall meet requirements of the Uniform Building Code.
   - Secured exterior doors with vision panels shall preclude manipulation of the interior locking device from the exterior.

DOORS/HARDWARE
1. Entry doors:
   - See El Segundo Police Department Approved hardware below

2. All cash handling rooms and manager’s office shall have:
   - A deadbolt locking device.
     - See El Segundo Police Department Approved hardware below.
   - A wide-angle (190-200 degrees) door viewer installed, mounted no more than fifty eight inches from the bottom of the door.
El Segundo Police Department Approved Security Hardware

Single Or Double Swing / Hollow Metal And Wood Doors Only:
- Schlage L9453 or equal lockset (Grade 1 lockset with 1" throw bolt)
  - with the equivalent of an MS 4043 cylinder guard.
- Electrified L9453 or equal (Grade 1 lockset with 1" throw bolt)
  - with the equivalent of an MS 4043 cylinder guard.
  - *A latch bolt by itself is not acceptable*
- A latch guard shall be placed over single swing entry doors. If the door is recessed, a recessed latch guard shall be installed.

Hollow Metal Double Door Only:
- Must have a full length *steel* astragal (Pemko 357 or equal), not aluminum. Inactive door is to have auto-releasing flush bolts, header and threshold, with a min ½ " embedment.

Single Or Double Swing Doors where panic hardware is required (wood, hollow metal and aluminum):
- Von Duprin or equal vertical rod panic hardware [panic bar shall be offset on both sides – Adams Rite is not acceptable for this application on aluminum doors only
- There shall be no mail slot located within 40" of the door, where the push bar can be manipulated by reaching through.

Single Door Alternative where panic hardware is required:
- Rim Panic with the installation of an exterior 12 inch astragal. If astragal can’t be installed a vertical rod panic device will be required.

Aluminum/Glass Doors only where panic hardware is not required:
- **Single Swing:** Adams Rite MS1890 Hook bolt with an Adams Rite 4002 Flat Armored Trim Strike plate, or, Keedex surface mounted armored strike or equal (meeting a minimum 1500 pound sheer force)
  - with a MS 4043 Cylinder Guard or equal.
- **Double Swing:** MS 1850 Laminate Swing Bolt (1 ¾") and:
  - an MS 4043 Cylinder Guard or equal.
  - An Adams Rite 4085 header bolt or equal
  - and a Adams Rite MS 4002 Radius Armored Trim Strike plate designed for double doors or equal.

Hinges:
- All exterior hinges, whether off a common corridor or to the ext of the building will require that all three hinges have an NRP designation (non-removable pin) set screw.

**HARDWARE LISTED ARE EXAMPLES. HOWEVER, ANY EQUAL GRADE IS ACCEPTABLE AFTER CUT SHEETS ARE PROVIDED AND MEETS WITH THE POLICE DEPARTMENT APPROVAL.**
TRAFFIC DIVISION CONCERNS (Sgt. Mike Gill)

1. None.

RETURN THIS SHEET WITH REVISED PLANS AND SPECIFICATION WHEN CORRECTIONS HAVE BEEN MADE.

Reviewed and approved by:

Mitch Tavera, Chief of Police

Date
AMENDMENT NO. 3 to the

DUE DILIGENCE AND GROUND LEASE AGREEMENT

Between the City of El Segundo, a General Law Municipal corporation
(“Lessor” or "City") and ES CenterCal, LLC, a Delaware limited liability company
(“Lessee”)

Dated February 3, 2016

This Amendment No. 3 to Due Diligence and Ground Lease Agreement (this “Amendment”) is entered into this 5th day of September 2017 by and between Lessor and Lessee.

RECITALS

1. Lessor and Lessee (collectively, the “Parties”) entered into a Due Diligence and Ground Lease Agreement on February 3, 2016 (the “Original Lease”), as amended by that certain Amendment No. 1 to Due Diligence and Ground Lease Agreement by and between Lessor and Lessee dated December 20, 2016 and that certain Amendment No. 2 to Due Diligence and Ground Lease Agreement by and between Lessor and Lessee dated June 6, 2017 (the Original Lease together with Amendments 1 and 2 are collectively referred to as the “Lease”). Section 11 of the Lease contains several terms and conditions regarding the operation of the Premises and Premises Improvements, as defined therein. The Parties now wish to modify some of those terms and conditions.

2. Section 5.5 of the Lease, as previously amended, sets forth several conditions precedent to the Premises Turnover Date and commencement of the Basic Term of the Lease. The Parties wish to modify three of these conditions.

3. Amendment No. 2 to the Lease extended the Due Diligence Period to September 30, 2017. The Parties wish to extend that deadline to December 31, 2017.

4. The Lease as amended provides that the “Permitted Exceptions” are to be finalized and attached to the Lease by August 31, 2017. The Parties would like to extend this deadline to December 31, 2017.

5. The Parties wish to amend Exhibit D (“Golf Course Improvements”) to the Lease.

6. Capitalized terms used but not otherwise defined herein shall have the same meanings as set forth for such terms in the Original Lease.

7. The Parties desire to amend the Lease as provided herein.

NOW, THEREFORE, in consideration of the foregoing, the Parties agree as follows:
1. The first sentence of Section 5.3 of the Lease is amended to read as follows:

“At the Premises Turnover Date, the real property comprising the Premises must be free from all easements, encumbrances, or restrictions other than those set forth on Exhibit “E”, which will be finalized and attached hereto on or before December 31, 2017 (the “Permitted Exceptions”).”

2. Subsection (vii) of Section 5.5 of the Lease is amended to read as follows:

“(vii) prior to the expiration of the Due Diligence Period, Lessee has received a written commitment from Chevron USA, Inc., a Pennsylvania corporation (“Chevron”), to execute, and to consent to the recordation of, a document wherein Chevron approves of Premises Improvements and the use of the Premises as contemplated by this Lease, without regard to the identity of the operator of the use, for a period of not less than 50 years; such document may not impose any obligations on the City or on the Property and must be approved by the City Council;”

3. Subsection (x) of Section 5.5 of the Lease is amended to read as follows:

“Lessee shall have entered into an irrevocable license (the “Parking License”) with Lessor that (A) grants Lessor ingress and egress to and from the parking lot located on the Premises, (B) gives Lessor the right to require Lessee to mark, with signs or other markings acceptable to Lessor, up to thirty parking spaces in the parking lot to indicate that they are for the exclusive use of patrons of the Golf Course and related Golf Course amenities, employees on duty at the Golf Course or related amenities, and golf instructors during the Golf Course’s hours of operation as provided in Exhibit “D,” and (C) provides that the balance of the parking spaces in the parking lot are to be made available for both patrons of the Golf Course (and Golf Course related amenities) and patrons of Topgolf on a first-come, first-served basis;”

4. Subsection (xiv) of Section 5.5 of the Lease is amended to read as follows:

“(xiv) when seeking bids for the construction of the Golf Course Improvements, Lessee shall require each bidder selected by Lessee to include, as a separate add-on item in its contract, a bid for the purchase and installation of lights for the golf course for the purpose of allowing golf to be played on the golf course during twilight and after sunset hours. The design and specifications of the lighting must be approved by the El Segundo Department of Planning, Building and Safety prior to bidding. Once Lessee has selected a successful bidder for the Golf Course Improvements and provided written notice of such to Lessor, Lessor shall have 15 days to notify Lessee of its decision to accept or reject the bid for the golf course lighting. If Lessor accepts the bid, Lessee agrees to pay the first $400,000 of the cost of the lighting to its chosen contractor and on the
schedule agreed to by Lessee and its contractor. Lessor agrees to reimburse Lessee for the accepted bid price in excess of $400,000, together with additional costs incurred with respect to the installation of the golf course lighting due to change orders and unforeseeable circumstances, and to do so within 30 days after Lessee provides Lessor with evidence of payment to its contractor in exchange for work that has been inspected by, and accepted as complete by, the Department of Planning, Building and Safety. If the Department of Building and Planning does not accept the work as complete, Lessor shall promptly notify Lessee specifying in detail why the work was not accepted, and the items required for acceptance. In no circumstances shall Lessor be obligated to Lessee’s chosen contractor for the payment of money. If Lessor decides not to accept the bid received by Lessee for the golf course lighting or if the design and specifications of the lighting are not approved by the El Segundo Department of Planning, Building and Safety by December 31, 2017, the golf course lighting component will not be included in the scope of the Golf Course Improvements to be completed by Lessee and, instead, Lessee shall deposit $400,000 into an interest-bearing escrow account with the Title Company ("Escrow Holder") and enter into an escrow agreement (the "Escrow Agreement") with Lessor and Escrow Holder solely for the purpose of funding a portion of the actual out-of-pocket cost for Lessor to purchase and install lights on the golf course on the Property for the purpose of allowing golf to be played on the golf course during twilight and after sunset hours. All interest earned on the escrow deposit shall be the property of Lessee. Except for the $400,000 deposited into the escrow account, in no circumstances shall Lessee be obligated to Lessor’s chosen contractor for the payment of money. The Escrow Agreement shall provide that if Lessor shall not have installed lights on the golf course within five years from the date of the Escrow Agreement, then the funds shall be promptly returned to the Lessee.”

5. Section 11.3 of the Lease is amended to read as follows:

“11.3 Between 9 a.m. and 9 p.m. each day, Lessee shall provide a ten percent (10%) discount on golf charges for residents of the City of El Segundo that have El Segundo Parks and Recreation Identification Cards. This discount will be in addition to all other golfing discounts offered by Lessee such as the twenty percent (20%) golf discount offered to senior citizens and active military personnel.”

6. Section 11.4 of the Lease is amended to read as follows:

“11.4 During the Lease term, Lessee shall cause Topgolf or the Operator of the Premises to comply with the following conditions:

(a) provide discounted monthly user access cards for frequent customers similar to those provided at other Topgolf facilities;
(b) to facilitate Lessor’s golf-oriented youth group and golf instruction programs, provide authorized El Segundo Parks and Recreation Department youth program participants and golf instructors (and their students) with access to a minimum number of hitting bays free of charge upon 48 hours’ notice as follows:

(1) Monday through Thursday: 10 hitting bays between 8 a.m. and 4 p.m. and 4 hitting bays between 4 p.m. and 7 p.m.;

(2) Friday: 6 hitting bays between 9 a.m. and 2 p.m. and 3 hitting bays between 2 p.m. and 6 p.m.; and

(3) Saturday and Sunday: 4 hitting bays between 8 a.m. and 12 p.m. and 3 hitting bays between 12 p.m. and 4 p.m.

If the Parks and Recreation Department requires additional hitting bays during these hours, Topgolf or the Operator of the Premises will provide the additional bays, when available, at a rate of fifty percent (50%) off the then-current rate available to the public. If the Department requires additional hitting bays outside of these hours, Topgolf or the Operator of the Premises will provide the additional bays, when available, at a rate of ten percent (10%) off the then-current rate available to the public. Topgolf or the Operator of the Premises shall provide the Parks and Recreation Department with the contact information of an employee that is responsible for booking reservations pursuant to this subparagraph. The contact person shall be available for scheduling reservations during normal business hours Monday through Friday.

(d) keep the first level hitting bays open for use as a driving range by El Segundo residents with El Segundo Parks and Recreation Identification Cards during the following days and time (some of which are outside of normal operating hours):

(1) Monday through Friday 6 a.m. to 12 p.m.

(2) Saturday and Sunday 6 a.m. to 9 a.m.

During these times, Topgolf or the Operator of the Premises will make the first-level hitting bays available at a price of ten dollars ($10) per bucket of balls (as the same may be adjusted by Topgolf or the Operator of the Premises to reflect prices comparable to other driving ranges in the Los Angeles area). Topgolf or the Operator of the Premises may but is not required to provide RFID-equipped balls to users during these times and such users shall have no right to access the Topgolf gaming system and related technology.

(e) if the Site Plan (including the parking layout) will allow, use commercially reasonable efforts to include a putting practice element on the Premises to replace the existing putting practice element on the Property;
(f) allow junior high school and high school players attending schools located in El Segundo and Manhattan Beach to use the portion of the Premises used as a driving range (provided such users shall have no right to access the Topgolf gaming system and related technology) between the hours of 2:30 p.m. and 5:30 p.m. at no charge when such is a formal school practice event and at a rate commensurate with fees charged by other driving ranges open to the public that are maintained in a first class condition when they are practicing at other times (provided that such times are prior to 7:00 p.m. local time); and,

(g) use commercially reasonable efforts to introduce the game of golf to a wider audience and work with PGA of America, PGA of Southern California, and the SCGA in this regard.

The parties shall meet biannually to discuss the youth group programs and golf instruction programs to determine whether the parties wish to alter the manner in which the programs are being managed and/or administered. No changes may be made to these programs unless the parties agree to such changes in writing.”

7. Section 11.4.1 is added to the Lease to read as follows:

“11.4.1 Topgolf or the Operator shall not operate the Topgolf U or any other youth programs or professional (instructional) programs that compete with those offered by the El Segundo Parks and Recreation Department.”

8. Section 11.4.2 is added to the Lease to read as follows:

“11.4.2 Upon commencement of construction of the Golf Course Improvements (following completion of demolition), Topgolf El Segundo will contribute $2,000/month to Lessor during the construction period relating to the Golf Course Improvements (such period not to exceed 8 months) to reimburse Lessor for the cost of employing or contracting with qualified individual(s) and/or service providers to promote future programs (and execute the goals attached to Amendment No. 3 to this Lease as Exhibit 3) at Topgolf El Segundo and The Lakes at El Segundo Golf Course as agreed upon by Lessor and Topgolf El Segundo (the “Programs”). In this regard such individual(s) and/or service providers shall be employees or contractors of Lessor and Topgolf El Segundo shall have no financial or other obligation with regard to such individual(s) and/or service providers other than the payments referenced in the preceding sentence. In addition, Topgolf El Segundo shall provide Lessor with promotional materials relating to Topgolf and the Premises that may be used by Lessor in connection with such Programs.”

9. The following language is added to the end of Section 5.1 of the Original Lease in place of the language added thereto by Amendment No. 2, paragraph 2:
"Notwithstanding anything to the contrary contained or implied in this Lease, the outside date for the expiration of the Due Diligence Period is hereby extended to December 31, 2017. Lessee will use diligent efforts to complete its due diligence for the Premises and determine whether it will proceed with the leasing of the Premises or terminate this Lease expeditiously, but in no event later than December 31, 2017."

10. Exhibit D to the Lease is amended to read as Exhibit 2 attached to this Amendment.

11. Except as modified by Amendment No. 1, Amendment No. 2 and this Amendment No. 3 (collectively, the “Amendments”), all other terms and conditions of the Original Lease shall remain the same. The Original Lease and the Amendments constitute the entire agreement between Lessor and Lessee with respect to the subject matter hereof and supersede all prior written agreements of the Parties with respect to the subject matter hereof.

12. This Amendment may be executed in counterparts each of which shall be deemed an original.

13. Subject to the limitations set forth in Section 18 of the Original Lease, the covenants and agreements contained in this Amendment shall bind and inure to the benefit of Lessor, its successors and assigns, and Lessee, its successors and assigns.

[THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK: SIGNATURE PAGE TO FOLLOW]
IN WITNESS WHEREOF, Lessee and Lessor have caused this Amendment to be executed by their duly authorized representatives as of the date first hereinabove written.

Lessor: CITY OF EL SEGUNDO, a general law City and Municipal corporation

By: ____________________________
Name: __________________________

Attest:

_______________________________
Tracy Weaver, City Clerk

Approved as Form:

_______________________________
Mark D. Hensley, City Attorney

Lessee: ES CENTERCAL, LLC,
a Delaware limited liability company

By: CENTERCAL, LLC,
a Delaware limited liability company

By: CENTERCAL ASSOCIATES, LLC,
a Delaware limited liability company

By _______________________________
Print Name ________________________
Print Title: Its Manager
LICENSE AGREEMENT BETWEEN THE
CITY OF EL SEGUNDO AND
WEST BASIN MUNICIPAL WATER DISTRICT

THIS LICENSE AGREEMENT ("Agreement") is made and executed this ___ day of
__________, 2017, between WEST BASIN MUNICIPAL WATER DISTRICT,
a California public agency, as Licensor ("DISTRICT") and the CITY OF EL SEGUNDO, a
municipal corporation, as Licensee ("CITY"). DISTRICT and CITY are collectively referred to
herein as the "Parties."

1. RECITALS. The Parties agree that this Agreement is entered into with reference to the
   following facts and objectives:

   A. CITY owns certain real property currently used as a golf course. The CITY’s
      property abuts DISTRICT property that is the site of the DISTRICT’s Edward C.
      Little Water Recycling Facility ("ECLWRF" or "ECLWRF Property").

   B. CITY wishes to use a portion of DISTRICT’s ECLWRF property as a parking lot
      to serve patrons of the CITY’s golf course and patrons of a golf-themed dining and
      entertainment facility to be located adjacent to the CITY’s golf course. The
      portion of the DISTRICT’s ECLWRF property to be used by CITY pursuant to
      this Agreement, hereinafter referred to as the "License Area," is described in
      Exhibit "A" attached hereto and made a part hereof.

2. LICENSE. DISTRICT hereby grants to CITY a revocable license to use the License Area for
   the term and upon the terms and conditions set forth in this Agreement. CITY does not acquire
   any right to the License Area independent of DISTRICT’s rights. DISTRICT’s action is not, and
   should not be construed to be, a conveyance of a property interest or a lease; it is a license to use
   its property as described in this Agreement.

3. USE OF LICENSE AREA.

   A. CITY acquires the privilege of installing and maintaining a parking lot, as
      described on Exhibit "B," attached hereto, within the License Area. CITY will
      bear all installation and operational costs. CITY shall be responsible for removing
      all trash and debris from the License Area. CITY’s improvements within the
      License Area will comply will all applicable regulations, codes and ordinances.
4. ACCESS. CITY shall install a fence around the License Area at least twenty feet from the Chlorine Contact Basin (CBC) substructure within the ECLWRF, and said fence shall include an access gate between the License Area and ECLWRF, as approved by DISTRICT, for DISTRICT’s exclusive use. CITY shall be responsible for maintenance of this access gate.

5. TERM. This Agreement will commence upon execution by the Parties, and shall remain in effect for a term of fifty years unless and until it is terminated pursuant to Section 6.

6. TERMINATION. Either party may terminate this Agreement by providing three-hundred sixty-five (365) days’ written notice of the same to the other party. In the event of termination, CITY shall, at the sole discretion of DISTRICT, remove all parking lot improvements and return the License Area to its condition or better and elevation as it was at the time of execution of this Agreement. By executing this document, CITY waives any and all claims for damages that might otherwise arise from DISTRICT’s termination under this Section.

7. COMPENSATION. In exchange for the use of the Property, CITY agrees to pay DISTRICT a sum of one dollar per year for the term of this Agreement.

8. NO RESPONSIBILITY. It is understood and agreed that DISTRICT has no obligation to safeguard or insure any property installed or maintained by CITY on the License Area. All such obligations are solely those of the CITY. CITY will not look to DISTRICT for any loss of, damage to or destruction of such property, except where the same is caused by the sole active negligence or willful misconduct of DISTRICT or its agents, employees or contractors.

9. ALTERATIONS. CITY will not make, or cause to be made, any alterations to the ECLWRF Property or License Area, or any part thereof, without DISTRICT’s prior written consent. The CITY shall submit three full size (24”x 36”) detailed engineering site improvement plans to the DISTRICT for plan checking and approval. The site improvement plans shall show all improvements, including but not limited to, above and below grade utilities within the proposed improvement area. The CITY shall submit a copy of the final approved construction plans to the DISTRICT for record.

10. HAZARDOUS/TOXIC WASTE. CITY agrees that it will not use, generate, store or dispose of any Hazardous Material (as defined below) on, under, about or within License Area in violation of any law or regulation. CITY agrees to defend and indemnify DISTRICT, to the extent stated in Section 13, against any and all losses, liabilities, claims or costs arising from any breach of any warranty or agreement contained in this Section. As used in this Section, “Hazardous Material” means any substance, chemical or waste that is identified as hazardous, toxic or dangerous in any applicable federal, state or local law or regulation (including petroleum and asbestos).

11. CONDEMNATION. If all or part of the Property is acquired by eminent domain or purchase in lieu thereof, CITY acknowledges that it will have no claim to any compensation awarded for the taking of said Property or any portion thereof or for loss of or damage to CITY’s improvements.
12. **ASSIGNMENT.** CITY is not permitted to assign this Agreement or any interest herein.

13. **INDEMNIFICATION.**

   B. CITY holds DISTRICT harmless and free from any and all liability arising out of this Agreement, or its performance. Should DISTRICT 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, pursuant to this Agreement, CITY will defend DISTRICT (at DISTRICT’s request and with counsel satisfactory to DISTRICT) and will indemnify it for any judgment rendered against it or any sums paid out in settlement or otherwise.

   C. For purposes of this Section “DISTRICT” includes DISTRICT’s officers, officials, employees, agents, representatives, and volunteers.

   D. CITY 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.

   E. It is expressly understood and agreed that the foregoing provisions will survive termination of this Agreement.

14. **INSURANCE.**

   A. DISTRICT understands and acknowledges that CITY is a member of the Independent Cities Risk Management Association (“ICRMA”), pursuant to a joint powers agreement, which provides coverage for damages due to, among other things, bodily injury, property damage, and personal injury. The limit of coverage for each occurrence is $30,000,000 and CITY is subject to a self-insured retention of $750,000. DISTRICT agrees to accept CITY’s status as satisfactory compliance with DISTRICT’s liability insurance requirements. In the event CITY decides to change its insurance status, CITY agrees to provide DISTRICT with 30 days’ advance written notice of the effective date of the change in status. Thereafter, CITY agrees to provide DISTRICT with appropriate evidence of insurance coverage(s) in amounts at least as great as required by this paragraph. In addition to the insurance provided for CITY through the ICRMA, CITY agrees to require each general contractor retained by the CITY and using the License Area and each tenant and lessee of CITY using the License Area to maintain during such use, for the protection of DISTRICT and CITY, the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below per occurrence or the full per occurrence limits of the policies available, whichever is greater for bodily injury, personal injury and property damage:
<table>
<thead>
<tr>
<th>Type of Insurance</th>
<th>Limits (combined single)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial general liability:</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Business Automobile Liability:</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Workers’ compensation</td>
<td>Applicable statutory requirements.*</td>
</tr>
</tbody>
</table>

*CITY is self-insured with respect to workers’ compensation claims and participates in ICRMA’s excess workers compensation program. The City’s self-insured retention with respect to worker’s compensation claims is $350,000. DISTRICT agrees to accept CITY’s status as satisfactory compliance with DISTRICT’s workers compensation insurance requirements.

B. Commercial general liability insurance will meet or exceed the requirements of the most current ISO Forms. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies must be endorsed to name DISTRICT, and its Board Members, officers, employees, agents and volunteers 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 DISTRICT will be excess thereto. Additional insured endorsements shall provide coverage at least as broad as Commercial Liability ISO form CG 20 10 11 85. If ISO form CG 20 10 11 85 is not provided, then ISO form CG 20 10 10 01 [or latest version] may be provided but must be accompanied by ISO form CG 20 37 10 01 [or latest version]. Such insurance will be on an “occurrence,” not a “claims made,” basis and will not be cancelable except upon thirty (30) days prior written notice to DISTRICT except for nonpayment of premiums which may be cancelable upon ten (10) days’ notice.

C. CITY will furnish or cause to be furnished to DISTRICT duly authenticated Certificates of Insurance and Endorsements evidencing maintenance of the insurance required under this Agreement and such other evidence of insurance or copies of policies as may be reasonably required by DISTRICT from time to time.

D. Should CITY, for any reason, fail to obtain and maintain the insurance required by this Agreement, DISTRICT may obtain such coverage at CITY’s expense and charge the cost of such insurance to CITY under this Agreement.

E. Waiver of Subrogation. The CITY agrees to waive all rights of subrogation against the DISTRICT, its elected or appointed officers, officials, agents, volunteers and employees for any claims arising out of the work performed by the CITY.

Page 4 of 8
F. Additional Insurance Requirements for City Contractors and Lessees Using the License Area.

The CITY shall require and verify that all Contractors and Lessees using the License Area maintain coverage meeting the requirements below:

Coverage shall be at least as broad as the following:

1. **Commercial General Liability (CGL)** - Insurance Services Office (ISO) Commercial General Liability Coverage (Occurrence Form CG 0001) including products and completed operations, property damage, bodily injury, personal and advertising injury with limit of at least two million dollars ($2,000,000) per occurrence or the full per occurrence limits of the policies available, whichever is greater. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (coverage as broad as the ISO CG 2503, or ISO CG 2504 endorsement or the general aggregate limit shall be twice the required occurrence limit.

2. **Automobile Liability** - Insurance Services Office (ISO) Business Auto Coverage (Form CA 0001), covering Symbol 1 (any auto) or if Contractor has no owned autos, Symbol 8 (hired) and 9 (non-owned) with limit of one million dollars ($1,000,000) for bodily injury and property damage each accident limit.

3. **Workers’ Compensation Insurance** - The CITY’s general and sub-contractors shall provide workers’ compensation as required by the State of California, with Statutory Limits and Employer’s Liability Insurance with limit of no less than $1,000,000 per accident for bodily injury or disease. **Waiver of Subrogation:** The CITY’s general & sub-contractors agree to waive all rights of subrogation against the DISTRICT, its elected or appointed officers, officials, agents, volunteers and employees for any claims arising out of the work performed by the CITY’s general & sub-contractors.

**Required Provisions** - The general liability policies are to contain, or be endorsed to contain, the following provisions:

1. **Additional Insured Status:** The DISTRICT, its directors, officers, employees, and authorized volunteers are to be given insured status insurance (at least as broad as ISO Form CG 20 10 11 85 or if not available, through the addition of both CG 20 10 10 01 and CG 20 37 10 01), as respects: liability arising out of the use of the facilities, work or activities performed by or on behalf of the CITY including materials, parts, or equipment furnished in connection with such work or operations, and automobiles owned, leased, hired or borrowed by the CITY.
2. **Primary Coverage:** For any claims related to this project, the CITY’s general and sub-contractors’ insurance coverage shall be primary insurance coverage at least as broad as ISO CG 20 01 04 13 as respects to the DISTRICT, its officers, officials, employees, and volunteers.

15. **COMPLIANCE WITH LAW.** CITY will, at its sole cost and expense, comply with all of the requirements of all federal, state, and local authorities now in force, or which may hereafter be in force. The judgment of any court of competent jurisdiction, or the admission of CITY in any action or proceeding against CITY, whether DISTRICT be a party thereto or not, that CITY has violated any such ordinance or statute will be conclusive of that fact.

16. **BREACH OF AGREEMENT.** The violation of any of the provisions of this Agreement will constitute a breach of Agreement. The non-breaching party shall provide written notice to the breaching party upon occurrence of an event of default, and the breaching party must cure the default within thirty calendar days after receipt of notice. In the event that a breach cannot be cured within thirty calendar days, the breaching party must cure the breach within a reasonable amount of time. In the event that a breach is not cured upon within such time periods, the non-breaching party may terminate this Agreement by providing written notice pursuant to Section 6.

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

18. **ENTRY BY CITY AND PUBLIC.** This Agreement does not convey any property interest to CITY. DISTRICT will have unrestricted access upon License Area for all lawful acts, including ingress and egress to ECLWRF.

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

- **CITY:**
  - The City of El Segundo
  - 350 Main Street
  - El Segundo, California 90245
  - Attn: City Clerk

- **DISTRICT:**
  - West Basin Municipal Water District
  - 17140 Avalon Blvd.
  - Carson, California 90746

Page 6 of 8
Either party may change its address for the purpose of this Section by giving written notice of the change to the other party.

20. **ACCEPTANCE OF ELECTRONIC SIGNATURES.** The Parties agree that 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 electronic (.pdf) or facsimile transmission. Such electronic or facsimile signature will be treated in all respects as having the same effect as an original signature.

21. **GOVERNING LAW.** This Agreement has been made in and will be construed in accordance with the laws of the State of California and exclusive venue for any action involving this Agreement will be in Los Angeles County.

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

23. **ENTIRE AGREEMENT.** This instrument and its Exhibits constitute the sole agreement between CITY and DISTRICT respecting the License Area, and correctly sets forth the obligations of CITY and DISTRICT.

24. **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.

25. **NO THIRD-PARTY ENFORCEMENT.** No person or entity not a signatory to this Agreement shall have any right to enforce any term of this Agreement.

26. **AUTHORITY/MODIFICATION.** 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 signed by both parties. CITY’s city manager, or designee, may execute any such amendment on behalf of CITY.

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

[**SIGNATURES ON FOLLOWING PAGE**]
IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first hereinabove written.

CITY OF EL SEGUNDO

Greg Carpenter,
City Manager

WEST BASIN MUNICIPAL WATER DISTRICT

ATTEST:

Tracy Weaver,
City Clerk

Taxpayer ID No. 95-6003477

APPROVED AS TO FORM:

Mark D. Hensley,
City Attorney

APPROVED AS TO FORM:

Lemieux & O’Neill, West Basin Counsel
Exhibit A
(Lease Area Legal Description)

A portion of Parcel No. 6 of Parcel Map No. 17750, in the City of El Segundo, County of Los Angeles, State of California, as per map recorded in Book 207, Pages 64 thru 66, inclusive of Parcel Maps in the Office of the County Recorder of said County.

Said portion of land is described as follows:

Beginning at the northeast corner of the portion of land described in the grant deed to the City of El Segundo recorded June 19, 1996 as Instrument No. 96-967352 of Official Records; thence,

1st Along the easterly line of said portion of land to the City of El Segundo, S 00° 04' 00" E, 173.50 feet; thence,
2nd N 89° 53' 58" E, 149.23 feet; thence,
3rd N 00° 04' 00" W, 173.41 feet to a point on the northerly line of said Parcel No. 6; thence,
4th Along said northerly line S 89° 56' 00" W, 149.23 feet to the point of beginning.

Containing an area of 25,885 square feet more or less.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor’s Act.

Signature:  
Shane C. Sobecki  
Shane C. Sobecki, PLS

Date: 2/16/17
Portion of Parcel No. 6
P.M. No. 17750
Book 207, Pages 64-66 of Parcel Maps
APN 4138-014-911

CONCRETE CURB & GUTTER

CONCRETE CURB

CONCRETE SUBSTRUCTURE
OF CHLORINE CONTACT BASIN

25'

1.24'

SCALE: 1" = 30'

LEASE AREA EXHIBIT
Portion of Parcel No. 6
P.M. No. 17750, Book 207, Pages 64-66 of Parcel Maps
City of El Segundo, County of Los Angeles, State of California

Lease Area = 25,885 ± SQ. FT.
AGENDA DESCRIPTION:

Consideration and possible action regarding the following matters which relate to the potential approval of a project to make improvements to the golf course and club house and convert the driving range to a Top Golf facility at the existing Lake’s at El Segundo golf course and driving range owned by the City (located at 400 S. Sepulveda Boulevard):

- Environmental Assessment No. EA-1135, to certify and approve a Final Environmental Impact Report (EIR) and an associated Mitigation Monitoring and Reporting Program (MMRP);
- General Plan Amendment No. 16-01, to change the underlying General Plan Land Use designation of the Lakes at El Segundo golf course property from “Parks”, to “The Lakes Specific Plan” (SP No. SP 16-02 -this action will not become effective unless and until the zone change identified below is approved and the Council could delay action on this item until the meeting where the zone change could be potentially approved);
- Zone Change No. ZC 16-01 and Zone Text Amendment ZTA 1604, to change the underlying land use zoning designation from O-S (Open Space), to TLSP (The Lakes Specific Plan) with two Subareas classified PUB-REC/OS (Public Recreation/Open Space) and CPR/OS (Commercial Public Recreation/Open Space);
- Site Plan Review No. 16-01, for the development within The Lakes Specific Plan area, including a new Topgolf building, a redeveloped clubhouse, and modified holes in the golf course(this action will not become effective unless and until the zone change identified above is approved and the Council could delay action on this item until the meeting where the zone change could be potentially approved);
- Lot Line Adjustment No. SUB 16-03, to reconfigure the existing two parcels in The Lakes Specific Plan (this action will not become effective unless and until the zone change identified above is approved and the Council could delay action on this item until the meeting where the zone change could be potentially approved);
- Conditional Use Permit No. CUP 16-05, to allow onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities (this action will not become effective unless and until the zone change identified above is approved and the Council could delay action on this item until the meeting where the zone change could be potentially approved); and,
- Authorize the City Manager to execute Amendment No. 3 to the Lease Agreement between the City and CenterCal LLC, for purposes including but not limited to golf professionals, City programs at the driving range, extending the due diligence period and title review period, potential installation of lighting at the golf course by CenterCal, and approving a new Exhibit D related to the golf course and club house improvements.

Applicant: CenterCal Properties, LLC

RECOMMENDED COUNCIL ACTION:

1. Conduct a public hearing and take testimony and other evidence presented;
2. Adopt Resolution No. ____, certifying the Final EIR and adopting environmental findings and a Mitigation Monitoring and Reporting Program;
3. Introduce Ordinance No. _____ (Zone Change No. ZC 16-01, Specific Plan No. SP 16-02, Zone Text Amendment No. ZTA 16-04), amending the Zoning Code and Zoning Map contained in the El Segundo Municipal Code, and creation of the Lakes Specific Plan;
4. Schedule second reading and adoption of the Ordinance for October 3, 2017;
5. Authorize the City Manager to execute Amendment No. 3 to the Lease Agreement between the City and CenterCal;
6. Disband the ad hoc committee - the Golf Course Design Task Force;

[Note: the following items does not need to be acted on until the potential second reading takes place with respect to item no. 3 above and if it is acted on it will not become effective unless and until the Ordinance in item no. 3 becomes effective]

7. Adopt Resolution No. _____, General Plan Amendment No. 16-01 and Specific Plan No. SP 16-02, Site Plan Review No. 16-01, Lot Line Adjustment No. SUB 16-03, and Conditional Use Permit No. CUP 16-05; and/or,
8. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Resolution No. _____, certifying the Final EIR with:
   Exhibit A titled “Environmental Findings of Fact”, and
   Exhibit B titled “Mitigation Monitoring and Reporting Program”
2. Resolution No. _____, conditionally approving EA-1135, et. al.
3. Proposed Ordinance No. _____.
4. Planning Commission Resolution No. 2820, recommending that the City Council certify the EIR for The Lakes Specific Plan and Topgolf facility project (without attachments)
5. Planning Commission Resolution No. 2821, recommending that the City Council adopt an Ordinance and approved the applications associated with The Lakes Specific Plan and Topgolf facility project (without attachments)
6. Planning Commission Staff Report, dated June 8, 2017 (without attachments)
7. Planning Commission Staff Report, dated July 13, 2017 (without attachments)
8. Golf Course Design Rendering
9. Amendment No. 3 to the Lease Agreement
10. Final EIR
11. Plans
12. City Council Staff Report, dated August 15, 2017, regarding Amendment No. 3 to the Lease Agreement

FISCAL IMPACT: N/A

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

Goal: Champion economic development and fiscal sustainability.
Objective: Encourage a vibrant business climate that is accessible, user-friendly and welcoming to all residents and visitors.

PREPARED BY: Eduardo Schonborn, AICP, Principal Planner
REVIEWED BY: Gregg McClain, Planning Manager
Sam Lee, Planning and Building Safety Director
APPROVED BY: Greg Carpenter, City Manager

EXECUTIVE SUMMARY:

The proposed land use entitlement actions identified above are to facilitate redevelopment of The Lakes golf course, including modifications to the existing golf course, a new club house/proshop, and a new Topgolf driving range facility to replace the existing driving range. The Top Golf facility provides a different type of experience with regard to hitting balls at a driving range. The balls used have a micro-chip embedded in them and the golfers hit the balls at targets and a computer system tracks where the balls land relative to the targets and includes a score keeping element. The facility also has full bar and eating facilities, including food and beverage service for the golfers. There will also be a banquet facility located at the Top Golf establishment.

The associated environmental documents and the project were initially reviewed by the Planning Commission on June 8, 2017 and July 13, 2017. At the July 13th hearing, the Planning Commission adopted resolutions (attached) recommending that the City Council certify the EIR for the project, and that the City Council approve the associated entitlement applications associated with the Topgolf project. As such, the project is now before the City Council for consideration. The determination as to whether to rezone the property for The Top Golf facility is considered a legislative act which means it is entirely within the Council discretion to approve the project or not. Although there is an existing Lease Agreement, the actual Lease will not become effective unless the land use entitlements are approved and the Lease specifically acknowledges that it does not commit the Council to approve the proposed land use entitlements.

INTRODUCTION:

The Applicant, CenterCal, requests certification of an environmental impact report, and approval of a specific plan and related discretionary entitlements to facilitate a redevelopment project at The Lakes golf course. The project involves three areas totaling approximately 31 acres, which includes The Lakes golf course, a portion of the abutting Southern California Edison property to the east, and a portion of the abutting West Basin Municipal Water District property to the south. The project includes replacing the existing driving range and hitting bays, with a three-story Topgolf facility within the southern portion of the project site. The project also includes modifying the fairways and layouts of six holes at the existing 9-hole executive golf course, modifying and expanding the existing parking to accommodate additional parking in support of the facility on the West Basin property to the south. Further, the existing hitting bays, clubhouse facility and patio, as well as the storage building and associated amenities would be demolished and replaced with a new 2,500 square foot Pro Shop building and a 1,010 square foot outdoor patio. Additionally,
other Project improvements include installing new lighting and screening poles, and replacing existing net poles and driving range grass with high density fiber turf.

BACKGROUND:

On September 8, 2016, the Planning Commission conducted a public scoping meeting to provide a forum for agencies and members of the community to comment on the Initial Study and Notice of Preparation, a precursor to the forthcoming EIR for the proposed project. On January 26, 2017, the Draft Environmental Impact Report (Draft EIR) was completed and circulated for public review and comment until March 13. Within the circulation period, on February 2nd, a public commenting session was conducted for the purpose of obtaining comments on the Draft EIR for The Lakes Specific Plan and Topgolf Project from the general public.

On May 25, 2017, the Final EIR was completed. On June 8, 2017, the Planning Commission opened the public hearing and took public testimony regarding the proposed Lakes Specific Plan and other proposed land use entitlements for the Topgolf project. At the applicant’s request, however, the Planning Commission agreed to continue the public hearing. On July 13, 2017, after taking additional public testimony and deliberation on the project, the Planning Commission adopted PC Resolution No. 2820 and 2821 (attached) recommending that the City Council certify the EIR for the project, and that the City Council approve The Lakes Specific Plan and the other land use entitlements for the Topgolf project.

PROJECT DESCRIPTION:

Proposed Specific Plan and Land Uses:

A specific plan is a General Plan option that creates carefully tailored regulations for land uses within particular areas of the City to meet specific goals and policies of the General Plan. All future development plans and entitlements within the Specific Plan boundaries must be consistent with the standards set forth in the adopted Specific Plan, even when they may be different from the general regulations within the ESMC. The applicant proposes to create The Lakes Specific Plan and subsequently process the entitlements necessary for the Topgolf project and redevelopment of the golf course facility.

The Lakes Specific Plan makes relatively minor changes to the uses currently existing within the specific plan area (most notably specifically allowing for a privately rather than publicly operated driving range), with development standards addressing the unique recreation and entertainment uses proposed for the area. The Plan consists of an approximately 26.5-acre area that currently comprises The Lakes at El Segundo. The approximately 3.6-acre SCE easement and approximately 0.7-acre WBMWD property are part of the overall Project, however, are not a part of the proposed specific plan area. The Specific Plan includes a land use plan, description of existing and proposed utilities and infrastructure, design guidelines, development standards, and administrative provisions.

A general plan amendment and zone change are proposed for the underlying designations of The Lakes Specific Plan, whereby the underlying General Plan land use designation would change from Parks to The Lakes Specific Plan, while the underlying zoning designation would change from O-S (Open Space), to TLSP (The Lakes Specific Plan). Further, two Subareas, PUB-
REC/OS (Public Recreation/Open Space) and CPR/OS (Commercial Public Recreation/Open Space), are proposed, as illustrated below in Exhibit 2.

### Exhibit 2
Land Use Subareas

The Public-Recreation/Open Space (PUB-REC/OS) subarea encompasses approximately 16.1 acres located on the northern parcel fronting onto Sepulveda Boulevard, which allows for several public recreation uses. The parcel currently contains a nine-hole executive golf course that would remain a permitted use under the Specific Plan. Additionally, the club house/pro shop and the uses therein would be permitted uses. As the site is being re-zoned from Open Space (O-S) to The Lakes Specific Plan, the uses and development in the PUB-REC/OS Subarea would be governed by the Specific Plan development standards.

The Commercial Public Recreation/Open Space (CPR/OS) subarea encompasses approximately 10.5 acres on the southern parcel fronting on both Sepulveda Boulevard, with a small L-shaped portion fronting Hughes Way. The CPR/OS Subarea allows a commercial recreation and entertainment facility, as well as other recreational uses allowed in the CPR/OS subarea.
To acknowledge the new TLSP zoning designation within the City’s Zoning Code, a Zone Text Amendment is also proposed.

Proposed Development Project:

The new specific plan and land use changes specified above will facilitate the construction of a new Topgolf building and surface parking in the CPR/OS subarea, and a redeveloped clubhouse and modified holes in the golf course within the PUB-REC/OS subarea. Further, onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities are proposed, as well as signage for the various uses.

The proposed development includes replacing the existing driving range with a three-story approximately 67,000 square-foot Topgolf commercial recreation and entertainment facility. The new facility would measure approximately 55-feet in overall height, and will include a 32,300 square-foot hitting bay and seating/waiting area, which consists of private suites. From these hitting bays, players would hit balls into an open area that will be surrounded by netting on poles up to 175 feet in height that are designed to contain errant balls. The facility would include: a 10,024 square feet of restaurant, bar, and kitchen space; 3,144 square feet of meeting and event space; 2,439 square feet of office space; 1,895 square feet of lounge space; 1,365 square feet of lobby space; and 15,994 square feet of storage, circulation, and miscellaneous space. The facility will also include approximately 3,000 square feet of outdoor terrace on the third floor that provides entertainment involving live music from a band or disc jockey (DJ). All DJ’s and bands would be required to connect to the facility’s in-house sound system and speakers, allowing the ability to control the volume and other sound levels. All overhead speakers would be oriented inward and down to the facility’s floors. Lastly, the driving range grass would be replaced with a high density fiber turf.

The existing parking lot will also be modified and expanded to accommodate a total of 523 spaces (420 spaces in the CPR/OS Subarea and 103 spaces in the abutting WBMWD property). The parking is designed to serve players and visitors of both the proposed Topgolf facility and the existing golf course facility.

Modifications to the fairways and layouts of three holes at the existing golf course are also proposed. Further, to accommodate nighttime play at the golf course, lighting is proposed throughout the course, which will be primarily concentrated at the tee boxes and greens. The Council will be deciding whether to have CenterCal install the lighting as part of the construction activities at the golf course or delay such to a later time. Lastly, the existing clubhouse will be demolished, and redeveloped with a new one-story clubhouse measuring 2,500 square feet with a 1,010 square foot outdoor patio overlooking a new putting and chip-shot practice area.

DISCUSSION:

During the Planning Commission’s review of the project 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. With regards to the Environmental Impact Report (EIR) the Planning Commission determined that the associated Statement of Facts and Findings could also be made to warrant certifying the EIR. As a result, on July 13, 2017, the Planning Commission adopted PC Resolution Nos. 2820 and 2821 (attached)
recommending that the City Council certify the EIR for the project, and that the City Council approve the associated applications.

The following is a summary discussion of the applications to approve the proposed project. It is a summary of the rationale articulated by Staff and supported by the Planning Commission for support of each application. A more in depth analyses for each application can be found in the attached Planning Commission Staff Reports of June 8 and July 13, 2017.

Specific Plan:

The Lakes Specific Plan is intended to provide flexibility for The Lakes golf course, to expand its existing operations or develop new facilities that would be compatible with the existing facilities and uses. The specific plan includes a development concept that accounts for and allows for the Topgolf facility that is part of the overall project applications. Further, the plan includes new land use and zoning categories and identifies the properties that are affected. It should be noted that the Lease Agreement only allows for Top Golf to operate a driving range, food and beverage services and banquet facilities regardless of the uses that may be allowed by the Specific Plan. Design guidelines are also included to help promote high-quality development, while development standards are included to address uses, lot area, height, setbacks, floor area, parking, landscaping and signage. All development in the project area would be subject to the development standards and requirements of the specific plan and the Lease Agreement. All proposed development plans and entitlements within the specific plan boundaries are consistent with the standards set forth in the specific plan. If an issue, condition or situation occurs that is not provided for or contained in the proposed Specific Plan or the Lease Agreement, then compliance with the standards of the city’s Municipal Code will be required.

General Plan Amendment and Zone Change:

The proposed General Plan Amendment and Zone Change would establish The Lakes Specific Plan (TLSP) as a new land use and zoning district for the 26.5-acre Lakes at El Segundo golf course. The site is currently designated as Parks in the El Segundo General Plan and is consistently zoned Open Space (O-S). The proposal includes a General Plan Amendment to change the Land Use designation to The Lakes Specific Plan and a Zone Change to the underlying zoning designation to TLSP (The Lakes Specific Plan). The TLSP will allow the flexibility for The Lakes to expand and offer new uses, allowing new development that is compatible with the existing golf course facility and operations.

General Plan and Zoning Consistency

The El Segundo General Plan provides the underlying fundamentals of The Lakes Specific Plan, serving as a planning and regulatory document. The Specific Plan is the document implementing the General Plan for the Specific Plan area. With approval of the amendment, the Specific Plan is consistent with the General Plan goals, objectives and policies. Specifically, the project would meet the following General Plan goals, policies and objectives of the Land Use, Economic Development, Circulation, Open Space and Recreation, Conservation, Noise, and Public Safety Elements.

It should be noted that, pursuant to Government Code Section No. 65358, any mandatory element of the General Plan may be modified a maximum of four times per calendar year. Should the
requested General Plan amendment be approved, it would represent this year’s first amendment to the City’s General Plan.

In accordance with Municipal Code Section 15-26-4B, the proposed zone change is necessary to carry out the proposed project because the proposed General Plan amendment would change the land use classification of the project site from Parks to The Lakes Specific Plan, and the proposed zone change is necessary to maintain consistency with the General Plan land use designation. The proposed zone change is consistent with the General Plan goals, objectives and policies of the Elements identified above.

Zone Text Amendment:

The proposed zone text amendment (ZTA 16-04) will add the new TLSP Zoning designation to the Zoning Code and will be memorialized as a new section in the Municipal Code (Section 15-3-2(A)(11)). The proposed zone text amendment carries out the proposed project by establishing The Lakes Specific Plan (TLSP) zone, and is necessary to ensure consistency with the General Plan and further the goals, objectives and policies.

Lot Line Adjustment:

The proposed lot line adjustment (SUB 16-03) will reconfigure the two existing parcels in The Lakes Specific Plan such that Topgolf’s commercial recreation and entertainment facility will be wholly located within the CPR/OS subarea, and the existing nine-hole golf course and new clubhouse would be wholly located within the PUB-REC/OS subarea of the specific plan. The reconfigured lots will each exceed the minimum lot area requirement of 10-acres, and will facilitate construction of the proposed project.

Site Plan Review:

The site plan review (SPR 16-01) is for the proposed improvements within The Lakes Specific Plan area, which includes a new Topgolf building, a redeveloped clubhouse, modified holes in the golf course, and golf course lighting. According to the plans submitted for the project, the proposed development is consistent with the development standards and design guidelines established by The Lakes Specific Plan document.

With regards to parking, the City’s Zoning Code does not contain parking standards for commercial recreational or golf course uses. Thus, a shared parking demand analysis was conducted to determine the minimum number of parking spaces necessary to meet the demands of both the Topgolf facility and the nine-hole golf course. The parking analysis utilized two existing Topgolf facilities in Scottsdale and Gilbert, Arizona. Utilizing the parking counts obtained for these sites, which includes weekend and weekday AM and PM peak demands, and factoring the nine-hole golf course, the parking analysis concluded that a maximum hourly parking demand of 464 parking spaces is forecast to occur. Thus, a minimum of 464 parking spaces are required to accommodate the proposed Topgolf facility and nine-hole golf course. However, the proposed project will meet the forecasted demand by providing for a total of 523 parking spaces.

When an issue, condition or situation occurs which is not provided for or contained in the proposed Specific Plan or the Lease Agreement, then compliance with the standards of the city’s Municipal Code will be required.
Conditional Use Permit (CUP):

In accordance with The Lakes Specific Plan, the project includes a conditional use permit (CUP 16-05) to allow onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities. In considering a CUP application, ESMC 15-23-6 requires certain findings be made in reference to the property and project under consideration.

The Planning Commission and staff believe there is adequate evidence to support the required conditional use permit findings and is recommending approval to allow onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse and Topgolf facilities, subject to the conditions of approval listed in Exhibit A of attached Resolution No. 2821. The City Council 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.

Environmental Impact Report (EIR):

Pursuant to the requirements of the California Environmental Quality Act (CEQA), and based on Staff’s review of the project and discussion with the applicant, City Staff concluded that the proposed project necessitated the preparation of an EIR.

The EIR concluded that the proposed project will not result in or create any significant impacts, or have less than significant impacts to aesthetics, agricultural resources, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation/traffic, and utilities and service systems. The EIR also concluded that the proposed project could result in potentially significant impacts to air quality, hazards/hazardous materials, and noise. However, it was also concluded that any potential impacts could be mitigated to a less than significant level through the imposition of certain mitigation measures. These potential impacts and the appropriate mitigation measures related to these environmental factors are contained in the associated EIR and in the Mitigation Monitoring and Reporting Program in the attached Resolution.

The City received 7 comment letters during the circulation of the EIR document. In addition to the written comments, the City held a public meeting to take verbal comments. As part of the Final EIR, the document contains a section titled “Response to Comments”, which contains each of the written comments submitted and a response to each comment, and a section containing the mitigation measures identified in the EIR document to reduce impacts to a less than significant level. Lastly, the Final EIR contains an Errata section to the DEIR, which contains some minor modifications to the text for clarification or edits resulting from the comments received. The text modifications are shown in underline for language added and strikethrough for language deleted. As a result of the comment and circulation periods associated with the Initial Study and the subsequent Draft EIR, and with the edits made to the Final EIR and responses to comments, no new impacts have been identified to warrant recirculation of the document or significant amendments to the analysis contained therein.
ADDITIONAL INFORMATION:

Grant Deed:

As the City Council is aware, the Lakes at El Segundo property was dedicated to the City of El Segundo by a Corporation Grant Deed from Chevron U.S.A. Inc. in 1988, and uses at the property are addressed in the restrictions of the Corporation Grant Deed. Staff met with Chevron and CenterCal representatives to discuss the proposed modifications to the land use table and the grant deed restrictions. Chevron’s concern is that any private recreational use could occupy the site in the future. However, the proposed modifications address this concern since the specific plan would only allow a golf entertainment facility to occupy the site, but any other private recreational facilities would continue to require approval of a conditional use permit from the City, and any new facilities or modifications to the existing project would also be subject to the terms and requirements defined in the Grant Deed as applicable.

Amendment to the Ground Lease Agreement:

At the August 15, 2017, Council Meeting there was an agenda item for Council’s consideration with regard to a proposed 3rd Amendment to the Lease Agreement (staff report attached). The City Attorney’s Office drafted the amendment consistent with the direction given the Council at that meeting and provided it to CenterCal on August 21. Attached is the draft Amendment but it is missing the exhibit with regard to the form of agreement that CenterCal is going to enter into with Chevron regarding the Grant Deed restriction referenced above. Staff is recommending that the Council grant the City Manager authority to execute the amendment with potential minor non-substantive revisions and so long as the City Attorney’s Office approves of the form of the Agreement between Chevron and CenterCal.

There was an issue that was discussed but not resolved at the September 15th Council Meeting. The issue was what to do about Top Golf’s prior commitment to pay a salary to two of the golf professionals currently working at the Lakes during the construction period. Meredith Petit, Director of Recreation and Parks, along with golf professional Josh Alpert and a representative of Top Golf discussed the following proposed amendment to address this issue – “Topgolf will contribute $2,000/month to the City of El Segundo during the golf course construction period (estimated 6-8 months) to employ or contract with individual(s) and/or service providers to promote future programs at Topgolf El Segundo and The Lakes at El Segundo Golf Course.” If this term is acceptable to the Council then the City Attorney’s Office will add it to the amendment.

It is very important that the amendment be executed before the potential second reading of the Ordinance for the project occurs. The Lease Agreement expires at the end of this month so it needs to be in effect and the City needs the assurance that the issues addressed in the amendment are in place before the project is approved. If the amendment is not signed before the potential October 3rd meeting, the agenda item will need to be delayed.

West Basin Property License Agreement:

As indicated above, the project includes up to 103 parking spaces on the abutting West Basin Municipal Water District (WBMWD) property. The City and the WBMWD have negotiated the terms of a license agreement allowing the City to construct and maintain a parking lot on the WBMWD property adjacent to the project site. The parking lot would serve patrons of both the...
golf course and Topgolf facility. The City expects the WBMWD Board to approve the form of the License Agreement at its September meeting. If the Council introduces the necessary Ordinance, staff will present the License Agreement to the Council for potential approval, concurrent with the second reading, at the October 3rd City Council meeting.

Golf Course Design:

On June 16, 2015, the City Council created the Golf Course Design Task Force, appointing nine individuals to work with staff and Centereal to develop the new golf course design. The task force assisted with the selection of a world-renowned golf course architectural firm, Fry/Straka Global Golf Course Design. The task force worked closely with the firm, meeting approximately 12 times to design the best possible golf course within the given parameters of space, safety, and playability.

On May 17, 2016, the City Council approved the conceptual 9-hole golf course design that was recommended by the Golf Course Design Task Force. The design was presented as the most feasible option to retain safety and quality, enhance practice areas, and accomplish the community's and City's highest priorities of maintaining a facility that encompasses parks and recreation core values. The design also offered a golf-focused experience conducive to learning and instruction, and provides access to a diversified population. On August 15, 2017, the Council approved further revisions to the proposed design.

The final design (attached) includes modifying the original par-4 Hole #9 to a lengthy par-3, reconfigures Holes #1, #2, and #3, and modified the tee boxes at Holes #5 and #8. The design also expands the short game and putting green practice areas to over 30,000 square feet. The total yardage of this design is 1,204 yards. The final design is subject to the Council’s approval. If the design is approved as part of the Council’s action, the Golf Course Design Task Force can be disbanded as their task will be completed.

Construction Time Line:

According to the applicant, construction of the project is anticipated to commence shortly after November 2nd, the effective date if the City Council approves the project. Construction of the golf course and proshop is expected to be completed within eight months, with the goal of reopening by summer 2018 to avoid impacts to summer programs. Construction of the Topgolf facility is expected to be completed within one year, with a goal of opening the facility by the end of 2018. Construction of the parking lot will be done in phases such that part of the parking lot is complete and ready for use when the golf course and club house/proshop open, with the full parking lot completed with the construction of the Topgolf facility. Since the golf course and club house/proshop will be completed first, appropriate signage and construction personnel will be on-site during construction to minimize conflicts between construction vehicles and visitors of the golf course.

Financial Analysis:

Pro Forma Advisors, LLC, was retained to prepare a financial analysis and comparison study of the Lakes golf course and the proposed Topgolf project. The study assessed the benefits and costs to the City of El Segundo of the proposed project, taking into account current economic conditions and historic trends, as well as historic performance of the Lakes Golf Course. The study, with a full assessment including Pro Forma’s finding and conclusions, is attached.
a parking license agreement between the City and West Basin Water District; 5) Discussion and possible action regarding revisions to the monthly rental payments and other remuneration to be paid by CenterCal to the City pursuant to the Due Diligence and Lease Agreement; and/or, 6) Alternatively, discuss and take other possible action related to this item.
AGENDA DESCRIPTION:
Consideration and possible action to approve the addition of one full-time Recreation Supervisor position to oversee the daily operations of the new El Segundo Aquatics Center. (Fiscal Impact: approximately $107,175 annually)

RECOMMENDED COUNCIL ACTION:
1. Approve the addition of one Recreation Supervisor full-time position to the Recreation and Parks Department Recreation Division; and,
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS: None

FISCAL IMPACT: approximately $107,175 annually
  Amount Budgeted: $80,381 FY17/18 (75% of Annual Cost)
  Additional Appropriation: N/A
  Account Number(s): N/A

STRATEGIC PLAN:
  Goal: 1a El Segundo provides unparalleled service to internal and external customers
  Objective: 1 City operations are unified and integrated
  Goal: 3a El Segundo is a City employer of choice and consistently hires for the future
  Objective: 3 The City has a comprehensive, intentional approach to staff development, training and succession

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

BACKGROUND AND DISCUSSION:
Through a Settlement Agreement between the Wiseburn Unified School District ("Wiseburn") and the City of El Segundo, the two parties have been collaborating on designing and constructing a joint-use aquatics facility that will be located on Wiseburn property but operated and maintained by the City. The City Council approved a facility design that includes a 53.2-meter by 25-meter competition pool, a warm-up pool, spectator seating, locker rooms and restroom facilities, staff offices, a mechanical building, parking lot, and sports lighting. The upgraded facility design was in large part selected to enable the City to maximize its potential to generate revenue through a wide variety of programming and special event rentals. The facility is currently under construction and, according to the Settlement Agreement, must be completed on or before July 31, 2018.
To properly prepare for the facility opening it is necessary to have full-time staff in place at least six months prior to the facility opening to begin planning programs, booking events, recommending fee schedules, establishing operational and personnel policies, and recruiting, hiring and training lifeguard staff. The recruitment period for a full-time position will take approximately four months from posting to first day of work. Additionally, experienced supervisory staff is a critical component to meeting the revenue projections of this facility to ensure its financial sustainability into the future. To that end, staff recommends the addition of a Recreation Supervisor position to be located at the new Aquatics Center and who will oversee the daily operations of all Aquatics activities, including the new facility, the Plunge and Hilltop and Acacia Outdoor Pools.

The recommended personnel structure dedicated solely to aquatics would include one full-time Pool Maintenance Technician (under Public Works Department), one full-time Recreation Supervisor (located at the Aquatics Center), and one full-time Recreation Coordinator (located at the Plunge). All facilities will continue to be staffed with appropriate Senior Lifeguards and Lifeguards to enforce pool rules and provide emergency response to swimmers in distress. Lastly, Recreation Leaders are required to function as cashiers to provide customer service functions such as collecting entrance fees, admitting entry, processing program registrations, answering phone calls and providing general information to the public.

During the planning stages of this project the City consulted with Isaac Sports Group, LLC, to conduct a Programming, Design, and Financial Analysis of various aquatics center options, in which the findings and recommendations were presented to the City Council on February 3, 2015. At the August 20, 2017 City Council meeting, the City Council requested that the financial projections be updated and presented in discussion with staffing recommendations. Stu Isaac will be presenting the updated data and financial projections during the verbal portion of this discussion item on October 3rd.

Also at the August 20, 2017 City Council meeting, the possibility of utilizing consulting services for pre-opening support was discussed as a potential cost-savings measure as well as allowing the City to make significant progress prior to a City employee being secured. Staff has researched aquatics management companies, received informal proposals, as well as reviewed the capabilities of the current consultant, Isaac Sports Group (ISG). ISG is available and willing to expand their scope of services to provide pre-opening support and can begin immediately. The main tasks include marketing the facility, establishing partnerships with users including obtaining letters of intent to rent the facility, assisting with establishing operations policies and developing an operations manual, assist with recruitment of experienced full-time supervisory staff, establishing fee schedules, and helping to train and orient lifeguard staff as we approach opening day. The City currently has a Professional Services Agreement with ISG and has encumbered the funds to allow for this type of scope expansion. Due to ISG’s vast knowledge of the project from assisting for over two years, staff recommends continuing to utilize ISG for these pre-opening services.

As a result of City Council comments on August 20, 2017, staff also inquired with other California cities about outsourcing facility management on a long-term basis. The overall findings revealed that many cities that outsource facility management are smaller, often seasonal facilities, with a less complex set of programming than the City’s new facility will encompass. There are few aquatics management companies available and many of the examples appear to be operated by a local business that expand for the purposes of operating a component of the nearby facility. Each
case is unique and difficult to compare, determine the cost, or gauge interest without a formal RFP or scope of services.

The adopted FY17/18 budget includes 75% of the annual cost of a Recreation Supervisor position for the new Aquatics Center. Staff recently amended the agreement with Isaac Sports Group and encumbered an additional $25,000 from the Aquatics Trust Account for consulting services through FY17/18 to include assistance in pre-opening tasks.
AGENDA DESCRIPTION:
Consideration and possible action regarding approval of one or more of the proposed options which will offset expenses and help build the reserve fund to an adequate level for the Park Vista Apartments located at 615 East Holly Street.
(Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Approve one or more of the proposed options to help build the reserve fund and reduce the costs of maintenance for the Park Vista Senior Apartments, 615 East Holly Street;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Reserve Analysis Report
2. Parcel Map of proposed Apartments
3. Diagrams of Park Vista studio and one-bedroom apartments

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

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

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

BACKGROUND & DISCUSSION:
Understanding the challenges of an aging building, the Senior Housing Board Corporation (SHBC) realized that an even greater concern was the inability to sustain adequate financial support beyond the year of 2027. To address this concern, the SHBC engaged McCaffery Reserve Consulting to provide a reserve analysis review of Park Vista (Attachment 1). According to the report, Park Vista’s current reserve of $1.6 million should fund estimated maintenance costs until 2022. However, by 2027 Park Vista will be almost $2.5 million “in the red” without alternative means to increase the current reserve fund. The study demonstrates that Park Vista does not have adequate funding in its current financial
state to repair normal wear and tear of the facility. The reserve study suggests that Park Vista accrue an annual income of $324,000, equitable to $27,000 a month to build an adequate reserve level.

Fortunately, on July 19, 2017 City Council appropriated $882,544 from the General Fund reserves to the Voter Right’s Trust (a.k.a. Park Vista). In addition, Council also forgave the loan which relieved Park Vista from paying $13,000 monthly. Although these actions provided a significant boost to Park Vista’s reserve, we are still short nearly $12,000 of the $27,000 per month needed to obtain the recommended reserve level.

Affordable rental rates for Park Vista is 50% of the actual market rent in El Segundo. Presently, rents for new Park Vista tenants are $637 a month for studios and $895 a month for one bedrooms. On average, current tenants pay $500 for studios and $630 for single units. The Board approved a slight increase of 1.75% for current tenants and their rents are well below the 50% criteria set by City Council for establishing new rates. Many of the tenants are long term. Currently, the list for Park Vista has 56 names and the waiting period is between two and three years. To qualify for Park Vista’s affordable housing, applicants must be 62 years or older, meet financial criteria and be an El Segundo resident for at least a year prior to submitting an application.

At the June 28th, 2017 El Segundo Senior Citizen Housing Board Corporation Meeting, the Board formed a subcommittee for the purpose of developing some options to expand the income of the building and reduce the cost of maintenance. Typically, large projects that are subject to Public Works requirements run twice as long and is sometimes three times the normal cost for the same work on a privately owned building. For example, the amount used for the attached reserve study for the roof replacement was $210,900 when the actual cost was $390,000 for the roof we replaced several years ago.

At the August 23, 2017 El Segundo Senior Citizen Housing Board Corporation Meeting, the Board discussed three recommendations to resolve PV’s reserve issue. The Board approved moving forward with all three of the options listed below.

**OPTION 1:** Rents for incoming tenants in studios (32 @ $637 = 20,389). Convert existing studios to one bedrooms for incoming new tenants only. 32 studios @ $895 = $28,640. Over time we could increase the income of the building by $8,256 per month.

**OPTION 2:** Form a new non-profit entity and build 24 units on the current PV parking lot (Attachment 2). Rents at market to fund repairs at Park Vista. For a rough estimate of $2,700,000 (9000 square foot @ $300 per square foot) build 24 units with rents at market and receive $32,400 minus 30% expenses ($9,700) minus loan payment of $13,689 and have $9,011 income per month to help with Park Vista expenses.

**OPTION 3:** Direct the City Attorney’s office to look into the public works/prevailing wage issues and seek an opinion from the Department of Industrial Relations. Recommend that the Park Vista no longer be required to use Public Works to fix repairs.

Option 1 can be achieved with minimum funding and without Public Works involvement. The average square footage for a studio at Park Vista is 414. The average size for a small one bedroom is 537 square feet. It’s not uncommon for studios to be 300-350 square feet in today’s multi-family real estate market.
Option 2 requires additional work, but at a glance, the parking lot location can support up to twenty-four studio units and demand significant market rents. This offers an opportunity to build PV’s reserve and possibly even expand El Segundo’s affordable senior housing by twenty-four units. Once Park Vista is appropriately funded, the twenty-four unit’s rents could be reduced to the 50% of market rate. The need for affordable senior housing continues to grow as life expectancy increases.

Option 3 needs immediate action due to the overwhelming costs of Public Works projects. In addition, Public Works has a myriad of other city projects to address than Park Vista, and the Board has found it difficult to get Park Vista projects placed as a high priority in the list of city projects. In October 2016, after several reoccurring plumbing problems, which cause significant water damage and unexpected costs, the Board motioned to have the Public Works Department get bids to install new copper plumbing throughout the building. This project still needs to be prioritized and initiated.

Park Vista is an extremely unique City asset vital to both the current and future seniors of El Segundo. Utilizing the reserve study as a guideline, along with the management expertise of the Cadman Group will maintain Park Vista for the next three years. Securing the financial future of Park Vista beyond 2022, must be addressed right away. The above options offer viable strategies for City Council to consider.
Reserve Analysis Report

Park Vista Apartments

615 E Holly Ave
El Segundo, CA

Level I Study with Site Inspection

Fiscal Year End Date: 12/31/2017
Sections of This Report

Section

1 Preface

Written description of a reserve study and the figures in the report

Includes glossary, preparer qualifications, and calculation description

2-7 Executive Summary

Summarizes key findings of the report. Includes development description and lists the projected balance and percent funded. Summarizes the funding plans

Includes category breakdown pie chart

2-8 Percent Funded

Describes percent funded calculation and funding levels

Includes current percent funded chart and 30 year percent funded projection chart

2-9 30 Year Projections

Includes 30 year projection charts for annual expenses and reserve balance projections for each of the 3 funding plans

2-10 Category Significance

Includes category percentage column charts for fully funded balance and annual depreciation

2-11 Theoretical 30 Year Funding Plan

Lists details of each of the 3 funding plans (current, recommended, and threshold) over the next 30 years

Charts of the figures in this table are located in the 30 year projections

2-12 Future Percent Funded

Includes table and chart of percent funded for various levels of funding over the next 15 years

3 Component Summary & Component Significance

Lists all components included in the study in table form

Shows Depreciation and Fully Funded Balance Significance including quick glance graph

These figures are the basis for all other calculations in the study

4 Annual Expenses by Component

Lists all projected expenses for each component over the next 30 years in table form

5 Component Details

Lists details of each individual component

Includes notes and pictures of selected components if site inspection was conducted

6 Assessment and Reserve Funding Disclosure Summary

Form that is required to be sent out with annual budget package by California Civil Code
Preface

A reserve study is a detailed report that assists common interest developments (CID) in planning for long-term common area repair and replacement expenses. These common areas differ for every development. They can include streets, roofs, recreational facilities and many other items. A reserve study estimates the costs of common area repairs and replacements over a 30 year period. Each component is given a useful life, remaining life, and estimated cost. A reserve study then calculates the funds necessary to cover these expenses by creating funding plans.

The Big Picture - What are the significant figures to look at in the report?

- **The Component List** – What are our reserve components and when will they need maintenance

Every reserve study must start with a list of the components. The component summary contains the list of all the components, their useful and remaining lives, and their estimated costs. These numbers are the building blocks for most of the figures in the study.

- **Percent Funded** - What is our current financial standing

Probably the most important number in a reserve study is percent funded. It's almost like a credit score for an association. It tells them the current strength of their reserve fund.

Over 70% = Well Funded  Between 30-70% = Fairly Funded  Below 30% = Poorly Funded

The lower your percent funded the higher the risk of a special assessment. A low percent funded also increases the likelihood of deferred maintenance which can cause declining property values.

- **Funding Plans** - How much do we need to save for the future

The next important part of the study is the theoretical 30 year funding plans. The study contains 3 funding plans. It projects what the percent funded will be over the next 30 years if the CID follows each of these plans.

- **Current Funding Plan** – This plan is based on what the association is currently contributing to its reserve fund. This information is supplied by the board or management

- **Recommended Funding Plan** – This is McCaffery’s recommendation, if a CID follows the recommended plan they should end up well funded and near the 100% funded level.

- **5% Threshold Funding Plan** - The threshold funding plan is a 30 year cash flow plan that calculates the minimum amount a CID should contribute so their reserve balance won’t fall below 5% funded and cause the need for a special assessment. The percent funded will at some point fall into poorly funded levels but will never drop below 5%. If a CID has a funding plan that is below this threshold plan they should also plan on a future special assessment and/or a deferred maintenance. (Following this plan does carry higher risk of a special assessment if a component fails early or costs more than expected)
Why Should a Reserve Study be performed?

Certain states, such as California, require that reserve studies be completed and updated annually and that the board of directors inform owners of the reserve status with their annual budget. In addition, the board of directors of a common interest development (CID) has a legal and fiduciary duty to maintain the community in a good state of repair. Property Values are directly affected by the level of maintenance and upkeep of the common area components. Reserve studies create a maintenance plan, which keeps a development in good condition, therefore increasing property appreciation and value. The amount of funds in the reserve account also greatly affects property values. Reserve studies inform CID’s how much they should have in their reserve account, which eliminates costly special assessments. Over time each member of a CID should contribute their fair share to the reserve account so when expenses arise the required funds are available. Reserve Studies help board members fulfill their fiduciary duty and also help avoid litigation against an association.

Where do Component Repair/Replacement Cost Estimates Come From?

The most accurate cost source is actual bids from contractors or to look at contracts from when the repair/replacement was last performed. In most cases bids or contracts are not available so unit costs for similar work done in the same local area are used. In addition, it is helpful to talk to local vendors who have knowledge of the work and can help with a cost estimate. A third source is to use construction cost estimators such as RS Means. Many times the entire quantity of a component will not need to be replaced or repaired all at once. An example of this is concrete sidewalks. All sidewalks should never have to be replaced, but some sections may experience cracking. In this case an allowance can be created for their partial replacement.

The cost source number for each component is provided in the component summary and details. An explanation of each follows:

1. Local Historical Cost – Cost based on bids for similar work done in same area.
2. McCaffery Estimate – Estimate or Allowance made by McCaffery Staff Member.
3. Board/Manager Direction – Cost estimate provided by board member or property manager.
4. Bid/Contract – Bid came from actual bid or contract.
6. Previous Study – Cost came from previous reserve study.
Glossary of Terms:

**Contingency** – An allowance for miscellaneous components, unpredictable expenses and/or costs that were higher than expected. (5% of total current cost unless directed otherwise)

**Current Budgeted Reserve Assessment** – Amount currently being deposited into reserve account. Provided by Property Manager or Board Member.

**Depreciation This Year** – Amount that should be saved for component during current year. Provided for each component and summed for all components. If the association is 100% funded this is the amount they should contribute to the reserve fund annually. = (Total Current Cost / Normal Useful Life)

**Depreciation Percent** – A components percentage of the total depreciation of all components. = (Component Depreciation / Total Depreciation of all components)

**Fully Funded Balance** – The total depreciation over the life of the component. In other words, the amount that should have been saved during the life of the component. Provided for each component and summed for all components = ((Useful Life – Remaining Life) * Depreciation This Year)

**Full Funded Balance Percent** – A component’s percentage of the total fully funded balance of all components. = (Component FFB / Total FFB of all Components)

**Monthly Contribution** – The amount that should be allocated to each component using the recommended funding plan. = ((Component Depreciation / Total Depreciation) * Recommended Monthly Funding)

**Life Remaining Percent** – The percentage of life that a component has remaining = (Remaining Live / Useful Life)

**Normal Useful Life** – Typical useable life for a component.

**Percent Funded** – The percentage of the fully funded balance that the CID has in reserve fund. (Projected Balance / Fully Funded Balance)

**Projected Balance** – Projected balance at fiscal year end with current funding plan. Calculated using current reserve balance, remaining contributions to reserves before year-end, and planned expenses before year-end. Supplied by board or management.

**Recommended Reserve Contribution** – Recommended amount that the CID should allocate into reserves to offset future expenses.
**Remaining Life** – Expected remaining useable life of component. (0 year remaining life means the component will be serviced in the upcoming fiscal year)

**Replacement Year** – Year that component is projected to be replaced or repaired.

**Total Cost** – Total cost to replace or repair component in today’s dollars. = (Quantity x Unit Cost)

**Total Future Cost** - Current cost adjusted to future cost taking into account inflation and replacement year. = (Current Cost * (1 + inflation rate)^(Replacement Year-Present Year))

**Threshold Reserve Contribution** – Reserve contribution that should be allocated into reserves to keep reserve balance above a minimum amount during the next 30 years. (Minimum amount is 5% funded unless otherwise noted)

**Under Funded** – Amount association is short of fully funded balance; also known as a deficit. = (Fully Funded Balance – Projected Balance)

**Unit Cost** – Cost per Unit.

**Unit of Measure** – Unit used to measure component. (Explanations shown below)
- SF – Square Feet
- SY – Square Yard
- LF – Linear Feet
- Each – Per Single Unit
- Lump Sum - Total cost for component
- Allowance – Allowance for component repair or replacement
- Contract – Cost obtained from actual contract or bid

**Useful Life** – Time in years component is expected to last.

**What Procedures were used for calculation and establishment of reserves?**

In this study the fully funded reserve balance for a component at a given time was computed using the component method. Using the component method the fully funded reserve balance equals the current cost of replacement or repair multiplied by the number of years the component has been in service divided by the useful life of the component.

For example if the cost of a boiler is $10,000, the useful life is 10 years and the remaining life is 3 years. The recommended reserve balance would be:

$10,000 x ((10-3)/10) = $7,000.
Preparer Qualifications

Brian McCaffery, President and founder of McCaffery Reserve Consulting, earned his Bachelor of Science Degree in Architectural Engineering from the University of Colorado in Boulder. His degree program included coursework in Building Exterior, Lighting, Electrical Systems, Heating Ventilating and Air Conditioning, Concrete and Steel Design, Civil Engineering, Structural Engineering, and Estimating. He has worked in the Building Construction/Architectural Engineering industry for 11 years and has been performing reserve studies for the past 9 years. During his professional career, Brian has worked for multiple companies that perform reserve studies. He has performed over 3,000 reserve studies throughout the state of California and the United States. Brian is a certified Reserve Specialist, designated by the Community Associations Institute (CAI). The Reserve Specialist designation is awarded to experienced, qualified reserve specialists, who through years of specialized experience, can help ensure that your community association prepares its reserve budget as accurately as possible. Brian also has a permit to perform reserve studies in the state of Nevada (Reserve study permit #9).

McCaffery understands that most homeowners, board members, and property managers can have a difficult time understanding all the numbers in a reserve study. That is why we make it a priority to make our report easy for anyone to understand. The layout of this report is set up with graphs, explanations and figures to make it easy to follow. If you read though the full report you should have a good understanding of the numbers and calculations. We strive to make sure our studies are second to none in the industry. The important figures are summarized in the executive summary and the supporting graphs and figures give a full explanation of how the findings were derived. Further descriptions are provided in the descriptions section.

For more useful information on reserve studies please visit:

www.mccafferyreserveconsulting.com

For a quick video that highlights the main sections please see:
http://www.mccafferyreserveconsulting.com/sample-reserve-study

Or scan QR code below with a smart phone
One Page Description of how we come up with the Numbers in this Report

The numbers in this report start with the components listed in the component summary.

1. **Every component is given a useful life, remaining life, and an estimated cost**

   We will use a boiler as an example. This boiler is expected to last 10 years and has been in use for 7 years. The estimated cost is $10,000.

<table>
<thead>
<tr>
<th>Component</th>
<th>Useful Life</th>
<th>Remaining Life</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boiler</td>
<td>10</td>
<td>3</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

2. **The fully funded balance is calculated**

   Fully Funded Balance = (Useful life - Remaining Life)/Useful Life * Cost

   

   \[
   \frac{(10 - 3)}{10} \times$10,000 = $7,000
   \]

   The fully funded balance is then summed for all components and this is the total fully funded balance for the development.

3. **Fully Funded Balance is then compared to the actual projected year-end balance that the development has saved for reserves**

   This is called the percent funded. For our example let’s say the development had $5,000 saved for their boiler. Their percent funded would be:

   Percent Funded = Projected Year End Reserve Balance/Fully Funded Balance

   \[
   \frac{5,000}{7,000} = 71\%
   \]

4. **Next expenses are projected for each component for the next 30 years using the useful and remaining lives**

   This information is shown in the annual expenses by component section. Inflation is included in these figures.

5. **Using the projected expenses for the next 30 years the funding plans are created**

   Funding plans are created so that the development has enough money to offset their projected expenses for the next 30 years.

   We try to create funding plans that have a uniform contribution over a 30 year period with a slight increase over time for inflation.
Executive Summary
Park Vista Apartments

This is an apartment building with 97 Units.
The common area components include: garage, hallways, and building exterior.
A Full Study with an on-site inspection was performed on April 7th, 2017

Number of Units 97
Year Built
Fiscal Year End December 31, 2017

Reserve Fund Balance December 31, 2017
Fully Funded Reserve Balance $3,247,485
Projected Balance $1,600,000
Under Funded (Deficiency in Reserve Funding) $1,647,485
Deficiency in Reserve Funding Per Unit $16,984.38
Percent Funded 49.3%

Funding Plans

<table>
<thead>
<tr>
<th>Description</th>
<th>Annually</th>
<th>Monthly</th>
<th>Per Unit Monthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depreciation of Components in 2017</td>
<td>$244,527</td>
<td>$20,377</td>
<td>$210.07</td>
</tr>
<tr>
<td>Budgeted Reserve Contribution 2017</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>5% Threshold Reserve Contribution for 2018</td>
<td>$271,200</td>
<td>$22,600</td>
<td>$232.99</td>
</tr>
<tr>
<td>Recommended Reserve Contribution for 2018</td>
<td>$324,000</td>
<td>$27,000</td>
<td>$278.35</td>
</tr>
</tbody>
</table>

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Percent Funded

Percent Funded is probably the most important number in a reserve study.

Your current percent funded is:

<table>
<thead>
<tr>
<th></th>
<th>Year End Balance</th>
<th>Fully Funded Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$1,600,000</td>
<td>$3,247,485</td>
</tr>
</tbody>
</table>

Above 70% = Well Funded  
Between 30% and 70% = Fairly Funded  
Below 30% = Poorly Funded

The higher your percent funded, the lower the risk of special assessments and deferred maintenance.

If you follow one of the 3 funding plans in this reserve study this is what your percent funded may look like over the next 30 years. Anytime the Current line drops below 0% a special assessment is likely.

<table>
<thead>
<tr>
<th>Current Reserve Contribution 2016</th>
<th>Monthly</th>
<th>Per Unit Monthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5% Threshold Reserve Contribution for 2018</th>
<th>Monthly</th>
<th>Per Unit Monthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>$271,200</td>
<td>$22,600</td>
<td>$232.99</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recommended Reserve Contribution for 2018</th>
<th>Monthly</th>
<th>Per Unit Monthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>$324,000</td>
<td>$27,000</td>
<td>$278.35</td>
</tr>
</tbody>
</table>
30 Year Projections

Reserve expenses will vary from year to year. A reserve study predicts these expenses and offsets them by creating a uniform funding plan that increases slightly over time to keep up with inflation.

The green 100% funded shaded area shows the ideal balance over the next 30 years. It increases over time due to inflation and depreciation of your components. The 100% funded area will drop after years with large expenses. The recommend funding plan will keep you well funded. The threshold plan will approach $0 dollars, following this plan has a higher risk of special assessments or deferred maintenance.
Category Significance

This chart breaks down the total fully funded balance for each category.

<table>
<thead>
<tr>
<th>Category</th>
<th>Fully Funded Balance</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roofing/Decking</td>
<td>$179,210</td>
<td>6%</td>
</tr>
<tr>
<td>Total</td>
<td>$247,465</td>
<td></td>
</tr>
</tbody>
</table>

Fully Funded Balance

This chart breaks down the total annual depreciation for each category.

<table>
<thead>
<tr>
<th>Category</th>
<th>Annual Depreciation</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roofing/Decking</td>
<td>$32,762</td>
<td>13%</td>
</tr>
<tr>
<td>Total</td>
<td>$247,527</td>
<td></td>
</tr>
</tbody>
</table>

This chart may differ from the chart above because it does not account for remaining life.

Depreciation This Year

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## Theoretical 30 Year Funding Plans

**Park Vista Apartments**

- **Above 70%** = Well Funded
- **Between 30% and 70%** = Fairly Funded
- **Below 30%** = Poorly Funded

(\textit{Low Risk of Special Assessment})

### Before Tax Interest Rate 1.5%

### Annual Inflation Rate 3.0%

### Annual Funding Increase 3.0%

<table>
<thead>
<tr>
<th>Year End</th>
<th>Annual Expenses</th>
<th>Fully Funded Balance</th>
<th>Current Funding Plan</th>
<th>Recommended Funding Plan</th>
<th>% Threshold Funding Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>$51,090</td>
<td>$3,247,468</td>
<td>$1,500,000</td>
<td>$324,000</td>
<td>$1,800,000</td>
</tr>
<tr>
<td>2018</td>
<td>$405,305</td>
<td>$3,466,844</td>
<td>$1,572,910</td>
<td>$333,720</td>
<td>$1,853,779</td>
</tr>
<tr>
<td>2019</td>
<td>$311,596</td>
<td>$3,503,130</td>
<td>$1,191,199</td>
<td>$343,732</td>
<td>$1,915,731</td>
</tr>
<tr>
<td>2020</td>
<td>$897,675</td>
<td>$2,912,605</td>
<td>$977,480</td>
<td>$354,044</td>
<td>$1,398,805</td>
</tr>
<tr>
<td>2021</td>
<td>$23,411</td>
<td>$3,258,138</td>
<td>$1,267,060</td>
<td>$364,665</td>
<td>$1,761,041</td>
</tr>
<tr>
<td>2022</td>
<td>$175,968</td>
<td>$3,457,552</td>
<td>$1,906,911</td>
<td>$375,605</td>
<td>$1,987,093</td>
</tr>
<tr>
<td>2023</td>
<td>$24,359</td>
<td>$3,835,671</td>
<td>$1,210,269</td>
<td>$386,873</td>
<td>$2,373,416</td>
</tr>
<tr>
<td>2024</td>
<td>$52,230,888</td>
<td>$1,847,816</td>
<td>$2,444,137</td>
<td>$398,379</td>
<td>$2,562,718</td>
</tr>
<tr>
<td>2025</td>
<td>$11,528</td>
<td>$2,209,635</td>
<td>$2,452,665</td>
<td>$410,434</td>
<td>$2,900,365</td>
</tr>
<tr>
<td>2026</td>
<td>$15,135</td>
<td>$2,588,385</td>
<td>$2,467,820</td>
<td>$422,747</td>
<td>$3,142,832</td>
</tr>
<tr>
<td>2027</td>
<td>$275,758</td>
<td>$2,706,288</td>
<td>$2,743,559</td>
<td>$435,429</td>
<td>$3,593,695</td>
</tr>
<tr>
<td>2028</td>
<td>$221,201</td>
<td>$2,896,862</td>
<td>$2,964,759</td>
<td>$448,492</td>
<td>$4,144,891</td>
</tr>
<tr>
<td>2029</td>
<td>$398,072</td>
<td>$2,912,369</td>
<td>$3,362,332</td>
<td>$461,947</td>
<td>$4,316,439</td>
</tr>
<tr>
<td>2030</td>
<td>$313,385</td>
<td>$3,030,682</td>
<td>$3,676,217</td>
<td>$475,825</td>
<td>$4,527,905</td>
</tr>
<tr>
<td>2031</td>
<td>$330,501</td>
<td>$3,145,130</td>
<td>$4,006,718</td>
<td>$490,079</td>
<td>$4,721,402</td>
</tr>
<tr>
<td>2032</td>
<td>$706,678</td>
<td>$2,867,605</td>
<td>$4,713,396</td>
<td>$504,781</td>
<td>$5,212,286</td>
</tr>
<tr>
<td>2033</td>
<td>$503,557</td>
<td>$2,813,201</td>
<td>$5,216,953</td>
<td>$519,925</td>
<td>$5,200,044</td>
</tr>
<tr>
<td>2034</td>
<td>$133,715</td>
<td>$3,169,274</td>
<td>$5,350,888</td>
<td>$535,253</td>
<td>$5,235,770</td>
</tr>
<tr>
<td>2035</td>
<td>$30,844</td>
<td>$3,659,990</td>
<td>$5,361,312</td>
<td>$551,588</td>
<td>$5,396,251</td>
</tr>
<tr>
<td>2036</td>
<td>$29,108</td>
<td>$4,179,951</td>
<td>$5,410,420</td>
<td>$568,136</td>
<td>$5,763,223</td>
</tr>
<tr>
<td>2037</td>
<td>$128,938</td>
<td>$4,620,794</td>
<td>$5,539,358</td>
<td>$585,180</td>
<td>$6,296,213</td>
</tr>
<tr>
<td>2038</td>
<td>$267,275</td>
<td>$4,906,453</td>
<td>$5,636,634</td>
<td>$602,735</td>
<td>$6,666,116</td>
</tr>
<tr>
<td>2039</td>
<td>$128,762</td>
<td>$5,396,985</td>
<td>$5,965,396</td>
<td>$620,818</td>
<td>$7,228,163</td>
</tr>
<tr>
<td>2040</td>
<td>$2,236</td>
<td>$6,055,966</td>
<td>$5,965,396</td>
<td>$636,442</td>
<td>$7,946,028</td>
</tr>
<tr>
<td>2041</td>
<td>$2,236</td>
<td>$6,747,211</td>
<td>(5,967,832)</td>
<td>$658,625</td>
<td>$8,691,607</td>
</tr>
<tr>
<td>2042</td>
<td>$587,074</td>
<td>$6,942,050</td>
<td>(6,564,706)</td>
<td>$678,364</td>
<td>$9,883,291</td>
</tr>
<tr>
<td>2043</td>
<td>$111,328</td>
<td>$7,037,475</td>
<td>(7,066,034)</td>
<td>$543,164</td>
<td>$7,018,377</td>
</tr>
<tr>
<td>2044</td>
<td>$1,072,436</td>
<td>$6,248,216</td>
<td>(6,138,472)</td>
<td>$558,459</td>
<td>$6,610,673</td>
</tr>
<tr>
<td>2045</td>
<td>$20,820</td>
<td>$7,401,388</td>
<td>(6,159,392)</td>
<td>$576,243</td>
<td>$7,265,256</td>
</tr>
<tr>
<td>2046</td>
<td>$61,978</td>
<td>$8,149,931</td>
<td>(6,221,270)</td>
<td>$593,530</td>
<td>$7,905,787</td>
</tr>
</tbody>
</table>

Note: All future projections are theoretical. The estimated lives and costs of components will likely change over time depending on factors such as inflation rates and levels of maintenance. Reserve analysis should be performed annually to account for these factors.

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65
Future Percent Funded

This table and chart shows where your percent funded will be over the next 15 years starting with different levels of funding. Keep in mind all figures assume a 3% annual increase in funding to keep up with inflation.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>110% Recommended</td>
<td>$356,400</td>
<td>Above 70% = Well Funded</td>
<td>49%</td>
<td>54%</td>
<td>56%</td>
<td>58%</td>
<td>53%</td>
<td>59%</td>
<td>61%</td>
<td>63%</td>
<td>65%</td>
<td>67%</td>
<td>70%</td>
<td>73%</td>
<td>75%</td>
<td>77%</td>
<td>79%</td>
<td>81%</td>
</tr>
<tr>
<td>Recommended</td>
<td>$324,000</td>
<td>Between 30% and 70% = Fairly Funded</td>
<td>49%</td>
<td>54%</td>
<td>56%</td>
<td>58%</td>
<td>53%</td>
<td>59%</td>
<td>61%</td>
<td>63%</td>
<td>65%</td>
<td>67%</td>
<td>70%</td>
<td>73%</td>
<td>75%</td>
<td>77%</td>
<td>79%</td>
<td>81%</td>
</tr>
<tr>
<td>90% Recommended</td>
<td>$291,600</td>
<td>(Low Risk of Special Assessment)</td>
<td>49%</td>
<td>54%</td>
<td>56%</td>
<td>58%</td>
<td>53%</td>
<td>59%</td>
<td>61%</td>
<td>63%</td>
<td>65%</td>
<td>67%</td>
<td>70%</td>
<td>73%</td>
<td>75%</td>
<td>77%</td>
<td>79%</td>
<td>81%</td>
</tr>
<tr>
<td>80% Recommended</td>
<td>$262,200</td>
<td>Below 30% = Poorly Funded</td>
<td>49%</td>
<td>54%</td>
<td>56%</td>
<td>58%</td>
<td>53%</td>
<td>59%</td>
<td>61%</td>
<td>63%</td>
<td>65%</td>
<td>67%</td>
<td>70%</td>
<td>73%</td>
<td>75%</td>
<td>77%</td>
<td>79%</td>
<td>81%</td>
</tr>
<tr>
<td>70% Recommended</td>
<td>$232,800</td>
<td>(Higher Risk of Special Assessment)</td>
<td>49%</td>
<td>54%</td>
<td>56%</td>
<td>58%</td>
<td>53%</td>
<td>59%</td>
<td>61%</td>
<td>63%</td>
<td>65%</td>
<td>67%</td>
<td>70%</td>
<td>73%</td>
<td>75%</td>
<td>77%</td>
<td>79%</td>
<td>81%</td>
</tr>
<tr>
<td>60% Recommended</td>
<td>$194,400</td>
<td></td>
<td>49%</td>
<td>54%</td>
<td>56%</td>
<td>58%</td>
<td>53%</td>
<td>59%</td>
<td>61%</td>
<td>63%</td>
<td>65%</td>
<td>67%</td>
<td>70%</td>
<td>73%</td>
<td>75%</td>
<td>77%</td>
<td>79%</td>
<td>81%</td>
</tr>
</tbody>
</table>

Note: All future projections are theoretical. The estimated lives and costs of components will likely change over time depending on factors such as inflation rates and levels of maintenance. Reserve analysis should be performed annually to account for these factors.
### Component Summary

**Park Vista Apartments**

<table>
<thead>
<tr>
<th>Category</th>
<th>Component</th>
<th>Approx. Quantity</th>
<th>Unit of Measure</th>
<th>Useful Life</th>
<th>Remaining Life</th>
<th>Unit Cost</th>
<th>Total Cost</th>
<th>Cost Source</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Roofing/Decking</strong></td>
<td>Flat Roofing</td>
<td>18500</td>
<td>SF</td>
<td>15</td>
<td>12</td>
<td>$ 11.40</td>
<td>$ 210,900</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Balcony/Decking Seal</td>
<td>13000</td>
<td>SF</td>
<td>5</td>
<td>0</td>
<td>$ 3.23</td>
<td>$ 41,990</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Balcony/Decking Resurface</td>
<td>13000</td>
<td>SF</td>
<td>25</td>
<td>15</td>
<td>$ 15.20</td>
<td>$ 197,600</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Awnings (1/3)</td>
<td>1</td>
<td>Allowance</td>
<td>10</td>
<td>8</td>
<td>$ 8,000</td>
<td>$ 8,000</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Awnings (1/3)</td>
<td>1</td>
<td>Allowance</td>
<td>10</td>
<td>2</td>
<td>$ 8,000</td>
<td>$ 8,000</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Awnings (1/3)</td>
<td>1</td>
<td>Allowance</td>
<td>10</td>
<td>0</td>
<td>$ 8,000</td>
<td>$ 8,000</td>
<td>1</td>
</tr>
<tr>
<td><strong>Painting</strong></td>
<td>Stucco</td>
<td>1</td>
<td>Allowance</td>
<td>12</td>
<td>2</td>
<td>$ 218,500</td>
<td>$ 218,500</td>
<td>1</td>
</tr>
<tr>
<td><strong>Asphalt</strong></td>
<td>Slurry Seal &amp; Repair</td>
<td>5000</td>
<td>SF</td>
<td>4</td>
<td>0</td>
<td>$ 0.22</td>
<td>$ 1,100</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Overlay &amp; Replace</td>
<td>5000</td>
<td>SF</td>
<td>25</td>
<td>4</td>
<td>$ 2.00</td>
<td>$ 10,000</td>
<td>1</td>
</tr>
<tr>
<td><strong>Fencing/Rails</strong></td>
<td>Metal Fencing</td>
<td>200</td>
<td>LF</td>
<td>25</td>
<td>6</td>
<td>$ 42.00</td>
<td>$ 8,400</td>
<td>1</td>
</tr>
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**TOTALS** $4,422,390

Notes: Components highlighted in red calculated with prevailing wage costs.
### Component Significance

This table makes it easy to see what components are the most significant.

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[www.mccafferyreserveconsulting.com](http://www.mccafferyreserveconsulting.com)
### Annual Expenses by Component

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[www.mccafferyreserveconsulting.com](http://www.mccafferyreserveconsulting.com)
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www.mccafferyreserveconsulting.com
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www.mcafferreservecounseling.com 4-18
## Annual Expenses by Component

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www.mcclafforyreserveconsulting.com
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[www.mccafferyreserveconsulting.com](http://www.mccafferyreserveconsulting.com) 4.20

73
### Annual Expenses by Component

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www.mccafferyreserveconsulting.com 4-21
### Component Details

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<tr>
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<td><strong>Life Remaining Percent</strong></td>
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### Roofing/Decking

| Approximate Component Quantity | 13000 | **Estimated Current Unit Cost** | $3.23 |
| Unit of Measure | SF | **Estimated Total Current Cost** | $41,990 |
| Normal Useful Life (Years) | 5 | **Estimated Total Future Cost** | $41,990 |
| Estimated Remaining Useful Life (Years) | 0 | **Fully Funded Balance** | $41,990 |
| Estimated Replacement Year | 2018 | **Depreciation This Year** | $8,398 |
| Cost Source | 1 | **Monthly Contribution** | $927.29 |
| Depreciation Percent | 3.43% | **Fully Funded Balance Percent** | 1.29% |
| Life Remaining Percent | 0% |

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### Roofing/Decking vs. Balcony/Decking Resurface

<table>
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### Roofing/Decking vs. Awnings (1/3)

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### Roofing/Decking vs. Awnings (1/3)

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### Roofing/Decking vs. Awnings (1/3)

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<tr>
<td><strong>Unit of Measure</strong></td>
<td>Allowance</td>
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<td><strong>Normal Useful Life (Years)</strong></td>
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### Asphalt

| Approximate Component Quantity | - 5000 |
| Unit of Measure                | SF |
| Normal Useful Life (Years)     | 4 |
| Estimated Remaining Useful Life (Years) | 0 |
| Estimated Replacement Year     | 2018 |
| Cost Source                    | 1 |
| Depreciation Percent           | 0.11% |
| Life Remaining Percent         | 0% |

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### Asphalt

| Approximate Component Quantity | - 5000 |
| Unit of Measure                | SF |
| Normal Useful Life (Years)     | 25 |
| Estimated Remaining Useful Life (Years) | 4 |
| Estimated Replacement Year     | 2022 |
| Cost Source                    | 1 |
| Depreciation Percent           | 0.16% |
| Life Remaining Percent         | 16% |

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www.mccafferyreserveconsulting.com
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<td>$194,000</td>
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### Repaint

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### Carpet

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<th>Estimated Total Current Cost</th>
<th>Estimated Total Future Cost</th>
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<th>Depreciation This Year</th>
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### Windows/Patio Door

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### Common Areas

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<th>Monthly Contribution</th>
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### Patio Furniture

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<th>Depreciation This Year</th>
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www.mccafferyreserveconsulting.com
### Common Areas

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### Common Area Carpet

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www.mccafferyreserveconsulting.com
## Common Areas

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## Common Areas

| Approximate Component Quantity | - 2 | Estimated Current Unit Cost | $3,300.00 |
| Unit of Measure                | Each | Estimated Total Current Cost | $6,600 |
| Normal Useful Life (Years)     | 10  | Estimated Total Future Cost  | $8,612 |
| Estimated Remaining Useful Life (Years) | 9 | Fully Funded Balance | $660 |
| Estimated Replacement Year     | 2027 | Depreciation This Year | $860 |
| Cost Source                    | 1   | Monthly Contribution | $72.96 |
| Depreciation Percent           | 0.27% | Fully Funded Balance Percent | 0.02% |
| Life Remaining Percent         | 90% |                          | |

## Boiler Tanks

## Common Areas

| Approximate Component Quantity | - 1 | Estimated Current Unit Cost | $10,000.00 |
| Unit of Measure                | Allowance | Estimated Total Current Cost | $10,000 |
| Normal Useful Life (Years)     | 13  | Estimated Total Future Cost  | $11,593 |
| Estimated Remaining Useful Life (Years) | 5 | Fully Funded Balance | $6,154 |
| Estimated Replacement Year     | 2023 | Depreciation This Year | $769 |
| Cost Source                    | 1   | Monthly Contribution | $84.84 |
| Depreciation Percent           | 0.31% | Fully Funded Balance Percent | 0.19% |
| Life Remaining Percent         | 38% |                          | |

## Recreation Furnishings
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### Lighting

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### Bollard Fixtures

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### Miscellaneous

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### Miscellaneous

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</tr>
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<td>Cost Source</td>
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<tr>
<td>Depreciation Percent</td>
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</tr>
<tr>
<td>Cost Source</td>
<td>1</td>
</tr>
<tr>
<td>Depreciation Percent</td>
<td>0.25%</td>
</tr>
<tr>
<td>Life Remaining Percent</td>
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</tr>
<tr>
<td>Estimated Current Unit Cost</td>
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<tr>
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<tr>
<td>Monthly Contribution</td>
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<tr>
<td>Fully Funded Balance Percent</td>
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<table>
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<tr>
<th>Fire Alarm Upgrade</th>
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<tr>
<td>Unit of Measure</td>
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</tr>
<tr>
<td>Normal Useful Life (Years)</td>
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<tr>
<td>Estimated Remaining Useful Life (Years)</td>
<td>6</td>
</tr>
<tr>
<td>Estimated Replacement Year</td>
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<td>Life Remaining Percent</td>
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<td>Monthly Contribution</td>
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<td>Fully Funded Balance Percent</td>
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<table>
<thead>
<tr>
<th>Generator Rebuild</th>
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<tbody>
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<td>Estimated Remaining Useful Life (Years)</td>
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<td>Estimated Replacement Year</td>
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<td>Life Remaining Percent</td>
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<td>$335.67</td>
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<td>Fully Funded Balance Percent</td>
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<table>
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<th>Front Entry Door</th>
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<tr>
<td>Unit of Measure</td>
<td>Each</td>
</tr>
<tr>
<td>Normal Useful Life (Years)</td>
<td>20</td>
</tr>
<tr>
<td>Estimated Remaining Useful Life (Years)</td>
<td>20</td>
</tr>
<tr>
<td>Estimated Replacement Year</td>
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</tr>
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<td>Cost Source</td>
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<tr>
<td>Depreciation Percent</td>
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<td>Life Remaining Percent</td>
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<td>Estimated Current Unit Cost</td>
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<td>Estimated Total Future Cost</td>
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<td>Fully Funded Balance</td>
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<td>Depreciation This Year</td>
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<td>Monthly Contribution</td>
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<td>Fully Funded Balance Percent</td>
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</table>
## Miscellaneous

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>Estimated Replacement Year</td>
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<td>0.41%</td>
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<td>Life Remaining Percent</td>
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</table>

## Common Doors & Windows

<table>
<thead>
<tr>
<th>Estimated Current Unit Cost</th>
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<tr>
<td>Estimated Total Current Cost</td>
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<tr>
<td>Estimated Total Future Cost</td>
<td>$ 11,593</td>
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</tr>
<tr>
<td>Depreciation This Year</td>
<td>$ 1,000</td>
</tr>
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<td>Monthly Contribution</td>
<td>$ 110.42</td>
</tr>
<tr>
<td>Fully Funded Balance Percent</td>
<td>0.15%</td>
</tr>
</tbody>
</table>
Disclaimer

This report attempts to determine the estimated remaining useful life of the components that can be visually observed. This report is expressly for the use of the client and only for the purpose of establishing reserve funding requirements. The study is not a guarantee or warranty, or a recommendation to purchase. Estimated remaining useful lives are calculated with reasonable consideration for weather conditions. Natural disasters, including seismic activity will not be addressed in this report. Reserve Funding for earthquake damages and other disasters exceeds the scope of the study. We recommend the development consider additional insurance to cover unforeseen disasters. We assume the components of the association will receive proper maintenance. The report is expressly for the use of the client and only for the purpose of establishing reserve funding requirements.

In providing the opinions of probable construction costs, the client understands that McCaffery Reserve Consulting (MRC) has no control over costs or the price of labor, equipment or materials, or over the contractor’s method of pricing, and that the opinions of probable construction costs provided herein are to be made on the basis of MRC’s qualifications and experience. MRC makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual costs.

Because the reserve study is a projection, the estimated lives and costs of components will likely change over time depending on a variety of factors such as future inflation rates and levels of maintenance applied by future boards, unknown defects in materials that may lead to premature failures, etc. As a result, some components may experience longer lives while others will experience premature failures. Some components may cost less at the time of replacement due to changes in manufacturing methods while others may cost more due to material shortages or high demand. All future projections are therefore theoretical and reserve studies should be updated annually.

MRC has made a reasonable effort to ensure that the report is accurate. This study does not preclude errors resulting from unforeseen conditions or circumstances. The scope of this report is expressly limited to the components described herein. MRC has obtained certain information, documentation and materials from the association agent and the reserve study is based upon the accuracy of such information. Material inaccuracies could adversely affect the reserve study. MRC is not responsible for such inaccuracies. This study is limited to a visual observation. There has been neither destructive testing nor inspection of the interior of private units; floors, wall or ceiling cavities, or structural elements. It is assumed that the components have been constructed per original construction documents and comply with applicable codes. This study is not designed to uncover latent or patent defects. Estimates represent replacement of a component with similar materials unless otherwise noted. Local building codes have not been researched to determine whether or not current ordinances will permit the replacement of any component with components of like material. The estimates do not take into account the abbreviated useful life of a component as a result of its original construction, installation, or design. MRC is not responsible for any claims, demands, or damages arising out of the discovery of asbestos, radon or any environmental claims, demands or damages. We do not assume any liability for damages which may result from this study. We are not responsible for conditions this report fails to disclose. The information contained in this study is deemed reliable as of the date of this study, but is not guaranteed.

The Association, by accepting this study, agrees to release MRC from any claims, demands or damages. The Association, in consideration of MRC performing the reserve study, hereby agrees to indemnify, defend and hold harmless MRC from and against any and all liability, damages, losses, claims, demands, or lawsuits arising out of or relating to this reserve study.

The information contained within the report is assembled in conjunction with the client and is intended to assist the client with its reserve planning. MRC does not guarantee, either explicitly or implied, that all repair and replacement items have been identified, the accuracy of the probable costs or the product lives associated with these items.
<table>
<thead>
<tr>
<th>CODE</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>001</td>
<td>GENERAL FUND</td>
<td>869,576.49</td>
</tr>
<tr>
<td>104</td>
<td>TRAFFIC SAFETY FUND</td>
<td>-</td>
</tr>
<tr>
<td>106</td>
<td>STATE GAS TAX FUND</td>
<td>-</td>
</tr>
<tr>
<td>108</td>
<td>ASSOCIATED RECREATION ACTIVITIES FUND</td>
<td>-</td>
</tr>
<tr>
<td>109</td>
<td>ASSESTS FORFEITURE FUND</td>
<td>-</td>
</tr>
<tr>
<td>111</td>
<td>COMM. DIESEL BLOCK GRANT</td>
<td>-</td>
</tr>
<tr>
<td>112</td>
<td>PROP &quot;X&quot; TRANSPORTATION</td>
<td>135.00</td>
</tr>
<tr>
<td>114</td>
<td>PROP &quot;C&quot; TRANSPORTATION</td>
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<td>115</td>
<td>AIR QUALITY INVESTMENT PROGRAM</td>
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<td>116</td>
<td>HOME SOUND INSTALLATION FUND</td>
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<tr>
<td>117</td>
<td>HYPERION MITIGATION FUND</td>
<td>-</td>
</tr>
<tr>
<td>118</td>
<td>TDA ARTICLE 3 - SB 821 REOVERY FUND</td>
<td>-</td>
</tr>
<tr>
<td>119</td>
<td>MTA GRANT</td>
<td>-</td>
</tr>
<tr>
<td>121</td>
<td>FEMIA</td>
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<tr>
<td>120</td>
<td>O.S.P.S. FUND</td>
<td>7.78</td>
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<tr>
<td>122</td>
<td>L.A.W.A. FUND</td>
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<tr>
<td>123</td>
<td>P.S.F. PROPERTY TAX PUBLIC SAFETY</td>
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<tr>
<td>203</td>
<td>ASSESSMENT DISTRICT #73</td>
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<tr>
<td>301</td>
<td>CAPITAL IMPROVEMENT FUND</td>
<td>692,250.01</td>
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<tr>
<td>302</td>
<td>INFRASTRUCTURE REPLACEMENT FUND</td>
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<tr>
<td>405</td>
<td>FACILITIES MAINTENANCE</td>
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<tr>
<td>591</td>
<td>WATER UTILITY FUND</td>
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<td>WASTEWATER FUND</td>
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<td>593</td>
<td>GOLF COURSE FUND</td>
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<td>601</td>
<td>EQUIPMENT REPLACEMENT</td>
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<td>653</td>
<td>WORKERS COMP. RESERVE INSURANCE</td>
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<td>701</td>
<td>RETIRED EMP. INSURANCE</td>
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<td>702</td>
<td>EXPENDABLE TRUST FUND - DEVELOPER FEES</td>
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<td>703</td>
<td>EXPENDABLE TRUST FUND - OTHER</td>
<td>20,407.70</td>
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<tr>
<td>708</td>
<td>OUTSIDE SERVICES TRUST</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>TOTAL WARRANTS</td>
<td>2,565,673.29</td>
</tr>
</tbody>
</table>

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

Information on actual expenditures is available in the Director of Finance's office in the City of El Segundo.

I certify as to the accuracy of the Demands and the availability of fund for payment thereof.

For Approval: Regular checks held for City council authorization to release.

CODES:

R = Computer generated checks for all non-emergency/urgency payments for materials, supplies, and services in support of City Operations

VOID CHECKS DUE TO ALIGNMENT:

VOID CHECKS DUE TO INCORRECT CHECK DATE:

VOID CHECKS DUE TO COMPUTER SOFTWARE ERROR:

NOTES:

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

FINANCE DIRECTOR  CITY MANAGER
DATE: 9-25-17  DATE: 9-25-17
## CITY OF EL SEGUNDO
### PAYMENTS BY WIRE TRANSFER
**9/11/17 THROUGH 9/24/17**

<table>
<thead>
<tr>
<th>Date</th>
<th>Payee</th>
<th>Amount</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>9/11/2017</td>
<td>West Basin</td>
<td>2,106,133.76</td>
<td>H2O payment</td>
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<tr>
<td>9/11/2017</td>
<td>IRS</td>
<td>254,839.59</td>
<td>Federal 941 Deposit</td>
</tr>
<tr>
<td>9/11/2017</td>
<td>Employment Development</td>
<td>52,200.38</td>
<td>State PIT Withholding</td>
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<tr>
<td>9/11/2017</td>
<td>Employment Development</td>
<td>3,450.42</td>
<td>State SDI payment</td>
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<tr>
<td>9/13/2017</td>
<td>Cal Pers</td>
<td>4,888.78</td>
<td>EFT Retirement Safety-Fire-PEPRA New 25020</td>
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<tr>
<td>9/13/2017</td>
<td>Cal Pers</td>
<td>4,596.20</td>
<td>EFT Retirement Safety-Police-PEPRA New 25021</td>
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<td>9/13/2017</td>
<td>Cal Pers</td>
<td>21,211.89</td>
<td>EFT Retirement Misc - PEPRA New 26013</td>
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<td>9/13/2017</td>
<td>Cal Pers</td>
<td>51,139.41</td>
<td>EFT Retirement Misc - Classic 27</td>
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<td>9/13/2017</td>
<td>Cal Pers</td>
<td>54,475.58</td>
<td>EFT Retirement Safety Fire-Classic 30168</td>
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<td>9/13/2017</td>
<td>Cal Pers</td>
<td>3,729.77</td>
<td>EFT Retirement Syf Police Classic-2nd Tier 30169</td>
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<td>9/13/2017</td>
<td>Cal Pers</td>
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<td>EFT Health Insurance Payment</td>
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<td>9/15/2017</td>
<td>Health Comp</td>
<td>2,247.00</td>
<td>Weekly claims</td>
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<tr>
<td>9/19/2017</td>
<td>Cal Pers</td>
<td>6,058.69</td>
<td>Misc Annual uniform reporting</td>
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<tr>
<td>9/19/2017</td>
<td>Cal Pers</td>
<td>62,724.36</td>
<td>Fire - Annual FSLA &amp; uniform reporting</td>
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<td>9/20/2017</td>
<td>Cal Pers</td>
<td>1,750.00</td>
<td>GASB 68 Reporting Services Fee</td>
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<td>9/21/2017</td>
<td>Unum</td>
<td>387.00</td>
<td>Long Term Care Premium</td>
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<tr>
<td>9/21/2017</td>
<td>Joint Council of Teamsters</td>
<td>4,242.00</td>
<td>Vision Insurance payment</td>
</tr>
<tr>
<td>9/22/2017</td>
<td>Manufacturers &amp; Traders</td>
<td>32,054.77</td>
<td>457 payment Vantagepoint</td>
</tr>
<tr>
<td>9/22/2017</td>
<td>Manufacturers &amp; Traders</td>
<td>527.31</td>
<td>IRA payment Vantagepoint</td>
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<tr>
<td>9/22/2017</td>
<td>Nationwide NRS EFT</td>
<td>49,923.10</td>
<td>EFT 457 payment</td>
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<td>9/22/2017</td>
<td>State of CA EFT</td>
<td>1,533.61</td>
<td>EFT Child support payment</td>
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<tr>
<td>9/22/2017</td>
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<td>Weekly claims</td>
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<td>9/14/2017</td>
<td>Lane Donovan Golf Pts</td>
<td>22,212.27</td>
<td>Payroll Transfer</td>
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<tr>
<td>9/4/17-9/10/17</td>
<td>Workers Comp Activity</td>
<td>35,823.15</td>
<td>SCRMA checks issued</td>
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<tr>
<td>9/11/17-9/17/17</td>
<td>Workers Comp Activity</td>
<td>16,862.44</td>
<td>SCRMA checks issued</td>
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<tr>
<td>9/4/17-9/10/17</td>
<td>Liability Trust - Claims</td>
<td>0.00</td>
<td>Claim checks issued</td>
</tr>
<tr>
<td>9/11/17-9/17/17</td>
<td>Liability Trust - Claims</td>
<td>4,806.27</td>
<td>Claim checks issued</td>
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<tr>
<td>9/4/17-9/10/17</td>
<td>Retiree Health Insurance</td>
<td>0.00</td>
<td>Health Reimbursement checks issued</td>
</tr>
<tr>
<td>9/11/17-9/17/17</td>
<td>Retiree Health Insurance</td>
<td>0.00</td>
<td>Health Reimbursement checks issued</td>
</tr>
</tbody>
</table>

**DATE OF RATIFICATION: 9/21/17**

**TOTAL PAYMENTS BY WIRE:**

3,351,307.77

Certified as to the accuracy of the wire transfers by:

**Deputy City Treasurer II**  
Date: 9/21/17

**Director of Finance**  
Date: 9/25/17

**City Manager**  
Date: 9/26/17

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 05, 2017 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER - Mayor Fuentes at 5:00 PM

ROLL CALL

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

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

SPECIAL ORDER OF BUSINESS:

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

CLOSED SESSION:

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov’t Code §54956.9(d)(1): -2- matters

1. Rapoza vs. City of El Segundo, Workers’ Comp. Board Case No. ADJ9902478

2. Browning vs. City of El Segundo, Workers’ Comp. Board Case No. ADJ10291942

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): -0- matters.

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

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): -4- matters

1. Employee Organizations: Police Management Association; Supervisory and Professional Employees Association; City Employees Association and Fire Fighters Association.

   Agency Designated Representative: Labor Negotiator, Irma Rodriguez Moisa and City Manager, Greg Carpenter

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

Adjourned at 5:50 PM
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 05, 2017 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 7:02 PM

INVOCATION – Pastor Wes Harding, the Bridge Church

PLEDGE OF ALLEGIANCE – Council Member Dugan

PRESENTATIONS

a) Presentation by Natalie Strong, El Segundo artist, presented a report regarding a mural project for Recreation Park Clubhouse in conjunction with the Arts & Culture Advisory Committee.

ROLL CALL

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

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total)
Richard Farn, resident, spoke concerning Imperial Avenue's median.
Ron Swanson, resident, spoke concerning 9/11 and mentioned he would like to do something for the City's staff as a thank you for all they do. Therefore, he will be sponsoring the In and Out truck on Monday, September 11, 2017 at 11:00 am.

1. Consideration and possible action to receive and file a discussion of the state of Imperial Avenue near the airport. In particular, the landscaping in the center median all the way from the 105 Freeway to Pershing. The median has an abundance of weeds on a consistent basis. Agenda item from the General Public, Daniel Grubbs.

Greg Carpenter, City Manager, introduced the item.

Daniel Grubbs, resident, reported on the item.

Council Discussion

Council Consensus to receive and file the report.
CITY COUNCIL COMMENTS – (Related to Public Communications)

A. PROCEDURAL MOTIONS

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

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

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

2. Consideration and possible action regarding the following matters which relate to the potential approval of a project to make improvements to the golf course and club house and convert the driving range to a TopGolf facility at the existing Lake's at El Segundo golf course and driving range owned by the City (located at 400 S. Sepulveda Boulevard)
   - Environmental Assessment No. EA-1135, to certify and approve a Final Environmental Impact Report (EIR) and an associated Mitigation Monitoring and Reporting Program (MMRP);
   - General Plan Amendment No. 16-01, to change the underlying General Plan Land Use designation of the Lakes at El Segundo golf course property from "Parks", to "The Lakes Specific Plan"(SP No. SP 16-02 -this action will not become effective unless and until the zone change identified below is approved and the Council could delay action on this item until the meeting where the zone change could be potentially approved);
   - Zone Change No. ZC 16-01 and Zone Text Amendment ZTA 1604, to change the underlying land use zoning designation from O-S (Open Space), to TLSP (The Lakes Specific Plan) with two Subareas classified PUB-REC/OS (Public Recreation/Open Space) and CPR/OS (Commercial Public Recreation/Open Space);
   - Site Plan Review No. 16-01, for the development within The Lakes Specific Plan area, including a new TopGolf building, a redeveloped clubhouse, and modified holes in the golf course (this action will not become effective unless and until the zone change identified above is approved and the Council could delay action on this item until the meeting where the zone change could be potentially approved);
   - Lot Line Adjustment No. SUB 16-03, to reconfigure the existing two parcels in The Lakes Specific Plan (this action will not become effective unless and until the zone change identified above is approved and the Council could delay action on this item until the meeting where the zone change could be potentially approved);
   - Conditional Use Permit No. CUP 16-05, to allow onsite beer, wine and alcohol in the restaurants, bar and entertainment areas of the clubhouse
and TopGolf facilities (this action will not become effective unless and until the zone change identified above is approved and the Council could delay action on this item until the meeting where the zone change could be potentially approved); and,

- Authorize the City Manager to execute Amendment No. 3 to the Lease Agreement between the City and CenterCal LLC, for purposes including but not limited to golf professionals, City programs at the driving range, extending the due diligence period and title review period, potential installation of lighting at the golf course by CenterCal, and approving a new Exhibit D related to the golf course and club house improvements. 
  Applicant: CenterCal Properties, LLC 
  (Fiscal Impact:)

Mayor Fuentes stated this was the time and place to conduct a public hearing and receive public testimony regarding the potential approval of a project to make improvements to the golf course and club house and convert the driving range to a TopGolf facility at the existing Lake's at El Segundo golf course and driving range owned by the City (located at 400 S. Sepulveda Boulevard).

Clerk Weaver stated that proper notice had been given in a timely manner and that written communication had been received in the City Clerk’s office.

Greg Carpenter, City Manager, introduced the item.

Mark Hensley, City Attorney, outlined the public hearing proceedings for the item.

Joe Lillio, Finance Director, gave a presentation on the Golf Course/Enterprise Fund.

Greg Carpenter, City Manager, gave a presentation on the history concerning TopGolf from the conception.

Mark Hensley, City Attorney, gave an update on the Due Diligence.

Gregg McClain, Planning Manager, gave a presentation concerning the EIR Planning and Entitlements.

Council asked questions throughout the presentations

Bob Madsen, Michael Baker International, answered Council questions concerning the CEQA (traffic) analysis.

Council asked questions throughout the presentations

Recess at 8:36 PM

Reconvened at 8:50 PM
Mayor Fuentes opened the Public Hearing

Public Comment:

Rapesh Batka, CenterCal, addressed Council.

Jason Straka, Principal, Fry Straka, Global Golf Course Design, gave a presentation on the proposed golf course at the Lakes of El Segundo.

Tanner McKelly, Director of Real Estate, TopGolf, addressed the Council

Ron Swanson, resident, is in favor of the TopGolf facility.
Tom Courtney, Manhattan Beach resident, opposed to the TopGolf facility
Cynthia Cohen, West LA resident, opposed to the TopGolf facility
Kevin Perkins, resident, opposed to TopGolf and concerned about the youth programs.
Ashley Perkins, resident, opposed to the TopGolf facility
Jim Boulgerides, resident, in favor of the TopGolf facility
Craig Kessler, Southern California Golf Association, addressed the Council and stated the Council has a moral obligation.
Tom Donohue, Manhattan Beach resident, opposed to the TopGolf facility
Mary Courtney, Manhattan Beach resident, opposed to the TopGolf facility
Lance Giroux, resident, in favor of the TopGolf facility
Dave Collier, resident, in favor of the TopGolf facility
Robert Koran, resident, in favor of the TopGolf facility
Michelle Killworth, resident, in favor of the TopGolf facility
Ryan Baldino, resident, in favor of the TopGolf facility
S. Waite, resident, opposed to the TopGolf facility
Ocean Vine, resident, in favor of the TopGolf facility
Nate Chittick, resident, in favor of the TopGolf facility
Dave Lubs, resident, in favor of the TopGolf facility
Heidi Bremer, resident, would like to see other options for the land before making a decision.
Dave Atkinson, resident, in favor of the TopGolf facility
John Mead, resident, in favor of the TopGolf facility
Rita Hoeschler, resident, in favor of the TopGolf facility
Jay Hoeschler, resident, in favor of the TopGolf facility
Lori Livingston, resident, asked if TopGolf is the best deal for the City.

MOTION by Council Member Brann, SECONDED by Council Member Dugan to close the hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Council Members' Brann, Dugan, Pirsztuk, Mayor Pro Tem Boyles and Mayor Fuentes disclosed meetings with persons involved in the TopGolf project.
Mark Hensley, City Attorney, asked the Council to disclose any and all conservations they have had with 3rd parties concerning TopGolf. The Mayor, Mayor Pro Tem and three Council Members disclosed they have met with various parties on the matter.

Council Discussion

Devin Charhon, TopGolf, Director of Real Estate, answered Council questions.

Council discussion continued regarding the proposed Burlingame TopGolf facility and what it means to the City’s proposed contract with TopGolf.

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 5054

A RESOLUTION OF THE CITY COUNCIL CERTIFYING THE ENVIRONMENTAL IMPACT REPORT, MAKING CERTAIN ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE LAKES SPECIFIC PLAN AND TOPGOLF PROJECT (ENVIRONMENTAL ASSESSMENT NO. EA-1135, SPECIFIC PLAN NO. SP 16-02, GENERAL PLAN AMENDMENT NO. GPA 16-01, ZONE CHANGE NO. ZC 16-01, ZONE TEXT AMENDMENT NO. ZTA 16-04, SITE PLAN NO. 16-01, LOT LINE ADJUSTMENT NO. SUB 16-03, AND CONDITIONAL USE PERMIT NO. CUP 16-05) LOCATED AT 400 SOUTH SEPULVEDA BOULEVARD.

MOTION by Council Member Pirsztuk, SECONDED by Mayor Pro Tem Boyles to adopt Resolution No. 5054. MOTION PASSED BY VOICE VOTE. 3/2 YES Boyles Brann Pirsztuk NO Dugan Fuentes

RESOLUTION NO. XXX

A RESOLUTION OF THE CITY COUNCIL CONDITIONALLY APPROVING ENVIRONMENTAL ASSESSMENT NO. EA-1135, GENERAL PLAN AMENDMENT NO. GPA 16-01, SITE PLAN NO. 16-01, LOT LINE ADJUSTMENT NO. SUB 16-03, AND CONDITIONAL USE PERMIT NO. CUP 16-05 FOR THE LAKES SPECIFIC PLAN AND TOPGOLF PROJECT, LOCATED AT 400 SOUTH SEPULVEDA BOULEVARD.

Mark Hensley, City Attorney, stated Resolution No. XXX will be brought back to the October 3, 2017 meeting.
ORDINANCE NO. 1558

AN ORDINANCE APPROVING ZONE CHANGE NO. ZC 16-01, AND ZONE TEXT AMENDMENT NO. ZTA 16-04, AMENDING THE EL SEGUNDO ZONING MAP AND ADDING ESMC § 15-3-2(A)(11) FOR THE LAKES SPECIFIC PLAN PROJECT LOCATED AT 400 SOUTH SEPULVEDA. (AS AMENDED)

Council Member Pirsztuk introduced Ordinance No. 1558. Second reading and adoption of the Ordinance is scheduled for the October 3, 2017 regular City Council meeting.

MOTION by Mayor Pro Tem Boyles, SECONDED by Council Member Pirsztuk to authorize the City Manager to execute Amendment No. 3 (as amended) to the Lease Agreement between the City and CenterCal in a form as approved by the City Attorney. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, stated the conditional use for alcohol and lot line adjustment will be brought to the October 3, 2017 City Council Meeting.

Greg Carpenter, City Manager, mentioned the Council may want an amendment to the agreement agedized.

Council consensus to allow Council Members' Pirsztuk and Dugan to initiate a 3rd party objective for negotiations with CenterCal and TopGolf.

Recessed at 10:58 PM

Reconvened at 11:15 PM

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

3. Consideration and possible action to announce the appointments to the Library Board of Trustees.  
(Fiscal Impact: None)

Mayor Fuentes announced the appointment of Sarah Whelan and Kristie Sherrill to the Library Board of Trustees, both full terms, expiring June 30, 2020.

E. CONSENT AGENDA

All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.
4. Approve Warrant Numbers 3017684 through 3017943 on Register No. 22 in the total amount of $1,801,836.47 and Wire Transfers from 08/07/2017 through 08/27/2017 in the total amount of $3,183,750.76. Ratified Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

5. Approve Special City Council Meeting Minutes of July 11, 2017, Special City Council Meeting Minutes of August 8, 2017, Regular City Council Meeting Minutes of August 1, 2017 and Special City Council Meeting Meetings of August 1, 2017.

6. Approve an amendment no. 3364C extending the management agreement between the El Segundo Senior Housing Board Corporation and the Cadman Group for the property management of Park Vista Senior Apartments, 615 East Holly Street.
   (Fiscal Impact: None)

7. Authorize the City Manager to enter into an agreement no. 5385, approved by the City Attorney, with Pyro Spectaculars for the amount of $30,000 to operate a fireworks show on October 7, 2017, as part of the Centennial Celebration event, Celebrate!, at El Segundo High School.
   (Fiscal Impact: Centennial Celebration Sponsorship Funds $30,000)

8. Authorize the City Manager to execute a standard Public Works Contract no. 5393, in a form as approved by the City Attorney, to Rojas Construction in the amount of $201,313.50, plus a 10% contingency of $20,131.35 for the FY 16/17 Sidewalk, Curb and Gutter Replacement Project. Project No. PW 17-19.
   (Fiscal Impact: $221,444.85)

9. Waive the second reading and adopt Ordinance No. 1559 streamlining Electric Vehicle charging station permitting process.
   (Fiscal Impact: None)

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

F. NEW BUSINESS

G. REPORTS – CITY MANAGER - None

H. REPORTS – CITY ATTORNEY - None

I. REPORTS – CITY CLERK
10. Consideration and possible action regarding Introduction of an Ordinance consolidating future stand-alone municipal elections in the City with Statewide November even year elections to comply with the California Voter Participation Rights Act (California State Senate Bill 415).  
(Fiscal Impact: Estimated Savings of $20,000.00)

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

Council Discussion

Mark Hensley, City Attorney, read by title only:

Council Member Brann introduce Ordinance No. 1557 establishing new General Municipal Election dates to be held in June of even years beginning 2022.

J. REPORTS – CITY TREASURER – Not Present

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann – None

Council Member Pirsiut – Wished the students good luck in the upcoming 2017-2018 school year.

Council Member Dugan – None

Mayor Pro Tem Boyles – None

Mayor Fuentes – Commented on Fleet Week and that she had the privilege to ride on a Navy ship SS Anchorage from San Diego to the Port of Los Angeles.

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

MEMORIALS – None

ADJOURNMENT at 11:34 PM

Tracy Weaver, City Clerk
MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 19, 2017 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER – Mayor Pro Tem Boyles at 5:00 PM

ROLL CALL

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

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

SPECIAL ORDER OF BUSINESS:

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

CLOSED SESSION:

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov’t Code §54956.9(d)(1): -0- matters

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

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

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): -4- matters

1. Employee Organizations: Police Management Association; Supervisory and Professional Employees Association; City Employees Association and Fire Fighters Association.
   
   Agency Designated Representative: Labor Negotiator, Irma Rodriguez Moisa and City Manager, Greg Carpenter

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

Adjourned at 5:50 PM
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 19, 2017 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Pro Tem Boyles at 7:00 PM

INVOCATION – Rev. Dina Ferguson – St. Michael Episcopal Church

PLEDGE OF ALLEGIANCE – Council Member Pirsztuk

PRESENTATIONS

a) Presentation by Tony Green, South Bay District Manager and Ryan Barfield, South Bay District Planner, with Southern California Edison, regarding an update on the Capital Improvement Projects.

B) Proclamation read by Council Member Dugan, presented to George Funk, Kiwanis Club President and Barry Gibbon, Fair Chairman, proclaiming the 2017 “The Fair on Richmond Street” from 9:00 am to 5:00 PM, Saturday, September 23, 2017.

ROLL CALL

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

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total)
Kathy Dragone, resident, submitted a petition on behalf of the residents surrounding the DR Horton project with a list of items they would like addressed.
Michael Meza, resident, commented on the DR Horton project and how it is affecting the lives and homes of those near the site.
John Dragone, resident, commented on the noise level and construction hours regarding the DR Horton project.
Dawn Sohigian, resident, commented on the damage that has occurred to her house since the project began.
Scott Goldfarb, resident, spoke regarding DR Horton’s lack of respect to the surrounding neighbors.
Eric Frandsen, resident, commented on damage that has occurred to homes in the area of the project and mentioned DR Horton homes and their reputation.
Adam Aylesworth, resident spoke regarding the DR Horton project and how it is effecting his apartment building. Mr. Aylesworth read a letter on behalf of Henry Oswald, resident, in the same apartment building, regarding the project. Parvaneh Delbarsh, resident, commented on "No Parking" signs that were placed near the construction site for two weeks, including the weekends, unbeknownst to the ESPD, even though the sign read "by order of the Police Department."

Sebastian Hansen, Youth Manager at Tree Musketeers, invited everyone to clean up Memory Row on Saturday, October 3, 2017 from 10:00 AM – 12:00 PM.

CITY COUNCIL COMMENTS – (Related to Public Communications)
Greg Carpenter, City Manager, commented on the DR Horton comments and will set up meetings with City staff and DR Horton.

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 Council Member Dugan to read all ordinances and resolutions on the agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action regarding Approval of Environmental Assessment No. EA-1150 and Introduction of an Ordinance (Zone Text Amendment No. ZTA 16-02) to sections of the El Segundo Municipal Code (ESMC) Title 15 (Zoning) regarding signs. Adopting this Ordinance is statutorily exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§21000, et seq., "CEQA") and CEQA Guidelines (14 California Code of Regulations §§15000, et seq.), because it consists only of minor revisions and clarifications to existing zoning regulations and related procedures. (Applicant: City of El Segundo).

Mayor Pro Tem Boyles stated this was the time and place to conduct a public hearing and receive public testimony regarding approval of Environmental Assessment No. EA-1150 and Introduction of an Ordinance (Zone Text Amendment No. ZTA 16-02) to sections of the El Segundo Municipal Code (ESMC) Title 15 (Zoning) regarding signs. Adopting this Ordinance is statutorily exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§21000, et seq., "CEQA") and CEQA Guidelines (14 California Code of Regulations §§15000, et seq.), because it consists only of minor revisions and clarifications to existing zoning regulations and related procedures.
MOTION by Council Member Brann, SECONDED Council Member Dugan to continue the item to the October 3, 2017 regular City Council Meeting. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

2. Consideration and possible action to adopt an Ordinance amending El Segundo Municipal Code ("ESMC") Chapter 4 of Title 5 regarding Storm Water And Urban Runoff Pollution Control, in its entirety; and amending ESMC Chapter 7 of Title 5 regarding Storm Water Planning and Land Development Program Implementation, in its entirety. Applicant: City of El Segundo
   (Fiscal Impact: None)

Mayor Pro Tem Boyles stated this was the time and place to conduct a public hearing and receive public testimony regarding adoption of an Ordinance amending El Segundo Municipal Code ("ESMC") Chapter 4 of Title 5 regarding Storm Water And Urban Runoff Pollution Control, in its entirety; and amending ESMC Chapter 7 of Title 5 regarding Storm Water Planning and Land Development Program Implementation, in its entirety. Applicant: City of El Segundo

Clerk Weaver stated that proper notice had been given in a timely manner and that no written communication had been received in the City Clerk's office.

Greg Carpenter, City Manager, introduced the item.

Ken Berkman, Public Works Director, reported on the item.

Mayor Pro Tem Boyles stated the Public Hearing is now open for public comment.

No public comment

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

Council Discussion

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1560

AN ORDINANCE AMENDING CHAPTER 4 OF TITLE 5 OF THE EL SEGUNDO MUNIPAL CODE REGARDING STORM WATER AND URBAN RUNOFF POLLUTION CONTROL, IN ITS ENTIRETY; AND AMENDING CHAPTER 7 OF TITLE 5 OF THE EL SEGUNDO MUNICIPAL CODE REGARDING PLANNING AND LAND DEVELOPMENT PROGRAM IMPLEMENTATION, IN ITS ENTIRETY.
Council Member Brann introduced Ordinance No. 1560. Second reading and adoption of the Ordinance is scheduled for the October 3, 2017 regular City Council meeting.

3. Consideration and possible action regarding approval of Environmental Assessment No. EA-1185, Development Agreement No. DA 17-01, and Zone Text Amendment No. ZTA 17-02 to:
   - Amend Development Agreement No. DA 03-01 (Revised and Restated Development Agreement) to expand the project size and eliminate most tenant size restrictions;
   - Amend the Commercial Center (C-4) zone to eliminate size limits for permitted uses, add new permitted uses, and increase the permitted number and size of monument signs, and add a site plan review procedure;
   - Modify the conditions of approval for the original project; and
   - Approve an Addendum to the Final Environmental Impact Report (FEIR) and adopt a statement of overriding considerations for the above changes.

The Project site is the Plaza El Segundo and The Point development project (the "Site"). (Applicant: Street Retail, Inc.).
(Fiscal Impact: N/A)

Mayor Pro Tem Boyles stated this was the time and place to conduct a public hearing and receive public testimony regarding approval of Environmental Assessment No. EA-1185, Development Agreement No. DA 17-01, and Zone Text Amendment No. ZTA 17-02.

Clerk Weaver stated that proper notice had been given in a timely manner and that no written communication had been received in the City Clerk's office.

Greg Carpenter, City Manager, introduced the item.

Gregg McClain, Planning Manager, gave a presentation.

Mayor Pro Tem Boyles stated the Public Hearing is now open for public comment.

Stuart MacDonald, Senior Development Manager for Federal Realty, representing the applicant, commented and answered questions concerning the item.

Council Discussion

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

Council Discussion

Mark Hensley, City Attorney, read by title only:
RESOLUTION NO. 5053

A RESOLUTION APPROVING ENVIRONMENTAL ASSESSMENT NO. EA-1185 AND AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) FOR THE PLAZA EL SEGUNDO DEVELOPMENT PROJECT; AND READOPTING A MITIGATION MONITORING PROGRAM AND STATEMENT OF OVERRIDING CONSIDERATIONS.

MOTION by Council Member Brann, SECONDED by Council Member Dugan to adopt Resolution No. 5053. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1556

AN ORDINANCE APPROVING ZONE TEXT AMENDMENT NO. ZTA 17-02 AMENDING EL SEGUNDO MUNICIPAL CODE §§ 15-5G-2, 15-5G-4, 15-5G-6, AND 15-5G-9 AND ADDING SECTION 15-5G-10; AND APPROVING DEVELOPMENT AGREEMENT NO. DA 17-01 (REVISED AND RESTATE DEVELOPMENT AGREEMENT NO. DA 03-01) FOR THE PLAZA EL SEGUNDO DEVELOPMENT. (AS AMENDED – § 15-5G-4 - Change allowing for the temporary Pop Ups, not to exceed one year)

Council Member Brann introduced Ordinance No. 1556. Second reading and adoption of the Ordinance is scheduled for the October 3, 2017 regular City Council meeting.

4. Consideration and possible action regarding the Fiscal Year 2017-2018 Budget (including all City Revenues and Expenditures), Adoption of Resolution approving the 2017-2018 Final Operating and Capital Improvement Budget and the 2017-2018 Appropriations Limit. Copies of the Fiscal Year 2017-2018 Preliminary Budget can be found in the Library, City Clerk’s Office, and on the City’s Website.

(Fiscal Impact: Total Revenues (including transfers-in) of $116,446,188.00, Total Expenditures (including transfers-out) of $130,235,960.00; General Fund Revenues of $69,335,290.00, Expenditures (including transfers-out) of $72,390,880.00)

Mayor Pro Tem Boyles stated this was the time and place to conduct a public hearing and receive public testimony regarding the Fiscal Year 2017-2018 Budget (including all City Revenues and Expenditures), Adoption of Resolution approving the 2017-2018 Final Operating and Capital Improvement Budget and the 2017-2018 Appropriations Limit. (Fiscal Impact: Total Revenues (including transfers-in) of $116,446,188.00, Total Expenditures (including transfers-out) of $130,235,960.00; General Fund Revenues of $69,335,290.00, Expenditures (including transfers-out) of $72,390,880.00)
Clerk Weaver stated that proper notice had been given in a timely manner and that no written communication had been received in the City Clerk’s office.

Greg Carpenter, City Manager, introduced the item.

Joe Lillio, Finance Director, gave a presentation

Mayor Pro Tem Boyles stated the Public Hearing is now open for public comment.

No public comment

MOTION by Council Member Dugan, SECONDED Council Member Brann to close the hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

Council Discussion

Per Council discussion, various items of discussion will be brought back to future meetings; such as possible tax measures and the CalPERS pension situation.

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 5055

A RESOLUTION ADOPTING THE 2017-2018 FINAL OPERATING AND CAPITAL IMPROVEMENT BUDGET AND THE 2017-2018 APPROPRIATIONS LIMIT FOR THE CITY OF EL SEGUNDO. (*Section 10 to be deleted)

MOTION by Council Member Dugan, SECONDED by Council Member Pirsztuk to adopt Resolution No. 5055. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

C. UNFINISHED BUSINESS

5. Consideration and possible action to update/replace/modernize the City Seal and/or approve a new City Logo.
   (Fiscal Impact: $0 up to $84,850.00+)

Greg Carpenter, City Manager, introduced the item.

Mickie Tagle, Senior Executive Assistant, gave a presentation

Council Discussion

MOTION by Council Member Brann, SECONDED by Council Member Pirsztuk to maintain current City seal and add a version of the Centennial Seal for marketing and promotional materials. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0
D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

E. CONSENT AGENDA

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

6. Approve Warrant Numbers 3017944 through 3018102 on Register No. 23 in the total amount of $576,696.42 and Wire Transfers from 08/28/17 through 09/10/17 in the total amount of $709,534.40. Ratified Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.


8. Accept as complete the Water Main Improvements on Mariposa Avenue and authorize the City Clerk to file a Notice of Completion in the County Recorder’s Office. Project No. PW17-03. (Fiscal Impact: $716,453.71)

9. Accept as complete the Fire Station #1 Men’s Bathroom Improvement Project and authorize the City Clerk to file a Notice of Completion in the County Recorder’s Office. Project No. PW 17-08.

10. Adopt Resolution No. 5056 to rescind Resolution No. 3805 and adopt the California Environmental Quality Act Guidelines by reference. Applicant: City of El Segundo (Fiscal Impact: None)

11. PULLED BY COUNCIL MEMBER BRANN

12. Authorize City Manager to execute an agreement amendment no. 5315B, in a form approved by the City Attorney, with Management Partners Corp., for professional consulting services for the City Manager’s Office related to the facilitation and development of the City’s strategic plan, facilitation of the executive retreat, and other executive level consulting professional services related to the City Manager’s Office (Fiscal Impact: $6,500.00)

13. Receive and file an informational report on the Strategic Plan’s Key Performance Indicators (KPI’s) for the month of August 2017. (Fiscal Impact: None)
14. Approve the use of the City Seal by the Water Replenishment District of Southern California for their lobby exhibit.
(Fiscal Impact: $0)

MOTION by Council Member Pirsztuk, SECONDED by Council Member Dugan to approve Consent Agenda items 6, 7, 8, 9, 10, 12, 13, and 14. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

PULLED ITEM:
11. Consideration and possible action to authorize the City Manager to execute an amendment to License Agreement No. 4698 in a form approved by the City Attorney with the El Segundo Nursery School Group ("Co-Op") to operate a non-profit pre-school at the Clubhouse Building for an additional year at no cost.
(Fiscal Impact: None)

Council Member Brann expressed a concern of Mayor Fuentes concerning allowing grandparents to work the school and not restricting to parents only.

MOTION by Council Member Brann, SECONDED by Council Member Pirsztuk to authorize the City Manager to execute an amendment, amendment no. 4698B, to License Agreement No. 4698, in a form approved by the City Attorney, with the El Segundo Nursery School Group ("Co-Op") to operate a non-profit pre-school at the Clubhouse Building for an additional year at no cost. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

F. NEW BUSINESS

G. REPORTS – CITY MANAGER – Meredith Petit, Recreation and Parks Director and Ken Berkman, Public Works Director, gave an update on the El Segundo Campus turf project. Mr. Carpenter gave an update on Clutter's Bluff and Chief Whalen reported on the meeting held by the Police Department in August concerning Clutter's Bluff.

H. REPORTS – CITY ATTORNEY – Gave an update on TopGolf concerning the Lease Agreement with Chevron and CenterCal Inc.

I. REPORTS – CITY CLERK - None

J. REPORTS – CITY TREASURER Not present

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann – Attended the League of CA Cities conference in Sacramento and visited the TopGolf in Roseville while there.
Council Member Pirsztuk – At the last meeting Council Member Pirsztuk and Council Member Dugan were chosen to negotiate on the TopGolf project. Council Member Pirsztuk reported the negotiations are ongoing.
Council Member Dugan – Apologized for missing a Hyperion Plant meeting.

Mayor Pro Tem Boyles – Gave an update on the Imperial median clean up and commented on the ongoing permanent solution, attended the ESMoA opening of their new exhibit and attended the El Segundo Children’s Hospital Auxiliary Wine Tasting Event on Saturday, September 16, 2017.

Mayor Fuentes – Absent

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

MEMORIALS – Kelly McDowell

ADJOURNMENT at 10:05 PM

Tracy Weaver, City Clerk
AGENDA DESCRIPTION:

Consideration and possible action to award a standard Public Works Contract to NoHo Constructors, in a form approved by the City Attorney, for construction of the Recreation Park Picnic Shelter, Project No. PW 16-15. (Fiscal Impact: $65,260.00, plus $30,000 Los Angeles County Regional Park and Open Space District Grant)

RECOMMENDED COUNCIL ACTION:

1. Authorize the City Manager to execute a standard Public Works Contract in a form approved by the City Attorney with NoHo Constructors in the amount of $86,600.00 and authorize an additional $8,660.00 for construction related contingencies.
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT: $65,260, plus $30,000 Los Angeles County Regional Park and Open Space District Grant

<table>
<thead>
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<td>Account Number(s):</td>
<td>125-400-8202-8326 Los Angeles County Grants ($30,000) 001-400-2601-6281 Emergency Facilities Maintenance ($65,260)</td>
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STRATEGIC PLAN:

<table>
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<th>Goal:</th>
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<th>Develop Quality Infrastructure and Technology</th>
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<tr>
<td>Objective:</td>
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<td>El Segundo’s physical infrastructure supports an appealing, safe, and effective City</td>
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<tr>
<td>Goal:</td>
<td>1</td>
<td>Enhance Customer Service and Engagement</td>
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<tr>
<td>Objective:</td>
<td>2</td>
<td>City services are convenient, efficient and user-friendly for all residents, businesses, and visitors</td>
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ORIGINATED BY: Orlando Rodriguez, Senior Civil Engineer
REVIEWED BY: Ken Berkman, Public Works Director
Meredith Petit, Recreation and Parks Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

The Picnic Shelter at Recreation Park (east of the tennis courts) has not been upgraded since it was constructed in the 1977. The picnic shelter has broken skylights on the roof, paint peeling from the steel columns and beams, and outdated light fixtures that are not energy efficient and do
not illuminate as bright as compared to modern light fixtures. The picnic shelter is frequently used by many of the City’s residents of all ages for a variety of activities throughout the year. $30,000 of the project funding is secured through a Los Angeles County Regional Park and Open Space District Grant, which must be spent before the end of the year to retain eligibility.

The existing tables and benches will be relocated by City staff prior to beginning construction and reinstalled after construction is complete. The existing concrete slab will remain in place but minor modifications will be necessary to accommodate the new footings for the new picnic shelter.

On July 18, 2017, Council approved the complete set of plans and specifications for the project and authorized staff to advertise the project for receipt of construction bids. On August 22, 2017, the City Clerk received and opened two (2) bids, as follows:

1. NoHo Constructors       $86,600.00
2. Newbuild Construction and Restoration Inc.   $137,500.00

The lowest responsible bidder is NoHo Constructors. Staff checked the Contractor’s references and license status. NoHo Constructors has satisfactorily completed similar projects for other public agencies and its license is in good standing.

Therefore, staff respectfully recommends that City Council authorize the City Manager to execute a standard Public Works Contract in a form approved by the City Attorney with NoHo Constructors in the amount of $86,600.00 and authorize an additional $8,660.00 for construction related contingencies.

The schedule for this project is estimated as follows:

Construction Start – November 2017
Construction End – January 2018
AGENDA DESCRIPTION:
Consideration and possible action regarding approval of Development Agreement No. DA 17-01, and Zone Text Amendment No. ZTA 17-02 for the Plaza El Segundo development project to:

- Amend Development Agreement No. DA 03-01 (Revised and Restated Development Agreement) to expand the project size and eliminate most tenant size restrictions;
- Amend the Commercial Center (C-4) zone to eliminate size limits for permitted uses, add new permitted uses, and increase the permitted number and size of monument signs, and add a site plan review procedure; and
- Modify the conditions of approval for the original project;
(Applicant: Street Retail, Inc.)
(Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:
1. Waive second reading and adopt Ordinance No. 1556 for Development Agreement No. 17-01, Zone Text Amendment ZTA No. 17-02, and modifications to the conditions of approval for the Plaza El Segundo development project; and/or
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Ordinance No. 1556
2. City Council Staff Report Dated September 19, 2017

FISCAL IMPACT: If approved, the proposed project will likely result in a more stable sales tax and business license tax revenue from the businesses at the subject site.

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STRATEGIC PLAN:

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

Objective: Implement a comprehensive economic development strategy to ensure the City encourages a vibrant business climate that is accessible, use-friendly and welcoming to all residents and visitors

PREPARED BY: Paul Samaras, Principal Planner
REVIEWED BY: Gregg McClain, Planning Manager
Sam Lee, Planning and Building Safety Director
APPROVED BY: Greg Carpenter, City Manager
BACKGROUND AND DISCUSSION

On September 19, 2017, the City Council introduced an Ordinance to approve Development Agreement No. 17-01, Zone Text Amendment ZTA No. 17-02, and modifications to the conditions of approval for the Plaza El Segundo development project. The City Council made one change to the draft ordinance regarding temporary uses conducted in trailers, shipping containers, and similar structures. Generally, the ordinance amends a) the Development Agreement to expand the project size and eliminate most tenant and use size restrictions; b) the C-4 zone development standards to eliminate size limits for permitted uses, add new permitted uses, increase the permitted size of monument signs, and add a site plan review procedure; and c) the conditions of approval to consolidate and update project conditions, and set a minimum percentage of sales tax generating uses for the project.

The Council may waive second reading and adopt Ordinance 1556. If adopted, Ordinance will become effective in 30 days.
ORDINANCE NO. 1556

AN ORDINANCE APPROVING ZONE TEXT AMENDMENT NO. ZTA 17-02 AMENDING EL SEGUNDO MUNICIPAL CODE §§ 15-5G-2, 15-5G-4, 15-5G-6, AND 15-5G-9 AND ADDING SECTION 15-5G-10; AND APPROVING DEVELOPMENT AGREEMENT NO. DA 17-01 (REVISED AND RESTATED DEVELOPMENT AGREEMENT NO. DA 03-01) FOR THE PLAZA EL SEGUNDO DEVELOPMENT.

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

SECTION 1: The Council finds and declares as follows:

A. On March 15, 2005, the City Council approved a development known as Plaza El Segundo. Approvals for that development were subsequently amended to allow for different types of uses including, among others, Health Clubs and Fitness Center (2007); Health/Skin Care and automobile sale uses (2008); fast food restaurants, banks, dance/music studios (2009); and medical and dental offices (2010);

B. On September 3, 2013, the City Council further amended the approvals for the development to, among other amendments, increase the size of the previously approved shopping center by 49,613 square feet;

C. On March 27, 2017, Street Retail, Inc. filed applications for an Environmental Assessment for an addendum to the certified Final Environmental Impact Report (FEIR) to increase the size of the previously approved shopping center by 18,850 square feet; a Zone Text Amendment to eliminate size limitations to certain permitted uses, add new permitted uses, and increase the permitted height of monument signs in the C-4 (Commercial Center) zone; and a "Revised and Restated Development Agreement" to eliminate most tenant size restrictions, to allow an expansion of the project size, and to consolidate the original development agreement and its subsequent amendments into one "Revised and Restated Development Agreement;"

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

E. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for August 24, 2017;
F. On August 24, 2017, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the application including, without limitation, information provided to the Planning Commission by city staff; and, adopted Resolution No. 2818 recommending that the City Council approve the proposed project;

G. On September 19, 2017, the City Council held a public hearing and considered the information provided by City staff and public testimony regarding this Ordinance; and

H. 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 September 19, 2017 hearing and the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Factual Findings and Conclusions. The City Council finds that implementing the proposed ordinance would result in the following:

A. Increase the potential floor area of the Plaza El Segundo Development project by 18,850 square feet from 498,442 to 517,292 square feet;

B. Amend the permitted uses in the Commercial Center (C-4) zone to include animal hospitals, assembly halls, daycare centers, general offices, multi-media offices, personal services, and recreational facilities;

C. Amend the uses subject to an administrative use permit in the C-4 zone to include permitted uses that are conducted in a trailer, a shipping container, or similar structures, and to delete video arcades;

D. Amend the uses subject to a conditional use permit in the C-4 zone to include bars, micro-breweries with tasting room/dining, and to delete video arcades;

E. Amend the sign standards in the C-4 zone to increase the permitted height of three permitted monument signs on Sepulveda Boulevard north of the Union Pacific Railroad (UPR) from 30 to 45 feet;

F. Amend the sign standards in the C-4 zone to increase the permitted height of one of two permitted monument signs along Allied Way from 25 to 65 feet;

G. Consolidate the development agreement for the project into one document;

H. Amend the development agreement to eliminate limitations on the maximum floor area for specific uses that include health clubs or fitness centers, medical and dental offices, banks, day spas, dance and music studios;
I. Amend the development agreement to eliminate most of the restrictions on the minimum size of tenants in Phase 1 A;

J. Provide for a new 20 year term for the development agreement;

K. Consolidate and revise the project conditions of approval to reflect changes in the project size;

L. Revise the conditions of approval to simplify the traffic analysis methodology;

M. Delete obsolete conditions and conditions related to signs that will be incorporated into the C-4 zone sign standards; and

N. Add a condition requiring that a minimum percentage of the project floor area be dedicated to sales tax generating uses.

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

A. The proposed ordinance is consistent with Goal LU4 of the General Plan Land Use Element in that it will permit new commercial uses, such as animal hospitals, assembly halls, daycare centers, multi-media offices, and recreational uses, which will help provide a stable tax base by promoting a mixed-use environment in the C-4 zone and.

B. The proposed ordinance is consistent with Objective LU4-4 of the General Land Use Element in that it will permit new uses in existing commercial and industrial areas, such as animal hospitals, assembly halls, daycare centers, multi-media offices, and recreational uses, which have the potential to maximize economic benefit and reduce traffic impacts.

C. The proposed ordinance is consistent with Objective ED1-2 of the General Plan Economic Development Element in that would permit several new uses in the C-4 zone, which promotes the diversification of the City’s retail and commercial base.

D. Considering all of its aspects, the proposed project will further the objectives and policies of the general plan and will not obstruct their attainment.

SECTION 4: Zone Text Amendment Findings. In accordance with ESMC Chapter 15-26 (Amendments), and based on the findings set forth in Section 2, the proposed ordinance is consistent with and necessary to carry out the purpose of the ESMC as follows:

A. The ordinance is consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic
and social advantages resulting from an orderly planned use of land resources.

B. The ordinance is necessary to facilitate the development process and ensure the orderly development of buildings and the location of uses in the City. The intent of the ordinance is to update the permitted uses, and the development standards in the C-4 zone, which will facilitate and expedite the development process and provide economic and social benefits resulting from the orderly planned use of land resources.

SECTION 5. Development Agreement Findings. In accordance with Government Code § 65867.5 and Resolution No. 3268, adopted June 26, 1984, the City Council finds as follows:

A. The Development Agreement is consistent with the General Plan of El Segundo and there are no applicable Specific Plans. The Revised and Restated Development Agreement is an extension of that Development Agreement originally approved in March 2005 and therefore a continuation of the Development Agreement Findings set forth in Section 5 of Ordinance No. 1382 which findings are incorporated by reference. By allowing increased development and expanding the allowed uses, the Development Agreement and corresponding zoning changes continue to provide the following benefits:

1. Protection against the Plaza El Segundo development (both Phase 1A and Phase 1B) from becoming blighted due to a change in retail sales by allowing additional uses which will create a synergy;

2. Provision of an attractive urban destination;

3. Increasing and stabilizing the City’s tax base by allowing new commercial development;

4. Provision of long-term employment and increase the employment opportunities for the residents of the City of El Segundo;

5. Add to the diversification of economic base in the City;

6. Provision of significant fiscal benefit to the City through additional business licenses and sales tax revenues; and

7. Provision of additional retail use and commercial services to the adjacent employment centers.

B. The Development Agreement is compatible with the uses authorized in and regulations prescribed for the Commercial Center (C-4) zoning district. The
C-4 zone was created for this area and the zoning is being amended consistent with the Development Agreement.

C. The Development Agreement is in conformity with the public convenience, general welfare and good land use practice as it provides expanded commercial opportunities in a synergistic manner with the existing Plaza El Segundo development and adjacent land uses but does not increase the overall allowed traffic.

D. The Development Agreement will not be detrimental to the health, safety and general welfare. As evidenced by the Addendum approved by Resolution No. 5053, there will not be any new significant impacts.

E. The Development Agreement will not adversely affect the orderly development of property or the preservation of property values as it does not expand development beyond the physical boundaries of Plaza El Segundo (Phase 1A and Phase 1B), which is already developed.

SECTION 6: Environmental Assessment. Resolution No. 5053 approving an Addendum and a Statement of Overriding Considerations (SOC) for this Project which, among other things, properly assesses the environmental impact of this Ordinance, and the Project, in accordance with CEQA. This Ordinance incorporates by reference the environmental findings and analysis set forth in Resolution No. 5053. Prior to adopting this Ordinance, the City Council adopted Resolution No. 5053 approving the use of an Addendum.

SECTION 7: ESMC Section 15-5G-2 (Commercial Center (C-4) zone Permitted Uses) is amended to read as follows:

"The following uses are permitted in the C-4 zone:

A. Animal Hospitals and Veterinary Services. Banks, savings and loans and/or credit unions, not to exceed a total of ten thousand (10,000) square feet.

B. Dance and music instruction studios not to exceed a total of six thousand (6,000) square feet. Daycare centers.

C. Day spas not to exceed a total of ten thousand (10,000) square feet.

D. Farmers' market.

E. Financial institutions.

F. Fitness centers (indoors only).

FG. General offices not to exceed thirty thousand-seven hundred-twenty (30,072) gross-square feet."
G. Health and/or skin care services that are limited to noninvasive and/or minimally invasive cosmetic medical procedures that may be rendered by licensed healthcare professionals provided that such use does not exceed three thousand (3,000) square feet in-floor area and at least twenty percent (20%) of the floor area is devoted to the sale of retail products.

H. Indoor sale of automobiles, motorcycles, and motor scooters along with the sale of accessories and parts as an accessory use. No outdoor display or storage shall be allowed and no on site repair or maintenance shall be allowed.

I. Medical and dental offices, not to exceed five thousand (5,000) square feet, including health and/or skin care services that are limited to noninvasive and/or minimally invasive cosmetic medical procedures that may be rendered by licensed healthcare professionals.

J. Multi-media offices

K. Personal services.

L. Public assembly/assembly halls, including theaters and museums.

M. Recreational facilities.

KN. Restaurants and cafes.

LO. Retail sales uses (excluding off site alcohol sales).

MP. Other similar uses approved by the Director of planning and building safety, as provided by chapter 22 of this title."

SECTION 8: Section 15-5G-4 (Commercial Center (C-4) zone uses subject to administrative use permit) is amended to read as follows:

"A. Off site sale of alcohol at retail establishments.

B. The on site sale and consumption of alcohol at restaurants and delicatessens.

C. Video arcades with three (3) or fewer video or arcade machines Permitted uses conducted in a trailer, shipping container or similar structure

D. Other similar uses approved by the Director of planning and building safety, as provided by chapter 22 of this title."

SECTION 9: Section 15-5G-2 (Commercial Center (C-4) zone uses subject to conditional
use permit) is amended to read as follows:

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

A. Automobile sales and service centers, not to exceed seventy thousand (70,000) square feet.

BA. On site sale and consumption of alcohol at bars and wine tasting rooms.

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

B. Micro-brewery with a tasting room and/or dining.

DC. Other similar uses approved by the Director of planning and building safety, as provided by chapter 223 of this title."

SECTION 10: Section 15-5G-6 (Commercial Center (C-4) zone site development standards) is amended to read as follows:

"All uses in the C-4 zone must comply with the development standards contained in this section.

A. General Provisions:
   1. All uses must be conducted within a fully enclosed building except:
      a. Outdoor restaurants, cafes or seating areas, complying with the provisions of section 15-2-16 of this title;
      b. Outdoor wholesale or retail activities customarily conducted outdoors, including, without limitation, lumberyards, nurseries, and periodic outdoor sales; and
      c. Outdoor recreational activities.; and
      d. Temporary uses conducted for a period not to exceed one year in a temporary trailer, shipping container, or similar structure.
   2. Before the city approves any development project, the project must meet all requirements of the transportation demand management (TDM) and trip reduction criteria as set forth in chapter 16 of this title.
   3. Other provisions as set forth in chapter 2 of this title.

B. Lot Area: A minimum of ten thousand (10,000) square feet.

C. Height: No building or structure may exceed sixty-five feet (65') 65 feet."

SECTION 11: Section 15-5G-9 (Commercial Center (C-4) zone signs) is amended to read as follows:
"Signs in the C-4 zone must comply with requirements of chapter 18 of this title except as specified below:

A. A maximum of three (3) ground or monument signs not to exceed thirty-five feet (35') **45 feet in height** each are permitted along the Sepulveda Boulevard street frontage, north of the Union Pacific Railroad.

B. A maximum of two (2) ground or monument signs not to exceed twenty-five feet (25') **25 feet in height** each are permitted along the Sepulveda Boulevard street frontage south of the Union Pacific Railroad.

C. A maximum of two (2) ground or monument signs (not including wayfinding signs), not to exceed twenty-five feet (25') **25 feet in height** each are permitted along the Park Place street frontage.

D. A maximum of **two (2)** ground or monument signs (not including wayfinding signs), not to exceed twenty-five feet (25') **25 feet in height** is permitted along the Allied Way street frontage.

E. A maximum of **one ground or monument sign, not to exceed 65 feet in height** is permitted along the Allied Way street frontage.

EF. A maximum of two (2) ground or monument signs (not including wayfinding signs), not to exceed twenty feet (20') **20 feet** each are permitted along the Rosecrans Avenue street frontage.

FG. A maximum of one roof sign up to four hundred fifty (450) square feet in that portion of the C-4 zone located south of the Union Pacific Railroad and north of Village Drive which shall not count toward the maximum fifteen percent (15%) **15 percent** permitted for storefront signage as specified in subsection 15-18-8C of this title.

GH. Parcels that are comprised of a minimum of 7.5 acres and that have at least eighty percent (80%) **80 percent** of the floor area devoted to retail and restaurant uses may have up to two (2) light emitting diode signs ("LED sign") that do not exceed thirty feet (30') **30 feet** in height and sixty feet (60') **60 feet** in width so long as: 1) the signs only advertise businesses and products (but only in conjunction with the name of the business that sells the product) that are located on the parcel or display movie projections and abstract videos that are not related to advertising any product, or entertainment, retail or service use and 2) the sign is oriented such that it is intended to be viewed by individuals located on the parcel and not by individuals located in a public right of way. Pursuant to a development agreement that covers multiple parcels of property, and so long as the requirements of this provision are otherwise met, the names of businesses and products (but only in conjunction with the name of the business that sells the product) that are located on parcels that are
subject to the development agreement may be advertised on an LED sign located on another parcel that is subject to the same development agreement.”

SECTION 12. Section 15-5G-10 is hereby added to the El Segundo Municipal Code to read as follows:

Section 15-5G-10. Site Plan Review.

A. Site plan review approval shall be required for all new development within the C-4 zone and expansion of existing structures where a building permit is required. A site plan will not be required for modifications to structures where no square footage is added.

B. All regular provisions of this title shall apply to all properties within the C-4 zone, including, but not limited to, conditional use permit, variance, time limit, public notice and hearing provisions. The provisions herein add to or supplement the above referenced provisions.

C. Approval of a site plan is required before or concurrent with a tentative tract or parcel map for all proposed projects within the specific plan area. Where no tentative tract or parcel map is required, approval of a site plan must occur before building permits are issued.

D. Approval Authority:

1. The Approval Authority for a site plan for projects under 15,000 square feet shall be the director of planning and building safety.

2. The Approval Authority for projects over 15,000 square feet in floor area shall be the planning commission.

3. The decision of the director of planning and building safety, and the planning commission shall be subject to appeal as provided for in Chapter 25 of this Title.

E. Requirements For Site Plan: A site plan shall show the location of all structures, landscape and hardscape areas, parking areas, walks, internal circulation, access, adjacent streets, sign type and placement, and fence-wall type and placement.

F. Factors to consider: The Approval Authority shall consider the following factors when reviewing a site plan:

1. The dimensions, shape and orientation of the parcel:
2. The placement of buildings and structures on the parcel;

3. The height, setbacks, bulk and building materials;

4. The building materials and design;

5. The distance between buildings or structures;

6. The location, number and layout of off-street parking and loading spaces;

7. The internal vehicular patterns and pedestrian safety features;

8. The location, distribution, amount and type of landscaping materials;

9. The placement, photometrics, height and direction of illumination of light standards;

10. The location, number, size and height of signs;

11. The location, height and materials of walls, fences or hedges;

12. The location and method of screening refuse and storage areas, roof equipment, pipes, vents, utility equipment and all equipment not contained in the main buildings of the development;

13. Compliance with all applicable development standards including, but not limited to, height, setbacks, FAR, trip generation, and off-street parking requirements.

G. Findings for approval. In order to approve or conditionally approve the Site Plan, the Approval Authority shall make the following findings:

1. The proposed development, including the uses and the physical design of the development, is consistent with the intent and general purpose of the general plan;

2. The proposed development, including the uses and the physical design of the development, is consistent with the intent and general purpose of the provisions of the ESMC and any applicable Development Agreement; and

3. The proposed development, including the uses and the physical design of the development, will not adversely affect the orderly and harmonious development of the area and the general welfare of the city.
If such findings cannot be made, the site plan shall be denied.

H. **Time Limitation:** Site plan approval, in accordance with this policy, shall be valid for a period of one year plus extensions pursuant to this code. If construction of a project does not commence within that period and proceed with due diligence thereafter, the approval of the site plan shall terminate and an additional submittal, review and approval will be required.

I. **Revisions:**

1. Where the director was the Approval Authority and there was no appeal, the director may approve any revisions.

2. Where the final Approval Authority was other than the director, the director may still approve revisions that are minor in nature or reasonable extensions other than those applied as a condition of approval. Significant changes, additions or omissions shall be submitted for review and approval by the planning commission.

**SECTION 13:** Amendments to the Development Agreement and Conditions, Development Agreement No. 03-01, as previously amended, is hereby amended and restated as set forth in the Revised and Restated Development Agreement attached Exhibit “A,” which is incorporated into this Ordinance by reference. The Revised and Restated Development Agreement and the conditions attached thereto supersede Development Agreement 03-01 and the six amendments thereto as approved in Ordinance Nos. 1382 (Section 7B), 1406 (Section 3), 1417 (Section 5A), 1430 (Section 3), 1446 (Section 3), 1481 (Section 7), and 1499 (Section 4). The Conditions Attached to the Revised and Restated Development Agreement supersede those conditions that were previously approved by Ordinance Nos. 1382 (Section 7F), 1417 (Section 5E), and 1481 (Section 8) and Resolution Nos. 4415 (Section 5F), 4542 (Section 5C), and Resolution 4838 (Section 8A).

**SECTION 14:** **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 15:** **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 16:** **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 17: 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 18: 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 a summary thereof to be published or posted in accordance with California law.
SECTION 19: 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 ____________, 2017.

Suzanne Fuentes, Mayor

APPROVED AS TO FORM:

By: ________________________________
Mark D. Hensley, 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 Ordinance No. 1556 was duly introduced by said City Council at a regular meeting held on the 19th day of September 2017, 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 3rd day of October, 2017, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

______________________________
Tracy Weaver, City Clerk
AGENDA DESCRIPTION:

Consideration and possible action regarding approval of Environmental Assessment No. EA-1185, Development Agreement No. DA 17-01, and Zone Text Amendment No. ZTA 17-02 to:

- Amend Development Agreement No. DA 03-01 (Revised and Restated Development Agreement) to expand the project size and eliminate most tenant size restrictions;
- Amend the Commercial Center (C-4) zone to eliminate size limits for permitted uses, add new permitted uses, and increase the permitted number and size of monument signs, and add a site plan review procedure;
- Modify the conditions of approval for the original project; and
- Approve an Addendum to the Final Environmental Impact Report (FEIR) and adopt a statement of overriding considerations for the above changes.

The Project site is the Plaza El Segundo and The Point development project (the “Site”).
(Applicant: Street Retail, Inc.).
(Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:

1. Conduct a public hearing;
2. Take testimony and other evidence as presented;
3. Introduce an Ordinance approving a Development Agreement and a Zone Text Amendment;
4. Schedule second reading and adoption of the Ordinance for October 3, 2017;
5. Adopt a Resolution approving a) an Addendum to a FEIR for Environmental Assessment No. EA-1185 and b) modifications to conditions of approval for the Plaza El Segundo and The Point development project; and/or
6. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Proposed Ordinance
2. Proposed Resolution
3. Addendum to the FEIR, including updated technical studies and the adopted Mitigation Monitoring and Reporting Program (MMRP)
4. City Council Resolution No. 4415 and Statement of Overriding Considerations
5. Draft development agreement
6. Proposed conditions of approval as amended by this project
7. Planning Commission Resolution No. 2818
8. Planning Commission staff report, dated August 24, 2017
9. Plans
10. Additional correspondence from the applicant (Fehr & Peers memorandum) dated August 22, 2017
FISCAL IMPACT: If approved, the proposed project will likely result in a more stable sales tax and business license tax revenue from the businesses at the subject site.

Amount Budgeted: N/A
Additional Appropriation: N/A

STRATEGIC PLAN:

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

Objective: Implement a comprehensive economic development strategy to ensure the City encourages a vibrant business climate that is accessible, use-friendly and welcoming to all residents and visitors

PREPARED BY: Paul Samaras, Principal Planner
REVIEWED BY: Gregg McClain, Planning Manager
Sam Lee, Planning and Building Safety Director

APPROVED BY: Greg Carpenter, City Manager

I. INTRODUCTION

The proposed project is a request to amend the approvals for the Plaza El Segundo and The Point shopping centers which together comprise Phase 1 of a project originally approved in 2005. As approved, the two centers consist of 498,442 square feet of retail, restaurant, grocery store, general and medical office, service, and fitness uses. Street Retail, Inc., the property owner, seeks to increase the size of the project by 18,850 square feet; lift certain size restrictions on tenant spaces and on the size for specific uses; allow additional permitted uses in the C-4 zone; and increase the number and size of the permitted monument signs for the two shopping centers.

The intent of the proposed changes is to: a) respond to trends in the shopping center sector, b) address persistent vacancies, especially in that portion of Plaza El Segundo known as The Edge (east of Allied Way), and c) to give the properties the flexibility to insure their long-term viability. In addition, these changes will help insure a more stable employment and tax base for the City.

II. DISCUSSION:

Project Site and Vicinity

The project site is approximately 51.7 acres and generally located at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue within the Commercial Center (C-4) Zone. The main access to Plaza El Segundo is at Park Place off Sepulveda Boulevard and the main access to The Point is at Village Drive off Rosencrans Avenue. The overall site is surrounded by a variety of commercial, office, light and heavy industrial uses.
**History**

Phase 1A of the overall project was developed in 2005-2007 and is known as Plaza El Segundo. Plaza El Segundo is north of the Union Pacific railroad tracks and contains approximately 378,829 square feet of leasable floor area. In 2008, the City approved an expansion to the original project to include 8.062 acres of land and 70,000 square feet of leasable floor area south of the BNSF railroad tracks. This area is called Phase 1B. In 2013, the City Council approved a further expansion of the project area by 4.988 acres. This area was added to Phase 1B of the site, which increased to 13.05 acres. In addition, the City Council approved an additional 49,613 square feet for Phase 1B, which increased its total floor area to 119,613 square feet. Phase 1B became what is known as The Point.

**Project Description**

Environmental Assessment. The project involves an increase to the overall floor area by 18,850 square feet. The area will primarily take the form of additions to existing buildings to attract larger national retail uses. In addition, some of the area will take the form of kiosks, trailers and other non-traditional structures called “pop-up retail” in the shopping center industry. These uses are commonly used to create interest and to support a greater variety of tenants. Staff prepared an Addendum to the adopted Environmental Impact Report (EIR) for the original project. The Addendum and its appendices are attached to this report as Exhibit 3.

**Zone Text Amendment.** The project makes the following changes in the permitted uses and standards of the C-4 zone:

1. Adds new non-retail sales uses as permitted uses;
2. Removes size restrictions from certain permitted uses;
3. Allows permitted uses to be conducted in a trailer or similar structure (pop-up retail), subject to approval of an administrative use permit (AUP); the AUP process would control the location, design, and timing/duration of pop-up retail uses;
4. Allows micro-breweries with tasting rooms, subject to approval of a conditional use permit;
5. Increases the permitted height for monument signs along Sepulveda Boulevard from 35 to 45 feet and for one monument sign along Allied Way from 25 to 65 feet (Exhibit 9);
6. Establishes a site plan review process to review new buildings and additions to existing buildings for consistency with project approvals and applicable standards. Authorizes the Planning and Building Safety Director to approve site plans for projects up to 15,000 square feet in size.

**Development Agreement Amendment (“Revised and Restated Development Agreement”).** The project makes the following changes in the development agreement for the site:

1. The project consolidates the original agreement and all subsequent amendments into one document;
2. It removes size restrictions from certain permitted uses;
3. It simplifies the limitations on the minimum size of individual tenant spaces by restricting tenants less than 4,000 square feet to a combined maximum of 75,000 square feet in Phase 1A;
4. Establishes a term of 20 years.
Conditions of approval. The project makes the following changes to the conditions of approval:
1. Consolidates the conditions into one document;
2. Deletes redundant and obsolete conditions;
3. Updates Building, Fire, and Zoning Code requirements and references;
4. Updates the project description and traffic analysis methodology;
5. Requires a minimum floor area limit for sales tax generating uses. The minimum limit for Plaza El Segundo would be 80% and for The Point 65% of the gross leasable areas.

Site Plan Review. The applicant submitted a site plan review application for an 11,500 square-foot addition to building A-2 (currently Cost Plus World Market) in Plaza El Segundo. The proposed addition consists of a 5,200 square-foot expansion of the building and a new 6,300 square-foot mezzanine. The site plan is attached as Exhibit 9. The site plan review request is being reviewed by the Planning and Building Safety Director concurrently with the overall project. The Director will issue a decision on the request separately if the proposed ordinance is approved and becomes effective.

General Plan and Zoning Consistency

Consistency with the El Segundo General Plan
ESMC Section 15-1-1 (Purpose, Title) states that Title 15 is the primary tool for implementation of the goals, objectives, and policies of the El Segundo General Plan. Accordingly, the City Council must find that the proposed Zone Text Amendment and Development Agreement Amendment are consistent with those goals, objectives, and policies. The Planning Commission recommended that the City Council approve the proposed amendments. The findings are discussed in the proposed resolution.

Consistency with the El Segundo Municipal Code.
Pursuant to ESMC Title 15, Chapter 26 (Amendments), in order to approve the proposed amendments, the City Council must find that the amendments are necessary to carry out the general purpose of ESMC Title 15. The purpose of this Title (ESMC §15-1-1) 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. The Planning Commission recommended that the City Council approve the proposed amendments. The findings are discussed in the proposed resolution.

To ensure consistency with the C-4 zone development standards, any new construction or addition to a building will be subject to site plan review, during which review staff will evaluate detailed plans for consistency with those standards.

III. ENVIRONMENTAL REVIEW

On March 1, 2005, the City Council certified the Final Environmental Impact Report and adopted a Mitigation Monitoring Reporting Program.

Structure of Certified Program/Project EIR

The FEIR was structured as a Program EIR and a Project EIR in one document. The overall Sepulveda/Rosecrans Site Rezoning project is analyzed at a "program level," in accordance with the requirements of CEQA. Since there are a number of factors that could not be studied in
sufficient detail to conduct a "project level" review of the entire proposed 850,000 square foot project, the Program EIR included a review of the issues that could be fully addressed, and establishes a mechanism, called Subsequent Environmental Documentation, for determining what additional information will have to be provided and studied in order for a "project level" review to be conducted.

However, all of the environmental conditions associated with the Plaza El Segundo developments project could be analyzed. Therefore, a "project level" review was prepared for that portion of the Sepulveda/Rosecrans Site Rezoning.

The FEIR also included an analysis of alternatives to the proposed Sepulveda/Rosecrans site rezoning and Plaza El Segundo development projects. The alternatives include a No Project Alternative, a Reduced Traffic Generation Commercial Alternative, and an Alternative Land Use (Industrial) Alternative. For the Sepulveda/Rosecrans site rezoning, an additional rezoning of the Plaza El Segundo Development Site Only Alternative is also included in the Draft EIR. The City Council adopted the Reduced Traffic Generation Alternative. The Reduced Traffic Generation Alternative placed a trip cap on the project. The trip cap limits the number of project generated vehicle trips and ensures that no matter the mix of commercial, restaurant and other uses permitted in the C-4 Zone that are ultimately developed on the project site, the traffic impacts would not exceed the levels evaluated in the EIR. The City Council adopted a Statement of Overridding Considerations on March 1, 2005 for the Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development Reduced Traffic Generation Alternative.

Addendum to the FEIR

The addendum to the FEIR for the revised project analyzed the proposed amendment to the Plaza El Segundo development project that increases the size of the original 425,000 square-foot development by a total of 92,292 square feet, for a total of 517,292 square feet. The previously approved size for Phase 1B (The Point) studied in 2013 was 498,442 square feet. The addendum determined that there will be no new, or substantially more severe, significant impacts than the impacts originally identified in the FEIR. However, the previously adopted Statement of Overridding Considerations must be readopted by the City Council stating the specific reasons why the project’s benefits outweigh its significant environmental impacts. Planning staff recommends that the City Council make this finding and readopt the Statement of Overridding Considerations as required by CEQA. A complete environmental analysis is provided in the attached Addendum to the EIR, which includes the adopted Mitigation Monitoring and Reporting Program (Exhibit 3).

IV. RECOMMENDATION

Planning Staff recommends that the Council introduce an Ordinance for Development Agreement No. 17-01 and Zone Text Amendment No. ZTA 17-02; schedule second reading and adoption of the Ordinance for October 3, 2017; and adopt Resolution No. _____, approving a) an Addendum to an FEIR for Environmental Assessment No. EA-1185 and b) modifications to conditions of approval for the Plaza El Segundo and The Point development project; and/or alternatively, discuss and take other possible action related to this item.
AGENDA DESCRIPTION:
Consideration and possible action to adopt an Ordinance amending El Segundo Municipal Code ("ESMC") Chapter 4 of Title 5 regarding Storm Water And Urban Runoff Pollution Control, in its entirety; and amending ESMC Chapter 7 of Title 5 regarding Storm Water Planning And Land Development Program Implementation, in its entirety. (Fiscal Impact: None) Applicant: City of El Segundo

RECOMMENDED COUNCIL ACTION:
1. Waive the second reading of and adopt the proposed Ordinance; or
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Proposed Ordinance
Storm Water Code Amendment with Attachment A: Revised Ch. 4 and Attachment B: Revised Ch. 7

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

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

ORIGINATED BY: John Gilmour, Senior Engineering Associate
REVIEWED BY: Ken Berkman, Public Works Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:
On September 19, 2017, the City Council introduced an Ordinance regarding Storm Water and Urban Runoff Pollution Control and Storm Water Planning and Land Development Program Implementation. The ordinance will amend Chapter 4 and Chapter 7 of Title 5 to update and better align the municipal code with the 2012 Municipal Separate Sewer and Storm System (MS4) permit. The Council may waive the second reading of and adopt the proposed Ordinance. If adopted, the proposed Ordinance will become effective in 30 days.

Therefore, staff recommend that City Council waive the second reading of and adopt the proposed Ordinance.
ORDINANCE NO. ______

AN ORDINANCE AMENDING CHAPTER 4 OF TITLE 5 OF THE EL SEGUNDO MUNICIPAL CODE REGARDING STORM WATER AND URBAN RUNOFF POLLUTION CONTROL, IN ITS ENTIRETY; AND AMENDING CHAPTER 7 OF TITLE 5 OF THE EL SEGUNDO MUNICIPAL CODE REGARDING PLANNING AND LAND DEVELOPMENT PROGRAM IMPLEMENTATION, IN ITS ENTIRETY.

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

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

A. The Federal Water Pollution Control Act (33 U.S.C. §§ 1251-1387; "Clean Water Act" or "CWA"), as implemented by the United States Environmental Protection Agency ("EPA"), requires that the city adopt plans and programs for stormwater quality management;

B. The 1972 amendments to the CWA prohibit the discharge of any Pollutant to waters of the United States from a point source unless the discharge is authorized by a permit issued pursuant to the National Pollutant Discharge Elimination System ("NPDES") required by 33 U.S.C. § 1342;

C. Municipal separate storm sewer systems ("MS4s") which convey urban runoff, including, without limitation, Storm Water runoff, are within the definition of point sources under the CWA;

D. Pursuant to the CWA, the EPA defined the term "Municipal separate storm sewer system" to mean a conveyance, or system of conveyances, including roads with drainage systems, municipal streets, curbs, gutters, catch basins, and storm drains owned or operated by a city, used for collecting Storm Water;

E. 33 U.S.C. §§ 1342(p) requires that the City obtain a permit for storm water and urban discharges through the City's MS4;

F. 33 U.S.C. §§ 1342(p) further provides that NPDES permits will require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices and such other provisions as may be appropriate for the control of pollutants;

G. The EPA, in partial implementation of 33 U.S.C. §§ 1342(p) adopted final rules, known as the "Phase I and Phase II Storm Water Regulations" at several places in Parts 9, 122, 123, and 124 of Title 40 of the Code of Federal Regulations ("CFR");
H. In partial implementation of 33 U.S.C. §§ 1342, the Phase I and Phase II Storm Water Regulations and the California Water Code, RWQCB-LA issued “Order No. R4-2012-0175 NPDES Permit No. CAS004001 Waste Discharge Requirements For Municipal Separate Storm Sewer System (MS4) Discharges Within The Coastal Watersheds Of Los Angeles County, Except Those Discharges Originating From The City Of Long Beach MS4" on November 8, 2012 to cities in Los Angeles County, including the City of El Segundo;

I. The City of El Segundo is a permittee under the RWQCB-LA’s NPDES Permit No. CAS004001, and therefore is required by federal and state law to implement all requirements of the Permit;

J. Under the California Constitution and the California Government Code, the City of El Segundo has authority to define public nuisances and to protect the public health and safety of the residents of and visitors to the City of El Segundo, and the environment, by abating public nuisances;

K. The City of El Segundo has authority under the California Water Code to adopt and enforce ordinances imposing conditions, restrictions, and limitations with respect to any activity which might degrade the quality of waters of the state;

L. The City Council is obligated to take prudent steps to protect the City’s property and its funds and taxpayers from exposure to liability, including the potentially enormous costs of litigation regarding natural resources allegedly damaged by pollutants allegedly transported through the City’s storm drain system;

M. This Ordinance is categorically exempt from review under the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000, et seq.; "CEQA"), CEQA regulations (Cal. Code Regs. tit. 14, §§ 15000, et seq.) and the City’s Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993) since its adoption would generally implement measures to protect the environment. Accordingly, §§ 15301 (Class 1), 15304 (Class 4), 15305 (Class 5), 15307 (Class 7), 15308 (Class 8), 15309 (Class 9), and 15321 (Class 21) of the CEQA regulations exempt the Ordinance from further environmental review.

N. The City Council has carefully considered the Ordinance and finds that it complies with the requirements of applicable federal and state law, and further that it provides an acceptable program for the conservation of water resources within the City of El Segundo and protection of the health, safety, and general welfare of its citizens.
SECTION 2: Chapter 4 of Title 5 of the El Segundo Municipal Code (“ESMC”) is amended in its entirety to read as indicated in Attachment A.

SECTION 3: Chapter 7 of Title 5 of the El Segundo Municipal Code (“ESMC”) is amended in its entirety to read as indicated in Attachment B.

SECTION 4: Repeal or amendment of any provision of the ESMC will 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 5: 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 6: 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 7: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this ___ day of ____________, 2017.

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 ________, 2017, 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 ________, 2017, and the same was so passed and adopted by the following vote:
AYES:

NOES:

ABSENT:

ABSTAIN:

Tracy Weaver, City Clerk

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

By: ______________________________________

Assistant City Attorney
Chapter 4
STORM WATER AND URBAN RUNOFF POLLUTION CONTROL

5-4-1: PURPOSE AND INTENT:
5-4-2: LIMITS OF CHAPTER:
5-4-3: DEFINITIONS:
5-4-4: ILLICIT DISCHARGES PROHIBITED:
5-4-5: ILLICIT CONNECTIONS PROHIBITED:
5-4-6: CONTROL OF POLLUTANTS FROM SITES OF INDUSTRIAL ACTIVITY:
5-4-7: SPILLS, DUMPING AND DISPOSAL PROHIBITED:
5-4-8: BEST MANAGEMENT PRACTICES REQUIRED:
5-4-9: CONSTRUCTION ACTIVITY STORM WATER MEASURES:
5-4-10: VIOLATIONS:
5-4-11: NOTICES OF VIOLATION; ADMINISTRATIVE ORDERS; ENFORCEMENT:
5-4-12: NUISANCE:
5-4-13: REMEDIES NOT EXCLUSIVE:
5-4-14: INSPECTIONS; SEARCHES:
5-4-15: FEES:

5-4-1: PURPOSE AND INTENT:

This chapter is adopted pursuant to the City's police powers for the purpose of complying with the Clean Water Act, the California Porter-Cologne Water Quality Control Act, and the Municipal National Pollutant Discharge Elimination System (NPDES) Permit, including, without limitation, any amendments or modifications, by:

A. Controlling non-storm water discharges to the Municipal Separate Storm Sewer System (MS4).

B. Regulating illicit connections and illicit discharges, thereby reducing the level of contamination of storm water and urban runoff into the MS4 of the City; and

C. Controlling the discharge of pollutants, including those pollutants taken up by storm water as it flows over urban areas, to the maximum extent practicable.

This chapter is intended to provide the City with the legal authority necessary to implement and enforce the requirements contained in 40 CFR § 122.26(d)(2)(i)(A-F) and in the Municipal NPDES Permit to the extent that they are applicable in the City, to control discharges to and from those portions of the MS4 over which the City has jurisdiction as required by the Municipal NPDES Permit, and to hold dischargers to the MS4 accountable for their contributions of pollutants and flows.

This Chapter authorizes the Authorized Enforcement Officer to define and adopt applicable Best Management Practices (BMPs) and other storm water pollution control measures, to cite infractions, to impose fines pursuant to this Chapter, and to grant emergency self-waivers from Municipal NPDES Permit requirements in order to conduct repairs of essential public service systems and infrastructure in emergency situations. Except as otherwise provided herein, the Authorized Enforcement Officer shall administer, implement, and enforce the provisions of this Chapter.
This Chapter authorizes the Authorized Enforcement Officer to carry out inspections, surveillance, and monitoring procedures necessary to determine compliance and noncompliance with the provisions of this Chapter and the Municipal NPDES Permit, including the prohibition of non-storm water discharges into the MS4. This includes the authority to enter, monitor, inspect, take measurements, review and copy records, and require regular reports from entities discharging into the City’s MS4.

5-4-2: LIMITS OF CHAPTER:

Nothing in this chapter should be interpreted to:

A. Infringe any right or power guaranteed by the United States or California constitution, including any vested property right;

B. Require any action inconsistent with the general plan, any applicable specific plan, vesting tentative map, or other provision of this code;

C. Restrict otherwise lawful land use except as authorized by the laws of California, subject to the limitations of this chapter. (Ord. 1357, 2-18-2003)

5-4-3: DEFINITIONS:

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter. Words and phrases not defined by this chapter have the meanings stated the Municipal NPDES Permit and if not described therein, the federal water pollution control act (33 USC section 1251 et seq.); regulations implementing NPDES; California Water Code section 13050; and any successor statutes or regulations.

AUTHORIZED ENFORCEMENT OFFICER: The City Manager or his or her designee and any City official authorized to issue citations under the Municipal Code.

AUTOMOTIVE SERVICE FACILITY: A facility that is categorized in any one of the following Standard Industrial Classification (SIC) codes: 5013, 5014, 5511, 5541, 7532-7534 and 7536-7539.

BEST MANAGEMENT PRACTICE (BMP): Practices or physical devices or systems designed to prevent or reduce pollutant loading from storm water or non-storm water discharges to receiving waters or designed to reduce the volume of storm water or non-storm water discharged to the receiving water. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

CONSTRUCTION: Constructing, clearing, grading, grubbing, demolishing, or excavating that results in land disturbance. Construction does not include emergency construction activities required to immediately protect public health and safety; routine maintenance activities required to maintain the integrity of structures by performing minor repair and restoration work; or routine maintenance
required to maintain the original line and grade, hydraulic capacity, or original purpose of a facility. Construction does not include interior remodeling with no outside exposure of construction material or construction waste to storm water; mechanical permit work; or sign permit work.

DEVELOPMENT: Any construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and other nonresidential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of a facility, nor does it include emergency construction activities required to protect public health and safety immediately.

DISCHARGE: Any release, spill, leak, pump, flow, escape, dumping or disposal, of any pollutant, from any point source, into the waters of the United States or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft used for transportation. The term discharge includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

HAZARDOUS MATERIALS: Any materials, wastes or mixture of wastes defined as a "hazardous substance" or "hazardous waste" pursuant to the resource conservation and recovery act (RCRA), 42 USC section 6901 et seq., the comprehensive environmental response, compensation and liability act (CERCLA), 42 USC section 9601 et seq., or the Carpenter-Presley-Tanner hazardous substance account act, (HSAA), California Health and Safety Code section 25300 et seq., and all future amendments to any of them, or as defined by the California integrated waste management board. Where there is a conflict in the definitions employed by two or more agencies having jurisdiction over hazardous or solid waste, the term "hazardous waste" will be construed to have the broader, more encompassing definition.

ILLEGIT CONNECTION: Any human-made device or artifice, excluding roof drains and other similar connections, connected to the MS4, without a permit, through or by which an illicit discharge may be discharged. Examples include channels, pipelines, pipes, conduits, inlets and outlets connected directly to the MS4.

ILLEGIT DISCHARGE: Any discharge into the MS4 or from the MS4 into a receiving water that is prohibited under local, state, or federal statues, ordinances, codes, or regulations. The term illicit discharge includes any non-storm water discharge, except authorized non-storm water discharges; conditionally exempt non-storm water discharges; and non-storm water discharges resulting from natural flows specifically identified in Part III.A.1.d of the MS4 Permit.

INDUSTRIAL/COMMERCIAL FACILITY: Any facility which is the site of the production, manufacture,
storage, transportation, distribution, exchange or sale of goods or commodities, and any facility involved or used in providing professional and nonprofessional services. This category of facilities includes, without limitation, any facility defined by the SIC or the North American Industry Classification System (NAICS). Facility ownership (federal, state, municipal, private) and profit motive of the owner or operator of the facility are not factors in this definition.

INSPECTION: The entry and conducting of an on-site review of structures and devices on a property, at reasonable times, to determine compliance with specific municipal or other legal requirements. The steps involved in performing an inspection include but are not limited to:

1. Pre-inspection documentation research;
2. Request for entry;
3. Interview of property owner, resident and/or occupant(s);
4. Property walk-through;
5. Visual observation of the condition of property;
6. Examination and copying of records as required;
7. Sample collection (if necessary or required);
8. Exit discussion (to discuss preliminary evaluation) as appropriate; and
9. Report preparation, and if appropriate, recommendations for coming into compliance.

MUNICIPAL NPDES PERMIT: The "Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, Except Those Discharges Originating from the City of Long Beach MS4" (Order No. R4-2012-0175), NPDES Permit No. CAS004001, effective December 28, 2012, issued by the California Regional Water Quality Control Board—Los Angeles Region, and any successor permit to that permit.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4): A conveyance or system of conveyances (consisting of roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

1. Owned or operated by a state, city, town borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
2. Designed or used for collecting or conveying storm water;
3. Which is not a combined sewer; and
4. Which is not part of a Publicly Owned Treatment Works (POTW) as defined in 40 CFR 122.2.
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES): The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under CWA §307, 402, 318, and 405. The term includes an “approved program.”

NEW DEVELOPMENT: Land disturbing activities; structural development, including construction or installation of a building or structure, creation of impervious surfaces; and land subdivision.

NON-STORM WATER DISCHARGE: Any discharge to the MS4 not composed entirely of storm water.

PARKING LOT: Land area or facility for the parking or storage of motor vehicles used for business, commerce, industry, or personal use, with a lot size of five thousand (5,000) square feet or more of surface area, or with twenty-five (25) or more parking spaces.


REDEVELOPMENT: Land-disturbing activity that results in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an already developed site. Redevelopment includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of a routine maintenance activity; and land disturbing activities related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

RESPONSIBLE PERSON: The owner, occupant, or other person in charge of day to day operations of premises located within the city.

RESTAURANT: A facility where prepared food and beverages are sold for consumption, including stationary lunch counters and refreshment stands selling prepared food and beverages for immediate consumption (see SIC code 5812).

ROUTINE MAINTENANCE: Routine maintenance projects include, but are not limited to projects conducted to:

1. Maintain the original line and grade, hydraulic capacity, or original purpose of the facility.
2. Perform as needed restoration work to preserve the original design grade, integrity and hydraulic capacity of flood control facilities.
3. Includes road shoulder work, regrading dirt or gravel roadways and shoulders and performing ditch cleanouts.
4. Update existing lines and facilities to comply with applicable codes, standards, and regulations regardless if such projects result in increased capacity. This includes replacing existing lines with new materials or pipes.
5. Repair leaks.
6. Conduct landscaping activities without changing existing or natural grades.
Routine maintenance does not include construction of new lines or facilities resulting from compliance with applicable codes, standards and regulations. New lines are those that are not associated with existing facilities and are not part of a project to update or replace existing lines.

SIC: Standard industrial classification.

SOLID WASTE: Has the same meaning as in Public Resources Code section 40191 and any successor statute or regulation.

STORM WATER: Storm water runoff, snowmelt runoff, and surface runoff and drainage related to precipitation events (pursuant to 40 CFR § 122.26(b)(13); 55 Fed. Reg. 47990, 47995 (Nov. 16, 1990)).

STORM WATER POLLUTION PREVENTION PLAN OR SWPPP: A plan, as required by a state general permit issued by the state water resources control board (SWRCB), identifying potential pollutant sources and describing the design, placement and implementation of BMPs, to effectively prevent non-storm water discharges and to reduce pollutants in storm water discharges during activities covered by the general permit.

STORM WATER RUNOFF: That part of precipitation (rainfall or snowmelt) which travels via flow across a surface to the MS4 or receiving waters from impervious, semi-pervious, or pervious surfaces. When all other factors are equal, runoff increases as the perviousness of a surface decreases.

STRUCTURAL BEST MANAGEMENT PRACTICE (STRUCTURAL BMP): Any structural facility designed and constructed to mitigate the adverse impacts of storm water and urban runoff pollution (e.g., a canopy, structural enclosure). This category may include both treatment control BMPs and source control BMPs.

TREATMENT CONTROL BEST MANAGEMENT PRACTICE (TREATMENT CONTROL BMP): Any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media adsorption or any other physical, biological, or chemical process.

5-4-4: ILLICIT DISCHARGES PROHIBITED:

All non-storm water discharges into the MS4 are prohibited unless those flows are: in compliance with a separate NPDES Permit; pursuant to a discharge exemption by the Regional Board, the Regional Board's executive officer, or the State Water Resources Control Board; associated with emergency firefighting activities (i.e., flows necessary for the protection of life or property); natural flows as defined in the Municipal NPDES Permit; conditionally exempt non-storm water discharges as defined in accordance with the Municipal NPDES Permit; or authorized as a temporary non-storm water discharge by the USEPA pursuant to sections 104(a) or 104(b) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

5-4-5: ILLICIT CONNECTIONS PROHIBITED:

It is unlawful for any person to use or allow the use of any illicit connection to convey an illicit discharge or any pollutant to the MS4 from premises of which that person is an owner or is the person in charge of day to day activities. Illicit connections are prohibited by the Clean Water Act, Municipal NPDES Permit, and this chapter. The responsible person for premises at which an illicit connection is located must obtain a permit for, or remove, the illicit connection within one hundred eighty (180) days of confirmation of discovery of the illicit connection. (Ord. 1357, 2-18-2003)
5-4-6: CONTROL OF POLLUTANTS FROM SITES OF COMMERCIAL OR INDUSTRIAL ACTIVITY:

A. All dischargers operating under any general storm water permit as may be issued by the USEPA, the State Water Resources Control Board, or the Regional Board, must comply with all requirements of such permit. Each discharger identified in an individual NPDES permit must comply with and undertake all activities required by such permit. Proof of compliance with any such permit may be required in a form acceptable to the Authorized Enforcement Officer prior to the issuance of any grading, building, or occupancy permits, or any other type of permit or license issued by the City.

B. Non-storm water discharges to the MS4 from industrial or commercial activities are prohibited, unless approved by a separate permit.

C. Any person or entity required to have a general industrial activities storm water permit (GIASP) for a facility or activity in the city which discharges to the city's MS4 must retain at such facility or activity the following documents which evidence compliance with GIASP requirements:

1. a copy of the notice of intent to comply with the general industrial activities storm water permit;
2. a waste discharge identification number (WDID) issued by the California Water Resources Control Board;
3. a storm water pollution prevention plan (SWPPP), which includes all necessary BMPs from the Municipal NPDES Permit; and
4. any required storm water quality data.

Alternatively, if a facility has been granted a no-exposure certification, proof of this certification must be retained on site.

D. Any person or entity in the city required to have a GIASP for a facility or activity in the city which discharges to the city's MS4, upon request from a duly authorized officer of the city, must make available to the city for review, copying, and inspection all of the documents described in this section during any city storm water related educational program or inspection and demonstrate compliance with the GIASP, including, without limitation, demonstration of the adequacy of, and compliance with, any required SWPPP and all applicable BMPs. (Ord. 1357, 2-18-2003)

5-4-7: SPILLS, DUMPING AND DISPOSAL PROHIBITED:

A. It is unlawful for any person to dump, deposit, release, spill, leak, pump, pour, emit, empty, discharge, inject, bury or dispose into the environment any solid waste or liquid waste, including any pollutant, in or upon any part of the MS4, or upon any public or private premises in the city, or to cause, suffer, or permit any solid waste or liquid waste or other pollutant to come to be located upon, in, on or under any premises in the city, except in an authorized or permitted solid waste container or at an authorized or permitted solid waste facility or publicly owned or privately owned treatment works.

B. It is unlawful for any person to dispose of leaves, grass or other clippings, dirt or any other landscape debris into any part of the MS4.
C. It is unlawful for any person to dispose of any pesticide, fungicide, or herbicide banned by, or not registered with, the United States environmental protection agency or the California department of pesticide regulation, or its successor, into any part of the MS4.

D. It is unlawful for any person to dispose any hazardous materials into any trash receptacle accessible to the public.

E. It is unlawful for any person to pour oil or grease, or the residue of oil or grease onto any parking lot, or any part of the MS4.

F. It is unlawful for any person to place any washout water or other liquid in any container for the disposal of solid waste.

G. It is unlawful for any person to wash restaurant or automotive service facility floor mats in any place where the wash or rinse water may flow into any part of the MS4. (Ord. 1357, 2-18-2003)

5-4-8: BEST MANAGEMENT PRACTICES REQUIRED:

The responsible person must implement best management practices as follows:

A. New Development and Redevelopment projects identified in Part VI.D.7.b of the MS4 Permit and Title 5 Chapter 7 of the City’s Municipal Code must control pollutants, pollutant loads, and runoff volume by 1) minimizing the impervious surface area and 2) controlling runoff through infiltration, bioretention, and/or rainfall harvest and use.

B. A. Responsible persons for parking lots with more than twenty-five (25) parking spaces exposed to storm water which parking lots are associated with industrial or commercial activities, according to the United States office of management and SIC must use BMPs to reduce the discharge of pollutants to the maximum extent practicable. Such measures may include regular sweeping or other measures, if effective.

C. Responsible persons of premises where machinery or other equipment is repaired or maintained, at facilities or activities associated with industrial or commercial activities, according to the United States office of management and SIC must use BMPs or other steps to prevent discharge of maintenance related or repair related pollutants to the MS4.

D. For other premises exposed to storm water, the responsible person must use BMPs or other steps to reduce the discharge of pollutants to the maximum extent practicable, including the removal and lawful disposal of any solid waste or any other substance which, if it were to be discharged to the MS4, would be a pollutant, including fuels, waste fuels, chemicals, chemical wastes and animal wastes, from all parts of the premises exposed to storm water. (Ord. 1357, 2-18-2003)

5-4-9: CONSTRUCTION ACTIVITY STORM WATER MEASURES:

A. Each discharger associated with construction activity, or other discharger described in any general storm water permit addressing such discharges, as may be issued by the USEPA, the
State Water Resources Control Board, or the Regional Board, must comply with all requirements of such permit. Each discharger identified in an individual NPDES permit must comply with and undertake all activities required by such permit. Proof of compliance with any such permit may be required in a form acceptable to the Authorized Enforcement Officer prior to the issuance of any grading, building, or occupancy permits, or any other type of permit or license issued by the City.

B. Non-storm water discharges to the MS4 from construction activities are prohibited.

C. Dischargers associated with construction activities must implement effective BMPs, including source control BMPs, in accordance with the Municipal NPDES Permit and Construction General Permit, to reduce pollutants in storm water from such sites to the maximum extent practicable.

D. Each person applying to the City for a grading or building permit for projects disturbing one acre or more of soil for which compliance with the Construction General Permit is required, must submit satisfactory proof to city: 1) that a notice of intent (NOI) to comply with the Construction General Permit was filed, and 2) that a storm water pollution prevention plan has been prepared, before the city can issue any grading or building permit on the construction project. A copy of the NOI and the SWPPP must be maintained on site during grading and construction and be made available for inspection, review and copying upon the request of any city inspector.

E. It is unlawful for any person or entity required under federal or state law to comply with the Construction General Permit in the city to conduct, authorize, or permit construction activities in the city at any facility which discharges to the city’s MS4 without complying with all applicable requirements of the Construction General Permit.

F. Each person applying for a grading or building permit for any project for which compliance with the Construction General Permit is not required, must submit to the city for information and implement a grading and construction activity runoff control program adequate to comply with the Municipal NPDES Permit and accomplish all of the following:

1. Retain on site the sediments generated on or brought to the project site, using treatment control or structural BMPs in accordance with the minimum BMPs required by the Municipal NPDES Permit;

2. Retain construction related materials and wastes, spills and residues at the project site and prevent discharges to streets, drainage facilities, the MS4, receiving waters or adjacent properties;

3. Contain non-storm water runoff from equipment and vehicle washing at the project site; and

4. Control erosion from slopes and channels through use of effective BMPs, such as limitation of grading during the wet season, inspection of graded areas during rain events; planting and maintenance of vegetation on slopes, if any, and covering any slopes susceptible to erosion.

G. Persons generating or producing pavement saw cutting wastes in any street, curb or sidewalk in the city must recover and properly dispose of such saw cutting wastes, and in no case may such
wastes be permitted or suffered to enter any part of the MS4, including, without limitation, any storm drain.

H. Persons performing street and road maintenance in any street in the city must manage street and road maintenance materials in a manner that prevents such materials from being discharged to the MS4.

I. It is unlawful for any person to wash any concrete truck or any part of any concrete truck, including, without limitation, any chute, pump or tools, in any place in the city except an area designated for that purpose by the city, if the city has designated such a place. It is unlawful for any person to permit or allow any concrete rinseate or wash water from any truck, pump, tool or equipment to enter any drain, open ditch, street or road or any catch basin or any other part of the MS4. (Ord. 1357, 2-18-2003)

5-4-10: VIOLATIONS:

Each violation of any provision of this chapter, any storm water pollution prevention plan, any provision of any permit issued pursuant to this chapter, or any administrative compliance order issued pursuant to this chapter is a misdemeanor. (Ord. 1357, 2-18-2003)

5-4-11: NOTICES OF VIOLATION; ADMINISTRATIVE ORDERS; ENFORCEMENT:

A. The Authorized Enforcement Officer, or designee, is authorized to enforce this chapter through any lawful means including, without limitation, conducting routine or complaint-driven inspections, and issuing notices of violation and administrative compliance orders. Such actions may be used to achieve compliance with the provisions of this chapter, any approved storm water pollution prevention plan or any permit issued pursuant to this chapter. Failure to comply with the terms and conditions of such a notice of violation or an administrative order is a violation of this chapter.

B. The city attorney is authorized to enforce this chapter through all administrative, civil, and criminal means available. (Ord. 1357, 2-18-2003)

5-4-12: NUISANCE:

Each violation of any provision of this chapter is a public nuisance and may be abated by the city in accordance with this code. (Ord. 1357, 2-18-2003)

5-4-13: REMEDIES NOT EXCLUSIVE:

The remedies listed in this chapter are in addition to any other remedies available to the city under any applicable federal, state or local law and it is within the discretion of the city to seek cumulative remedies. (Ord. 1357, 2-18-2003)

5-4-14: INSPECTIONS; SEARCHES:

Whenever necessary to make an inspection to enforce any provisions of this chapter, the enforcement officer for the city may enter any property in the city regulated by this chapter in a manner authorized by state law and take samples; inspect, review, and copy records relevant to any illicit connection, illegal discharge, or the discharge of any pollutant. The owner or other person in charge of day to day activities
at the premises, upon request of any city inspector, must make available for inspection, review, and copying any required permit, NOI, BMPs, SWPPP, and any permit relevant to the reduction of the discharge of any pollutant to the maximum extent practicable. (Ord. 1358, 4-1-2003)

5-4-15: FEES:

The city council may establish fees for the services provided under this chapter by resolution. (Ord. 1357, 2-18-2003)
Chapter 7
PLANNING AND LAND DEVELOPMENT PROGRAM IMPLEMENTATION

5-7-1: PURPOSE AND INTENT:

This chapter is adopted pursuant to the City's police powers for the purpose of complying with the Clean Water Act, the California Porter-Cologne Water Quality Control Act, and the Municipal National Pollutant Discharge Elimination System (NPDES) Permit, including, without limitation, any amendments or modifications, by:

A. Controlling non-storm water discharges to the Municipal Separate Storm Sewer System (MS4).

B. Controlling the discharge of pollutants, including those pollutants taken up by storm water as it flows over urban areas, to the maximum extent practicable.

5-7-2: LIMITS OF CHAPTER:

Nothing in this chapter should be interpreted to:

A. Infringe any right or power guaranteed by the United States or California constitutions, including any vested property right;
B. Require any action inconsistent with the general plan, any applicable specific plan, vesting tentative map, or other provision of this code;

C. Restrict otherwise lawful land use, except as authorized by the laws of California, subject to the limitations of this chapter.

D. Convey any property rights of any sort, or any exclusive privileges.

E. Authorize any injury to persons or property, or invasion of other private rights, or any infringement of state or local law or regulations.

5-7-3: SEVERABILITY:

If any provisions of this chapter or the application of any provision of this chapter to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this chapter will not be affected.

5-7-4: SCOPE OF CHAPTER:

A. This chapter applies to ministerial and discretionary approvals of the new development or redevelopment projects defined in the County of Los Angeles LID Ordinance (Ordinance No. 2013-0044).

B. Each of the projects must meet the requirements of this chapter; the Municipal NPDES Permit; and the County of Los Angeles LID Ordinance.

5-7-5: DEFINITIONS:

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter. Words and phrases not defined by this chapter have the meanings stated in the Municipal NPDES Permit and if not described therein, the Federal Water Pollution Control Act (33 USC section 1251 et seq.); regulations implementing the NPDES, Clean Water Act Section 402; California Water Code section 13050; and any successor statutes or regulations.

AUTOMOTIVE SERVICE FACILITY: A facility that is categorized in any one of the following Standard Industrial Classification (SIC) codes: 5013, 5014, 5511, 5541, 7532-7534, or 7536-7539.

BEST MANAGEMENT PRACTICE (BMP): Practices or physical devices or systems designed to prevent or reduce pollutant loading from storm water or non-storm water discharges to receiving waters or designed to reduce the volume of storm water or non-storm water discharged to the receiving water. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

CONSTRUCTION: Constructing, clearing, grading, grubbing, demolishing, or excavating that results in land disturbance. Construction does not include emergency construction activities required to immediately protect public health and safety; routine maintenance activities required to maintain the integrity of structures by performing minor repair and restoration work; or routine maintenance required to maintain the original line and grade, hydraulic capacity, or original purpose of a facility.
Construction does not include interior remodeling with no outside exposure of construction material or construction waste to storm water; mechanical permit work; or sign permit work.

DEVELOPMENT: Any construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and other nonresidential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of a facility, nor does it include emergency construction activities required to protect public health and safety immediately.

HAZARDOUS MATERIALS: Any materials, wastes or mixture of wastes defined as a "hazardous substance" or "hazardous waste" pursuant to the Resource Conservation and Recovery Act (RCRA), 42 USC section 6901 et seq., the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC section 9601 et seq., or the Carpenter-Presley-Tanner Hazardous Substance Account Act (HSAA), California Health and Safety Code section 25300 et seq., and all future amendments to any of them, or as defined by the California Integrated Waste Management Board. Where there is a conflict in the definitions employed by two or more agencies having jurisdiction over hazardous or solid waste, the term "hazardous waste" will be construed to have the broader, more encompassing definition.

HILLSIDE: Property located in an area with known erosive soil conditions, where the development will require grading on any natural slope which is twenty-five percent (25%) or greater and where grading will result in cut or filled slopes.

INDUSTRIAL/COMMERCIAL FACILITY: Any facility which is the site of the production, manufacture, storage, transportation, distribution, exchange or sale of goods or commodities, and any facility involved or used in providing professional and nonprofessional services. This category of facilities includes, without limitation, any facility defined by the SIC or the North American Industry Classification System (NAICS). Facility ownership (federal, state, municipal, private) and profit motive of the owner or operator of the facility are not factors in this definition.

INSPECTION: Entry and the conduct of an on-site review of a facility and its operation, at reasonable times, to determine compliance with specific municipal or other legal requirements. The steps involved in performing an inspection, include, but are not limited to:

1. Pre-inspection documentation research;
2. Request for entry;
3. Interview of facility personnel;
4. Facility walk-through;
5. Visual observation of the condition of facility premises;
6. Examination and copying of records as required;
7. Sample collection (if necessary or required);
8. Exit conference;
9. Report preparation, and if appropriate, recommendations for coming into compliance.

LOW IMPACT DEVELOPMENT (LID): Building or landscape features designed to retain or filter storm water runoff.
Municipal NPDES PERMIT: The "Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, Except Those Discharges Originating from the City of Long Beach MS4" (Order No. R4-2012-0175), NPDES Permit No. CAS004001, effective December 28, 2012, issued by the California Regional Water Quality Control Board—Los Angeles Region, and any successor permit to that permit.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4): A conveyance or system of conveyances (consisting of roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

1. Owned or operated by a state, city, town borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;

2. Designed or used for collecting or conveying storm water;

3. Which is not a combined sewer; and

4. Which is not part of a Publicly Owned Treatment Works (POTW) as defined in 40 CFR 122.2.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES): The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under CWA §307, 402, 318, and 405. The term includes an "approved program."

NEW DEVELOPMENT: Land disturbing activities; structural development, including construction or installation of a building or structure, creation of impervious surfaces; and land subdivision.

NON-STORM WATER DISCHARGE: Any discharge into the MS4 that is not composed entirely of storm water.

PARKING LOT: Land area or facility for the parking or storage of motor vehicles used for business, commerce, industry, or personal use, with a lot size of five thousand (5,000) square feet or more of surface area, or with twenty five (25) or more parking spaces.


REDEVELOPMENT: Land disturbing activity that results in the creation, addition, or replacement of five thousand (5,000) square feet or more of impervious surface area on an already developed site. Redevelopment includes, without limitation: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of a routine
maintenance activity; and land disturbing activities related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

RESTAURANT: A facility where prepared food and beverages are sold for consumption, including stationary lunch counters and refreshment stands selling prepared food and beverages for immediate consumption (see SIC code 5812).

RETAIL GASOLINE OUTLET: Any facility where gasoline and lubricating oils are sold.

ROUTINE MAINTENANCE: Routine maintenance projects include, but are not limited to projects conducted to:

1. Maintain the original line and grade, hydraulic capacity, or original purpose of the facility.
2. Perform as needed restoration work to preserve the original design grade, integrity and hydraulic capacity of flood control facilities.
3. Includes road shoulder work, re-grading dirt or gravel roadways and shoulders and performing ditch cleanouts.
4. Update existing lines and facilities to comply with applicable codes, standards, and regulations regardless if such projects result in increased capacity. This includes replacing existing lines with new materials or pipes.
5. Repair leaks.
6. Conduct landscaping activities without changing existing or natural grades.

Routine maintenance does not include construction of new lines or facilities resulting from compliance with applicable codes, standards and regulations. New lines are those that are not associated with existing facilities and are not part of a project to update or replace existing lines.

SIC: Standard industrial classification.

SIMPLE LID BMP: A BMP constructed above ground on a single-family residential home that can be readily inspected by a homeowner or inspector. Simple LID BMPs do not require an operation and maintenance plan per the Municipal NPDES Permit. Examples of such BMPs include but are not limited to vegetated swales, rain barrels and above ground cisterns, rain gardens, and pervious pavement.

SOURCE CONTROL BEST MANAGEMENT PRACTICE (SOURCE CONTROL BMP): Any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices or operational practices that aim to prevent storm water pollution by reducing the potential for contamination at the source of pollution.

STORM WATER: Storm water runoff, snow melt runoff, and surface runoff and drainage related to precipitation events (pursuant to 40 CFR §122.26(b)(13); 55 Fed. Reg. 47990, 47995 (Nov. 16 1990)).

STORM WATER DISCHARGES: Any discharge into the MS4 that is composed entirely of storm water.
STRUCTURAL BEST MANAGEMENT PRACTICE (STRUCTURAL BMP): Any structural facility designed and constructed to mitigate the adverse impacts of storm water and urban runoff pollution (e.g., a canopy, structural enclosure). This category may include both treatment control BMPs and source control BMPs.

TREATMENT: The use of engineered systems that use physical, chemical, or biological processes to remove pollutants. Such processes include, but are not limited to, filtration, gravity settling, media absorption, biodegradation, biological uptake, chemical oxidation, and UV radiation.

TREATMENT CONTROL BEST MANAGEMENT PRACTICE (TREATMENT CONTROL BMP): Any engineered system designed to remove pollutants by simple gravity setting of particulate pollutants, filtration, biological uptake, media adsorption or any other physical, biological, or chemical process.

5-7-6: RATE OF DISCHARGE:

No new development or redevelopment project may increase the pre-project’s storm water runoff flow rates, volumes, and durations from the developed site if this increase would make downstream erosion more probable.

5-7-7: SUBDIVISION DESIGN:

Unless inconsistent with vested rights, the site design for all new development and redevelopment subject to this chapter, to the maximum extent practicable, must:

A. Concentrate or cluster new development on portions of the site while leaving the remaining land in a natural undisturbed condition;

B. Limit clearing and grading of native vegetation to the minimum extent practicable, consistent with the construction of lots, and to allow access and provide fire protection;

C. Preserve riparian areas and wetlands.

5-7-8: BEST MANAGEMENT PRACTICES (BMPs):

A. On the date this chapter takes effect, those best management practices required by the Municipal NPDES Permit or the County of Los Angeles LID Ordinance (Ordinance No. 2013-0044) are deemed incorporated herein by reference and adopted by the city.

B. No best management practice may be used in new development or redevelopment regulated under this chapter unless listed in the Municipal NPDES Permit, County of Los Angeles LID Ordinance (Ordinance No. 2013-0044), or the County of Los Angeles LID Standards Manual, unless otherwise approved by the City.

5-7-9: CONTROL OF EROSION OF SLOPES AND CHANNELS:

A. Single family hillside homes are required to implement mitigation measures in accordance with the County of Los Angeles LID Ordinance (Ordinance No. 2013-0044) to:

1. Conserve natural areas;
2. Protect slopes and channels;
3. Provide storm drain system stenciling and signage;
4. Divert roof runoff to vegetated areas before discharge unless the diversion would result in slope instability; and
5. Direct surface flow to vegetated areas before discharge unless the diversion would result in slope instability.

B. Best management practices used on slopes or channels in new development or redevelopment subject to this chapter must:

1. Convey runoff from tops of slopes;
2. Eliminate or reduce flow to natural drainage systems, and for flows which cannot be eliminated, utilize natural drainage systems, rather than artificial drainage systems, to the maximum extent practicable;
3. Stabilize soil at permanent channel crossings;
4. Vegetate slopes with native or drought tolerant species known to control erosion; and
5. Dissipate concentrated flows before they enter unlined channels.

5-7-10: SIGNAGE AT STORM DRAINS:

Within the project area of new development and redevelopment projects, a notice that dumping in storm drains and catch basins is illegal must be:

A. Stenciled in paint or other permanent means at all storm drain inlets and catch basins;

B. Posted at all known public accesses to natural or artificial drainage channels, creeks, lakes, or other relevant waterbodies; and

C. Maintained to preserve the sign.

5-7-11: OUTDOOR STORAGE OF MATERIALS:

A. All materials stored outdoors in new development or redevelopment projects subject to this chapter which, if exposed to storm water, reasonably may be expected to add pollutants to storm water, must be isolated from contact with storm water by:

1. Enclosure in a structure; or

2. By a surrounding curb or other containment structure.

B. The storage area for materials referred to in subsection A of this section must be covered completely:

1. By impermeable paving, or

2. An overhead covering that adequately diverts precipitation away from the ground between the material and the surrounding containment structure.
5-7-12: OUTDOOR TRASH STORAGE AREAS:

Except where they serve only single-family residences, solid waste containers in new development or redevelopment projects subject to this chapter must be placed between collections in areas that:

A. Are isolated from contact with storm water flows originating outside the storage area, and

B. Are surrounded with a barrier sufficient to prevent all trash from being transported out of the storage area, except during collection.

5-7-13: MAINTENANCE OF BEST MANAGEMENT PRACTICES:

A. Prior to receiving approval for final occupancy, every person applying to the city for approval of any new development or redevelopment project subject to this chapter, with the exception of simple LID BMPs implemented on single family residences, must agree in writing to maintain any structural or treatment control best management practice to be implemented in that development by means of a covenant running with the land. A maintenance and operation plan must be made part of said covenant and records of maintenance must be kept on site.

B. The agreement described in this section will remain in force until ownership of the developed property is transferred, and upon transfer, will be binding on the new owner(s).

5-7-14: DESIGN STANDARDS FOR BEST MANAGEMENT PRACTICES:

All new development and redevelopment projects must install BMPs in accordance with County of Los Angeles LID Ordinance.

Compliance with the LID standards set forth in the County of Los Angeles LID Ordinance will be demonstrated through the city’s LID plan review process. The applicant for any development project must submit a LID plan to the city for review and approval that provides a comprehensive, technical discussion of how the development project will comply with the County of Los Angeles LID Ordinance and the applicable provisions specified in the County of Los Angeles LID Standards Manual.

5-7-15: LOADING DOCKS:

In any ten thousand (10,000) square foot industrial/commercial facility or in any automotive service facility, in new development or redevelopment subject to this chapter, the design of any outdoor loading dock area must:

A. Use an overhead covering that prevents the entry of storm water; or

B. Prevent the entry of storm water by diverting it away; and

C. Not direct storm water from any truck well directly into a storm drain system.
5-7-16: REPAIR AND MAINTENANCE BAYS:

In any ten thousand (10,000) square foot industrial/commercial facility or in any automotive service facility, in new development or redevelopment subject to this chapter, repair or maintenance bays must:

A. Prevent the entry of storm water by diverting it away or by locating such bays indoors; and

B. Use a drainage system that collects all water from washing and from leaks or spills and stores the water in a sump for disposal; and

C. Not direct storm water from the bay directly to a storm drain system.

5-7-17: WASH AREAS:

Each wash area for motor vehicles or equipment in any new development or redevelopment subject to this chapter must incorporate:

A. An adequate overhead covering; and

B. A device that clarifies or otherwise pretreats all wash water; and

C. A drain conducting all treated wash water to a sanitary sewer.

5-7-18: RESTAURANTS:

Each restaurant in any new development or redevelopment subject to this chapter must include an area for the washing or cleaning of equipment, which:

A. If indoors, will:
   
   1. Be self-contained;

   2. Use a grease trap; and

   3. Use a drain conducting all wastewater to a sanitary sewer.

B. If outdoors, will:

   1. Use an overhead covering adequate to prevent contact with storm water;

   2. Be covered with impermeable paving;

   3. Be surrounded by a curb or other containment; and

   4. Use a drain conducting all wastewater to a sanitary sewer.
5-7-19: RETAIL GASOLINE OUTLETS:

All fuel dispensing areas in any retail gasoline outlet subject to this chapter must:

A. Be covered by a structure that:
   1. Extends outward at least as far as the grade break at all points; and
   2. Diverts all storm water away from the fueling area.

B. Be paved with a material, other than asphaltic concrete, that is impermeable to water and has a smooth surface with a slope of not less than two percent (2%) but not more than four percent (4%);

C. Be separated from the rest of the site by a grade break that, to the maximum extent practical, prevents storm water from entering the fueling area;

D. Extend outward at least six and one-half feet (6.5') from the outermost corner of any fuel dispenser, or a distance one foot (1') greater than the combined length of the dispensing hose and nozzle, whichever distance is less.

5-7-20: PARKING LOTS:

Owners and operators of parking lots in any new development or redevelopment subject to this chapter must minimize off site transport of pollutants to the maximum extent practical by using the following BMPs:

A. Minimize impervious land coverage;

B. Provide effective treatment or infiltration of storm water before it is discharged into storm drains; and

C. Use operational and maintenance measures to remove heavy metals, oil and grease and polycyclic aromatic hydrocarbons.

5-7-21: SITE SPECIFIC MITIGATION REQUIREMENTS FOR NEW DEVELOPMENT AND REDEVELOPMENT WITH POTENTIAL ADVERSE IMPACTS ON POST-DEVELOPMENT STORM WATER QUALITY:

On and after the effective date of this chapter, all projects for new development or redevelopment not meeting the thresholds of section 5-7-4(A), but which have the potential to have adverse impacts on post-development storm water flows from the site, must submit for approval a site-specific plan adequate to mitigate post-development storm water quality if the project has any one or more of the following characteristics:

A. A vehicle or equipment fueling area;

B. A vehicle or equipment maintenance area, including washing and repair;
C. Any commercial or industrial waste handling or storage area;

D. An area for outdoor handling or storage of "hazardous materials", as defined in this chapter;

E. An outdoor manufacturing area;

F. An area where outdoor food handling or processing occurs;

G. An area where outdoor animal care, confinement or slaughter occurs; or

H. An area of outdoor horticultural activity.

5-7-22: ENFORCEMENT:

A. Each violation of any provision of this chapter is both a misdemeanor and a public nuisance.

B. The remedies specified in this chapter are in addition to any other legal remedy that may be available to the city.

5-7-23: INSPECTIONS:

A. The director of public works, and his/her designated officers, may enforce the provisions of this chapter.

B. As necessary, these officers may, at a reasonable time and in a manner authorized by the laws of California, enter and make inspections on any property regulated under this chapter.
EL SEGUNDO CITY COUNCIL

AGENDA STATEMENT

MEETING DATE: October 3, 2017

AGENDA DESCRIPTION:

Consideration and possible action to accept as complete the Police Department Kitchen Remodel, Project No. PW 17-07 (Fiscal Impact: $34,888.00)

RECOMMENDED COUNCIL ACTION:

1. Accept the work as complete;

2. Authorize the City Clerk to file a Notice of Completion in the County Recorder’s Office; or,

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

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $39,108.00
Additional Appropriation: No
Account Number(s): 301-400-8201-8708

STRATEGIC PLAN:

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

Goal: 3 Develop as a Choice Employer & Workforce
Objective: 4 The City has an inspired, engaged workforce

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

BACKGROUND AND DISCUSSION:

On February 7, 2017, City Council awarded a Public Works contract to Cinbad Industry Inc. for improvements to the PD kitchen in the amount of $34,680 and authorized an additional $3,468 for construction related contingencies.

Construction began on July 31, 2017, and was completed by the contractor on August 28, 2017. A final inspection for Cinbad Industry’s work has been performed and it was determined that the project was completed per the plans and specifications and to the satisfaction of the Public Works Department. The remaining $4,220.00 (project savings plus unspent contingency) will be
disencumbered and returned to the Police Department Upgrades account for future projects. Staff respectfully recommends that City Council accept the work performed by Cinbad Industry Inc. as complete and authorize the City Clerk to file a Notice of Completion with the County Recorder’s Office.

**Accounting Summary:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cinbad Industry Inc. Contract Amount</td>
<td>$34,680.00</td>
</tr>
<tr>
<td>Advertising for Bids in Newspaper</td>
<td>+ $960.00</td>
</tr>
<tr>
<td>Change Order (repair cost adjustment)</td>
<td>- $752.00</td>
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<tr>
<td><strong>Total Funds Spent</strong></td>
<td><strong>$34,888.00</strong></td>
</tr>
<tr>
<td>Budgeted Amount (Contract + Contingency + Advertising)</td>
<td>$39,108.00</td>
</tr>
<tr>
<td><strong>Total Funds Spent</strong></td>
<td>-$34,888.00</td>
</tr>
<tr>
<td><strong>Unspent Budgeted Amount Returned to PD Upgrades Account</strong></td>
<td><strong>$4,220.00</strong></td>
</tr>
</tbody>
</table>
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Police Department Kitchen Remodel Project

Project No.: PW 17-07 Contract No. 5277

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 August 28, 2017. The work done was: Kitchen Remodel

6. On October 3, 2017, 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: Cinbad Industry Inc.

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: Remodel of the kitchen at the Police Department in the City of El Segundo.

9. The street address of said property is: 348 Main Street, El Segundo, CA 90245

Dated: ____________________________

Ken Berkman
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 ______________, 2017 at El Segundo, California.

Ken Berkman
Public Works Director
AGENDA DESCRIPTION:
Consideration and possible action to authorize the City Manager to enter into an agreement approved by the City Attorney with Bell Event Services for $32,203 to provide event services on October 7, 2017, as part of the Centennial Celebration event, Celebrate!, at El Segundo High School, Main Street and Library Park. (Fiscal Impact: Centennial Celebration Sponsorship Funds $32,203)

RECOMMENDED COUNCIL ACTION:
1. Authorize the City Manager to execute agreement approved by the City Attorney with Bell Event Services for $32,203; and/or,
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS: None

FISCAL IMPACT: None

<table>
<thead>
<tr>
<th>Amount Budgeted:</th>
<th>$32,203</th>
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<tr>
<td>Additional Appropriation:</td>
<td>N/A</td>
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<tr>
<td>Account Number(s):</td>
<td>702-200-5418-2606 - $32,203</td>
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</table>

STRATEGIC PLAN:

<table>
<thead>
<tr>
<th>Goal:</th>
<th>1b</th>
<th>El Segundo’s engagement with the community ensures excellence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective:</td>
<td>1</td>
<td>The City is transparent regarding services and performance</td>
</tr>
</tbody>
</table>

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

BACKGROUND AND DISCUSSION

Celebrate! A Fireworks Spectacular is a dynamic show depicting the last 100 years of history in El Segundo through narration, animation, projection, lighting and pyrotechnics, produced by Jeff Cason. The event will be one to remember, and will take place on Saturday, October 7, 2017, at Library Park and El Segundo High School. The El Segundo Unified School District supports the event and is working in partnership to coordinate logistics and ensure a safe environment.

The Centennial Celebration Committee has reviewed and approved the event budget and authorized expenses for various services such as sound engineering and equipment rental, lighting, entertainment, and pyrotechnic services. This contract amount is included in the original budget approved by the Committee. These funds have been donated and collected through corporate and community sponsorships specifically designated to organize and implement events and activities to celebrate the City’s Centennial year.
Local business, Bell Event Services Inc., will be providing a variety of needed equipment, labor and rental services for the *Celebrate!* event. Large-scale audio equipment, sound engineer and alternative power sources will be rented for several days prior to the main event, totaling $27,550, to support the main projection and lighting show. Additional sound system equipment and sound engineer is required for the entertainment in Library Park from 3:00-7:00pm on the day of the event, totaling $1,700. Additionally, Bell Event Services is providing four scissor lifts and one boom lift for various elements of the show including pyrotechnic firing locations and audio cable wiring assistance, for $2,953. The grand total of all services is $32,203, requiring City Council approval.
AGENDA DESCRIPTION:
Consideration and possible action to waive the second reading of Ordinance No. 1557 consolidating future stand alone municipal elections in the City with statewide June even year elections in 2022 to comply with the California Voter Participation Rights Act (California State Senate Bill 415).
(Fiscal Impact: Unknown)

RECOMMENDED COUNCIL ACTION:
1. Waive second reading and adopt Ordinance No. 1557 establishing new General Municipal Election Dates to be held in June of even years beginning in June 2022.
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Ordinance No. 1557

FISCAL IMPACT:
Amount Budgeted: Unknown
Estimated Savings: Unknown
Account Number(s): Professional & Technical 001-400-1302-6214

STATEGIC PLAN:
Goal: n/a
Objective: n/a

WRITTEN BY: Mona F. Shilling, Deputy City Clerk II
ORIGINATED BY/APPROVED BY: Tracy Weaver, City Clerk
REVIEWS BY: City Attorney’s office
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

Local Election Must be Consolidated with Statewide Election no later than 2022

On September 1, 2015, Governor Brown signed into law Senate Bill No. 415 (Hueso) (“SB 415”) regarding consolidation of municipal elections with statewide elections. Commencing January 1, 2018, SB 415 prohibits certain political subdivisions, as defined, from holding an election other than on a statewide election date. SB 415 requires political subdivisions to compare the voter turnout in the political subdivision’s regularly scheduled election to the voter turnout within the political subdivision for the previous four statewide general elections. If the
voter turnout for political subdivision’s regularly scheduled election is at least 25% less than the average voter turnout within the political subdivision for the previous four statewide general elections, then the political subdivision must consolidate its election with the state.

The voter participation (Voter Turnout) rates for the City of El Segundo for the past four statewide general elections (Los Angeles County) in November and four stand alone-municipal elections (City of El Segundo) in April are below:

<table>
<thead>
<tr>
<th>ELECTION YEAR</th>
<th>STATEWIDE ELECTION</th>
<th>MUNICIPAL ELECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>63.78%</td>
<td>22.13%</td>
</tr>
<tr>
<td>2012</td>
<td>80.91%</td>
<td>32.84%</td>
</tr>
<tr>
<td>2014</td>
<td>41.12%</td>
<td>29.17%</td>
</tr>
<tr>
<td>2016</td>
<td>80.40%</td>
<td>33.49%</td>
</tr>
</tbody>
</table>

The City of El Segundo’s average voter turnout for the previous four statewide elections was 66.55%, while the voter turnout for the most recent municipal stand-alone elections was 33.49%. Although the law does not specify which municipal election is to be compared with the statewide general elections, if we compare the most recent City Elections the difference exceeds 25% in voter turnout. Thus, that the new law applies to the City of El Segundo.

Because the new law applies to the City, the issue is whether to consolidate with a statewide election sooner or later. If, by January 1, 2018, the City adopts a plan to consolidate future elections with a statewide election not later than the November 8, 2022 statewide general election, then the City may continue its current practice of holding elections on non-statewide election dates until the plan is adopted. In other words, if it adopts such a plan, the City may continue its current practice of holding City elections in April through 2020.

RECOMMENDATION:

At the July 18th, 2017 City Council Meeting Staff recommended the City Council consolidate with Los Angeles County Statewide Elections in November 2018 for various reason. Staff provided other options for the City Council to consider. Council voted to have staff bring back two draft Ordinances for consideration to consolidate with the Statewide November even year elections in either 2020 or 2022.

At the September 5th, 2017 City Council Meeting the City Council introduced an Ordinance to consolidate with the Statewide June elections in 2022.

The Council may waive the second reading and adopt Ordinance No. 1557. If adopted, the Ordinance will become effective on the thirty –first day following its passage and adoption.

ENVIRONMENTAL REVIEW:

The City Council finds that the Ordinance does not have the potential to cause significant effects on the environment and, therefore, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code Regs. § 15061(b)(3). The proposed Ordinance would amend the El Segundo Municipal Code as far as timing of the City’s election, and it can be seen with certainty that there is no possibility that the Ordinance will have a significant effect on the environment.
ORDINANCE NO. 1557

AN ORDINANCE ESTABLISHING THE DATE OF THE CITY’S GENERAL MUNICIPAL ELECTION TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN JUNE OF EVEN-NUMBERED YEARS BEGINNING IN JUNE 2022; AMENDING TITLE 1 OF THE EL SEGUNDO MUNICIPAL CODE AND REQUESTING CONSOLIDATION WITH LOS ANGELES COUNTY PURSUANT TO ELECTIONS CODE SECTION 10403.

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

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

A. The general municipal elections for the City of El Segundo are currently held the second Tuesday of April in each even-numbered year;

B. Government Code § 14052 prohibits a city from holding an election other than on a statewide election date, if holding an election on a non-concurrent date has previously resulted in voter turnout for a regularly scheduled election in that city, being at least 25% less than the average voter turnout within the city for the previous four statewide general elections;

C. The City did not meet the qualifying criteria to continue to conduct stand-alone elections and is legally required to move its elections to the date of the statewide general election;

D. The City desires to change its municipal election to the first Tuesday after the first Monday in June 2022, an established election date listed in Elections Code § 1000 and the date of the statewide general election;

E. In order to accomplish the change in election date, the term of City Council Members elected in April 2018, who would otherwise be up for election in April 2022, would be extended to June 2022.

SECTION 2: Environmental Assessment. Adoption of the proposed Ordinance is statutorily exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§21000, et seq., “CEQA”) and CEQA Guidelines (14 California Code of Regulations §§15000, et seq.), because the proposed Ordinance would amend the El Segundo Municipal Code as far as timing of the City’s election, and it can be seen with certainty that there is no possibility that the Ordinance will have a significant effect on the environment.

SECTION 3: ESMC Title 1 (Administration and Personnel) is amended to add the following new chapter and section as follows:

Chapter 4A: ELECTIONS.
Section 1-4A-1: Beginning in June 2022, general municipal elections for the
election of Council members, the City Clerk and the City Treasurer, and for
such purposes as the City Council may prescribe, will be held in the City on
the first Tuesday after the first Monday in June in each even-numbered
year.

SECTION 4: Adjustment of Terms of Office. In accordance with Elections Code §§ 1301
and 10403.5(d), due to the change of election date, the terms of office of those members
of the City Council elected in April 2018, whose terms would previously have expired in
April 2022, will instead expire at the next regularly scheduled Council meeting after receipt
of the certification of the results of the June 2022 General Municipal Election and
administration of oaths of office.

SECTION 5: Consolidated Election. Pursuant to Elections Code § 1301, the City Council
requests the County of Los Angeles approve consolidation of the City’s June City Council
election with the statewide general election conducted by the County in June of each
even-numbered year.

SECTION 6: Notice to Voters. Pursuant to Elections Code § 10403.5, within 30 days after
this Ordinance becomes operative, the City Clerk must cause a notice to be mailed to all
registered voters of the City of El Segundo (pursuant to the last report of registration by
the County Clerk to the Secretary of State) informing the voters of the change in the
election date. The notice must also inform the voters that as a result in the change in
election date, elected city officeholders’ terms in office will be changed.

SECTION 7: Date of the First City Council Election in June. If this Ordinance becomes
effective, the first City Council election to be held in June will be June 2022.

SECTION 8: Request to the County. The City Clerk is directed to forward, without delay,
a certified copy of this Ordinance to the Los Angeles County Board of Supervisors and
the County Election Department. The ordinance will become operative once the City’s
request is officially approved by the Board of Supervisors.

SECTION 9: 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 10: 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 11: 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 15 days after the passage and adoption of this ordinance, cause it to be published or posted in accordance with California law.

SECTION 12: This Ordinance will become effective on the thirty-first day following its passage and adoption.

PASSED AND ADOPTED this ___ day of ____________, 2017.

________________________
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 ____________, 2017, 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 ____________, 2017, 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
AGENDA DESCRIPTION:

Consideration and possible action regarding approval of ongoing professional service agreements and blanket purchase orders for FY 2017-2018 in excess of $25,000 for various departments; and possible action to waive the formal bidding process and authorize the continued purchase of various goods and services as described below.

(Fiscal Impact: Included in the FY 17-18 Budget: General Fund $2,563,851.92; Asset Forfeiture Fund $13,000; Prop A Fund $30,000; Water Enterprise Fund $124,000; Wastewater (Sewer) Enterprise Fund $28,000; Golf Course Enterprise Fund $96,000; and Workers’ Compensation Fund $100,100;)

RECOMMENDED COUNCIL ACTION:

(1) Authorize the City Manager to execute an amendment to Agreement No. 4095 with High Point Strategies, LLC for City’s advisors and advocate regarding issues relating to LAWA, LAX, FAA, MTA and other Los Angeles agencies, in a form approved by the City Attorney to (1) extend the term of the agreement to September 30, 2018; (2) authorize payment for services up to $75,000 (General Fund – City Manager); and (3) take such additional, related, action that may be desirable.

(2) Authorize the City Manager to issue a blanket purchase order to Baker & Taylor Information Services for supplying books and other library materials for not to exceed amount of $85,945 in FY 2017-2018 (General Fund - Library).

(3) Authorize the City Manager to extend contract #4729 to Innovative Interfaces, Inc., for library computer network systems Sierra and Encore maintenance. Issuance of blanket purchase order in the amount not to exceed $44,570.92 (General Fund - Library)

(4) Authorize the City Manager to extend ongoing service agreements with J. Lee Engineering provides plan check and inspection consulting services for the Building and Safety Division in the amount not to exceed $350,000 in FY 2017-2018 (General Fund – Building Safety).

(5) Authorize the City Manager to extend ongoing service agreement with JAS to provide plan check and inspection consulting services for the Building and Safety Division in the amount not to exceed $350,000 in FY 2017-2018 (General Fund – Building Safety).

(6) Authorize the City Manager to extend ongoing service agreement with Hayer Consultants, Inc. to provide plan check, permitting staff, and inspection consulting services for the Building and Safety Division in the amount not to exceed $350,000 in FY 2017-2018 (General Fund – Building Safety).
(7) Authorize the City Manager to extend ongoing service agreement with **Michael Baker International** to provide professional planning consulting and interim staffing services for the City's Planning Division in the amount not to exceed $200,000 in FY 2017-2018 (General Fund – Building Safety).

(8) Authorize the City Manager to extend ongoing service agreements with **Westchester Medical Group/Center for Heart and Health** to provide annual safety employees fitness for duty and executive physical examinations not to exceed $40,000 in FY 2017-2018 (General Fund – Human Resources).

(9) Authorize the City Manager to extend ongoing service agreement with **York Risk Services Group** to administer workers’ compensation claims not to exceed $100,100 in calendar year 2018 (Workers’ Compensation Fund).

(10) Authorize the El Segundo Fire Department to waive the bidding process per El Segundo Municipal Code §1-7-10 to purchase medical and pharmaceutical supplies, and piggyback on the City of El Cajon’s **Bound Tree Medical, Inc.** (“Bound Tree”) Bid #005-12, and authorize issuance of a blanket purchase order to Bound Tree for medical and pharmaceutical supplies not to exceed $40,000 in FY 2017-2018 (General Fund – Fire).

(11) Authorize the City Manager to amend the contract with **All Cities Management Services, Inc.** for ongoing services to provide crossing guard services for the El Segundo School District not to exceed $96,336 in FY 2017-2018 (General Fund – Finance Administration (non-departmental)).

(12) Authorize the issuance of a blanket purchase order to **Hinderliter De Llamas & Associates** (Agreement #3313) to provide professional services related to sales and use tax for an amount not to exceed $81,000 in FY 2017-2018 (General Fund – Finance Business Services).

(13) Authorize the issuance of a blanket purchase order to **Lane Donovan Partners, LLC** (Agreement #3399) to provide management services for The Lakes Golf Course for an amount not to exceed $96,000 in FY 2017-2018 (Golf Course Enterprise Fund – Recreation & Parks).

(14) Authorize the City Manager to extend Agreement # 4096 with **Landcare USA, LLC** in a form approved by the City Attorney and issuance of a blanket purchase order to provide weekly landscape services for an amount not to exceed $181,000 in FY 2017-2018 (General Fund – Recreation & Parks).
(15) Authorize staff to continue to purchase gasoline and diesel fuel for City vehicles and equipment through the use of spot market purchasing in an amount not to exceed $315,000 in FY 2017-2018 (General Fund = $250,000; Asset Forfeiture Fund = $13,000; Prop “A” Fund = $30,000; Water Enterprise Fund = $9,000; Wastewater (sewer) Enterprise Fund = $13,000).

(16) Authorize the issuance of a blanket purchase order to Metron Farnier in an amount not to exceed $100,000 in total for the purchase of single jet AMR water meters for the City’s water system in FY 2017-2018 (Water Enterprise Fund).

(17) Authorize the issuance of a blanket purchase order to Blue Diamond Materials, a division of Sully Miller Contracting Company in an amount not to exceed $30,000 for the purchase of asphalt paving materials for Street Maintenance Division projects in FY 2017-2018 (General Fund – Public Works).

(18) Authorize the issuance of a blanket purchase order to DataProse (Agreement # 3227) to provide Water and Sewer divisions utility bill print and mail services for an amount not to exceed $30,000 in FY 2017-2018 (Water & Wastewater (sewer) Enterprise Funds).

(19) Authorize the City Manager to extend the ongoing professional service Agreement #4269 with Aerotek Professional Services for providing temporary staffing service for the Public Works Department not to exceed $200,000 in FY 2017-2018 (General Fund – Public Works, Government Buildings).

(20) Authorize the City Manager to amend contract #3957 with Galls LLC for purchasing uniforms and equipment for the Police Department, not to exceed $60,000 in FY 2017-2018 (General Fund – Police Department). Galls, LLC is the only physical location that provides in-house, appointment tailoring, embroidery and distribution of equipment in the State of California.

(21) Authorize the issuance of a blanket purchase order to Dooley Enterprises (Dooley), for the purchase of Winchester Duty Ammunition. Dooley Enterprises supplies duty and training ammunition, not to exceed $40,000 in FY 2017-2018 (General Fund – Police Department).

(22) Authorize the issuance of a blanket purchase order to Tyler Technologies for annual software licensing, maintenance, and support not to exceed $47,000 in FY 2017-2018 (General Fund – Information Systems).

(23) Authorize the issuance of a blanket purchase order with Active Network for annual licensing, maintenance and support not to exceed $43,000 in FY 2017-2018 (General Fund – Information Systems).

(24) Alternatively, discuss and take other possible actions related to these items.
ATTACHED SUPPORTING DOCUMENTS: Attachment A – Summary of Budgeted Accounts

FISCAL IMPACT: Included in Adopted Budget

Amount Budget: $2,954,951.92
Additional Appropriation: No (included in the adopted FY 17/18 Budget)
Account Number(s): See “Attachment A - Summary of Accounts”

STRATEGIC PLAN:

Goal: 5(b) Champion Economic Development and Fiscal Sustainability:
El Segundo approaches its work in a financially disciplined and responsible way

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

ORIGINATED BY: Maria Cerritos, Purchasing Agent
REVIEWED BY: Joseph Lillio, Finance Director
APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

CITY MANAGER

#1 - High Point Strategies, LLC
High Point Strategies, LLC, will continue working on behalf of the City as its advisors and advocate for the City regarding issues relating to Los Angeles World Airports (LAWA) and Los Angeles International Airport (LAX), and the Federal Aviation Administration, transportation issues relating to the Metropolitan Transportation Authority, or assisting with the City’s relationship with other City and County of Los Angeles agencies.

This amendment is to extend the Agreement in terms through September 30, 2018 not to exceed $75,000. Account Number: 001-400-2101-6407 (General Fund).

LIBRARY

#2 - Baker and Taylor
Baker and Taylor, the Library’s leading supplier of books, music, books on CD, DVD’s, E-books and other items, offers substantial savings up to 45% under retail cost. The total purchases of $85,945 are for the following accounts for Fiscal Year 2017-2018:

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<thead>
<tr>
<th>Account Number</th>
<th>Item Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-400-6103-5505</td>
<td>Youth Materials</td>
<td>$19,800</td>
</tr>
<tr>
<td>001-400-6103-5507</td>
<td>School Library Materials</td>
<td>$2,400</td>
</tr>
<tr>
<td>001-400-6104-5501</td>
<td>Adult Materials</td>
<td>$54,062</td>
</tr>
<tr>
<td>001-400-6104-6277</td>
<td>Title Source Database &amp; Axis 360 Access</td>
<td>$4,683</td>
</tr>
<tr>
<td>001-400-6104-5501</td>
<td>Axis E-books</td>
<td>$5,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$85,945</td>
</tr>
</tbody>
</table>
#3 - Innovative Interfaces Inc.
Innovative Interfaces Inc. provides maintenance of the Library’s online network system for cataloging, circulation, patron access to materials, archive collections and administrative functions in the amount of $44,570.92 for FY 2017-2018. Account number 001-400-6104-6217 (General Fund).

PLANNING AND BUILDING SAFETY

#4 - J. Lee Engineering
J. Lee Engineering provides plan check and inspection consulting services for the Building and Safety Division. These services are utilized when workload exceeds the level that would preclude City staff from meeting customer service expectations. Not to exceed the amount $350,000 for fiscal year 2017-2018. Account number: 001-400-2403-6214 (General Fund).

#5 - JAS
JAS provides code enforcement, plan check and inspection consulting services for the Building and Safety Division. These services are utilized when workload exceeds the level that would preclude City staff from meeting customer service expectations. Not to exceed the amount $350,000 for fiscal year 2017-2018. Account number: 001-400-2403-6214 (General Fund)

#6 – Haver Consultants, Inc.
Extend ongoing service agreement with Haver Consultants, Inc. to provide plan check, permitting staff, and inspection consulting services for the Building and Safety Division. Not to exceed $350,000 in FY 2017-2018. Account number: 001-400-2403-6214 (General Fund).

#7 – Michael Baker International
Michael Baker International provides professional planning and interim staffing services for the Planning Division. These services are utilized when workload exceeds the level that would preclude City staff from meeting customer service expectations. Not to exceed the amount $200,000 for fiscal year 2017-2018. Account number: 001-400-2403-6214 (General Fund)

HUMAN RESOURCES

#8 - Westchester Medical Group/Center for Heart and Health
The City has a longstanding relationship with Westchester Medical Group/Center for Heart and Health to provide Safety employees annual Fitness for Duty and Executive physical examinations. This long standing physical examination program continues to meet or exceed staff’s expectations. Westchester Medical Group/Center for Heart and Health is also distinguished by their extensive involvement with public sector clients.

The total cost for FY 17/18 is not to exceed $40,000 for annual safety employee Fitness for Duty examinations and other Physical examinations. Account number: 001-400-2506-6214 (General Fund).
#9 - York Risk Services Group, Inc.
York Risk Services Group, Inc. (formerly SCRMA – Southern California Risk Management Associates, Inc.) has served as the third-party administrator (TPA) for workers’ compensation claims since 1988. Following a formal request for proposal process from seven firms in 2008, the City awarded the contract to YORK Risk Services Group, Inc. The following selection criteria was considered in continuing to use YORK Risk Services Group, Inc. as the TPA for Workers’ Compensation claims:

- Established record of consistent professional service and reputation within the industry
- High quality references from public entities, particularly full service municipalities
- Staffing and experience levels
- Cost effectiveness of medical and legal cost and legal cost containment services and activities
- Overall cost-benefit advantages

The contract between the City and YORK Risk Services Group, Inc. has an option to extend for two additional years beginning within the FY 2013-2014. The City has chosen to extend the contract in one-year increments and is currently extending the contract for the 2017 calendar year. The amendment to this contract for the period January 1, 2018 through December 31, 2018 is not to exceed $100,100. Account number: 603-400-2321-6214 (Workers’ Compensation Fund).

FIRE DEPARTMENT

#10 - Bound Tree Medical, Inc.
The El Segundo Fire Department has been purchasing and storing paramedic medical supplies since 1998 as mandated by the County of Los Angeles, Emergency Medical Services Agency.

For eight years, the Fire Department utilized Bound Tree for paramedic medical supplies through a piggyback on an existing competitively bid award. In 2005, staff recommended a change in vendors due to supply availability issues and billing problems. Since that time, Bound Tree has significantly improved its service and has streamlined their ordering process which is integrated with the Department’s internal process. In addition to favorable pricing and timely deliveries, Bound Tree has since expanded their inventory and offers a full range of pharmaceutical supplies which allows the Fire Department to consolidate these types of purchases and receive better pricing with a single vendor.

The El Segundo Fire Department recommends that the City Council waive the formal bidding process per El Segundo Municipal Code §1-7-10 to purchase medical and pharmaceutical supplies, and piggyback on the formal, competitive bid used by the City of El Cajon. Account number: 001-400-3203-5204 in the amount of $40,000 for FY 2017-2018 (General Fund).

FINANCE

#11 - All Cities Management Services, Inc.
On September 16, 2008, City Council approved an appropriation for ESUSD crossing guard services under Special Orders of Business, Item #6 within the 2008-2009 Budget Appropriations. This contract includes 6 crossing guards for a total of 5,400 hours. The contract is expected to be renewed year to year as long as ACMS performance meets the City’s and ESUSD’s expectations.
The annual cost of funding this contract is not to exceed $96,336 for fiscal year 2017-2018. Account number: 001-400-2901-6405 (General Fund).

**#12 – Hinderliter De Llamas & Associates**
On April 01, 2004, the City entered into a Professional Services Agreement #3313 with Hinderliter De Llamas & Associates (HDL) to provide services to generate additional sales and use tax revenue for the City of El Segundo. Services include sales tax and economic analysis, allocation audit and recovery, and ongoing consultation. HDL receives 15% of any new and/or use tax revenue received by the City as a result of audit and recovery work. The amount for the purchase order for FY 17/18 issued to HDL is not to exceed $81,000. Account number: 001-400-2501-6214 (General Fund).

**RECREATION & PARKS**

**#13 - Lane Donovan Partners, LLC**
On October 22, 2004, the City entered into a Management Agreement #3399 with Lane Donovan Partners for $108,000 a year to operate and maintain The Lakes at El Segundo. On April 16, 2013, City Council approved one of Lane Donovan’s budget cut proposals of $12,000 by reducing the management fee. The amount for the contract and purchase order for FY 17/18 issued to Lane Donovan is not to exceed $96,000. If the Top Golf project is approved by City Council, the contract for Lane Donovan Partners will be amended as necessary to meet the operational needs of the City, including cancelation of the contract with proper notice as required by the contract language. Account number: 503-400-5301-6214 (Golf Course Enterprise Fund).

**#14 - Landcare USA, LLC**
On October 19, 2010, the City Council awarded the lowest bid for landscape maintenance services to Landcare USA, LLC (formerly TruGreen Landcare) for three years (Consent Agenda Item #5). Under City’s Agreement #4096, the annual cost is $137,322 for bi-weekly services or $153,504 for weekly services. The services include 12 parks, 5 median strips, Richmond School Field, Fire Station #2, Douglas underpass, City Maintenance Facility, and The Lakes parking lot and frontage. In FY 13/14, contract was amended to include maintenance services on Maple Ave. median for $6,000 per fiscal year. In FY 14/15 the Department requested additional weekly landscape services for the medians of Grand Ave. between Sepulveda Blvd. and Nash St., and Continental between El Segundo Blvd. and Mariposa Ave, for $1,000 per month.

Staff recommends renewing the contract for one year in a not to exceed amount of $181,000 for FY 17/18. Account number: 001-400-5102-6206 (General Fund).

**PUBLIC WORKS**

**#15 - Fuel for City Vehicles and Equipment**
Generally, fuel is purchased either through spot market purchases or long-term contracts. Spot purchasing consists of shopping around each time fuel is needed and purchasing fuel from the lowest priced vendor. This type of purchasing usually occurs when the fuel market is volatile as it has been for the last three years. During periods of stability, agencies enter into long-term fuel contracts. Pricing under long-term contract is tied to a published fuel price baseline plus a
markup. The volatility in the market has forced vendors to significantly raise this markup, making long-term contracts unattractive. Under the City’s last long-term contract through Los Angeles Metropolitan Public Purchasing Agents’ Cooperative (LAMPPAC), there was virtually no markup. When that contract expired in September 2005, the fuel market was quite volatile and City Council authorized staff to purchase gasoline and diesel fuel through the use of spot market purchases.

Many agencies including Cities of Manhattan Beach, Redondo Beach and Hawthorne have opted to purchase fuel through spot purchases in lieu of entering into long-term contracts since the expiration of the LAMPPAC contract. Staff continuously monitors long-term contracts available in the industry.

Pursuant to El Segundo Municipal Code (ESMC) § 1-7-10, relating to purchases and supplies, the City Council may at any time, by a majority vote and without amending the ESMC, waive purchasing procedures or alter proceedings to fit a specific purchase, when the waiver is not in violation of State law. Spot purchasing is the sort of modified purchasing arrangement that requires such a waiver by Council. It is possible that the total of purchases from any one vendor may exceed $25,000; therefore, Council approval of spot purchasing is requested. The City is budgeting $315,000 for Fiscal Year 2017-2018 in accounts:

- 001-400-4601-5215 in the amount of $250,000 (General Fund)
- 109-400-3105-5215 in the amount of $13,000 (Police - Asset Forfeiture Fund)
- 112-400-5292-5215 in the amount of $30,000 (Prop “A” Fund)
- 501-400-7102-5215 in the amount of $9,000 (Water Enterprise Fund)
- 502-400-4301-5215 in the amount of $13,000 (Wastewater (sewer) Enterprise Fund)

#16 - Water Meters – Metron Farnier
The City’s water distribution system includes over 4,000 water meters. The Water division has installed Automatic Meter Readers (AMR) on small scale over the course of several years as it conducted trials. The Public Works Department completed its first major phase of the AMR meter Conversion Program in FY2016-17 to replace 546 aging water meters in the City’s commercial sector. Over the next several years, two additional phases will be implemented to complete the City’s entire AMR meter conversion. Meanwhile, the water division will replace aging meters with new AMR meters as part of their maintenance efforts. The cost to replace each meter ranges from $250 to $5,000, dependent upon size.

Staff plans to continue replacing failing meters in FY 2017-2018 and recommends continuing to purchase meters from Metron Farnier, the vendor chosen previously for the AMR meters, in an amount not to exceed $100,000 in total. Account number: 501-400-7201-5207 (Water Enterprise Fund).

#17- Asphalt Paving Materials – Blue Diamond Materials
The Street Maintenance Division repairs approximately 50,000 square feet of pavement annually. Pavement repair work includes potholes, pavement failures, repairs from tree root damage, utility cuts, general street repairs throughout the City and preparation for slurry seal projects. Through the Fiscal Year 2017-2018 budget process, $30,000 was budgeted for the annual expenditure of asphalt paving materials.
Street Maintenance Division personnel drive a City dump truck to retrieve asphalt paving materials. There are three local vendors that supply the materials.

<table>
<thead>
<tr>
<th></th>
<th>Location</th>
<th>Miles from City</th>
<th>C-2 Asphalt Concrete/Ton</th>
</tr>
</thead>
<tbody>
<tr>
<td>All American Asphalt</td>
<td>Westminster</td>
<td>27</td>
<td>$65.00</td>
</tr>
<tr>
<td>Blue Diamond Materials</td>
<td>Inglewood &amp; Southgate</td>
<td>5 &amp; 17</td>
<td>$67.00</td>
</tr>
<tr>
<td>Vulcan Materials</td>
<td>Los Angeles</td>
<td>19</td>
<td>$79.00</td>
</tr>
</tbody>
</table>

Pricing for asphalt paving materials is variable and dependent upon the oil and aggregate market. The pricing for asphalt concrete in the table above was based on a spot market quote on September 25, 2017.

Staff recommends continuing the purchase or asphalt paving materials from Blue Diamond Materials, on a single-source basis, in an amount not to exceed $30,000 for the following reasons:

1. Closer proximity to City reduces staff driving time, fuel and liability
2. Availability of materials – two locations
3. Lowest overall cost when factoring in travel time costs and staff downtime
4. Reduced temperature loss from being transported shorter distances

At this time, Blue Diamond Materials is the more reasonable choice based upon pricing, proximity and availability. Staff will continue to monitor asphalt concrete prices and return to Council if a change in vendors is warranted. Account number: 001-400-4202-5204 (General Fund).

#18 - DataProse
DataProse, Inc. provides print and mailing services to the City for Water and Wastewater (sewer) Utility billings. For FY 2017-2018, staff recommends amending Agreement # 3227, to reflect a not to exceed amount of $30,000, broken down as follows:

Professional Services:
- 501-400-7102-6206 = $5,850 (Water Enterprise Fund)
- 502-400-4301-6206 = $5,850 (Wastewater (sewer) Enterprise Fund)

Postage:
- 501-400-7102-6253 = $9,150 (Water Enterprise Fund)
- 502-400-4301-6253 = $9,150 (Wastewater (sewer) Enterprise Fund)

#19 – Aerotek Professional Services
Aerotek has provided temporary staffing for Public Works Department on an annual basis since 2012 under agreement #4269, which expires on 9/30/2017. For FY 2017-2018, staff recommends awarding a professional service agreement with Aerotek to provide temporary staffing services needed by Public Works Department in an amount not to exceed $200,000. Savings from various full-time salaries accounts in Public Works Department will be used to fund this contract in FY 2017-2018 (General Fund). Account number: 001-400-2601-6215
POLICE DEPARTMENT

#20 - Galls, LLC
Galls, LLC provides uniforms and equipment to the Police Department. Galls, LLC is the only physical location that provides in-house tailoring, embroidery and distribution of equipment in the State of California. Galls, LLC provides uniforms and equipment to the department, not to exceed $60,000 in FY 2017/2018. Account number: 001-400-3101-4215 (General Fund) Contract

#21 - Dooley Enterprises (Dooley)
Dooley provides Winchester Duty Ammunition to the Police Department. Dooley is the only factory authorized law enforcement distributor in the State of California to sell Winchester Ammunition. Dooley supplies duty and training ammunition to the department, not to exceed $40,000 in FY 2017/2018. Account number: 001-400-3101-5217 (General Fund)

INFORMATION SYSTEMS DEPARTMENT

#22 - Tyler Technologies Eden Financial Management System
The City utilizes Tyler Technologies financial software to manage the City’s General Ledger, Accounts Receivable, Accounts Payable, Payroll, and Human Resources. This item is for annual licensing, maintenance, and support of these systems. The total cost will not exceed $47,000 for FY 2017-2018. Account number: 001-400-2505-6217 (General Fund)

#23 - Active Network
The vendor provides the Class Cashier & Scheduling for the city-wide program. This item is for annual licensing, maintenance and support of these systems. The total cost will not exceed $43,000 in FY 2017-2018. Account number: 001-400-2505-6217 (General Fund)
Blanket PO Summary of Accounts
Attachment A

**General Fund**

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
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<tr>
<td>001-400-2101-6407</td>
<td>High Point Strategies, LLC</td>
<td>75,000.00</td>
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<tr>
<td>001-400-2403-6214</td>
<td>J. Lee Engineering</td>
<td>350,000.00</td>
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<td>001-400-2403-6214</td>
<td>JAS</td>
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</tr>
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<td>001-400-2403-6214</td>
<td>Hayer Consultants, Inc.</td>
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</tr>
<tr>
<td>001-400-2403-6214</td>
<td>Michael Baker International</td>
<td>200,000.00</td>
</tr>
<tr>
<td>001-400-2501-6214</td>
<td>Hinderliter De Llamas &amp; Associates</td>
<td>81,000.00</td>
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<tr>
<td>001-400-2505-6217</td>
<td>Tyler Technologies Eden Financial Management Systems</td>
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<td>001-400-2505-6217</td>
<td>Active Network</td>
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<td>001-400-2506-6214</td>
<td>Westchester Medical Group</td>
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<tr>
<td>001-400-2601-6215</td>
<td>AeroTek Professional Staffing Services</td>
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<tr>
<td>001-400-2901-6405</td>
<td>All Cities Management Services, Inc</td>
<td>96,336.00</td>
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<tr>
<td>001-400-3101-4215</td>
<td>Galls, LLC</td>
<td>60,000.00</td>
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<tr>
<td>001-400-3101-5217</td>
<td>Dooley Enterprises</td>
<td>40,000.00</td>
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<tr>
<td>001-400-3203-5204</td>
<td>Bound Tree Medical, Inc</td>
<td>40,000.00</td>
</tr>
<tr>
<td>001-400-4202-5204</td>
<td>Asphalt Paving Materials - Blue Diamond Materials</td>
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</tr>
<tr>
<td>001-400-4601-5215</td>
<td>Fuel for City Vehicles and Equipment</td>
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<tr>
<td>001-400-5102-6206</td>
<td>TruGreen Landcare</td>
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</tr>
<tr>
<td>001-400-6103-5505</td>
<td>Baker &amp; Taylor</td>
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<tr>
<td>001-400-6103-5507</td>
<td>Baker &amp; Taylor</td>
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<td>001-400-6104-5501</td>
<td>Baker &amp; Taylor</td>
<td>59,062.00</td>
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<td>001-400-6104-6217</td>
<td>Innovative Interfaces, Inc</td>
<td>44,570.92</td>
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<tr>
<td>001-400-6104-6277</td>
<td>Baker &amp; Taylor</td>
<td>4,683.00</td>
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**General Fund Subtotal** 2,563,851.92

**Asset Forfeiture Fund**

<table>
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<tbody>
<tr>
<td>109-400-3105-5215</td>
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**Asset Forfeiture Fund Subtotal** 13,000.00

**Prop "A" Transportation**

<table>
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<th>Description</th>
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<tbody>
<tr>
<td>112-400-5292-5215</td>
<td>Fuel for City Vehicles and Equipment</td>
<td>30,000.00</td>
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**Prop "A" Transportation Subtotal** 30,000.00

**Water Enterprise Fund**

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>501-400-7102-5215</td>
<td>Fuel for City Vehicles and Equipment</td>
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<tr>
<td>501-400-7102-6206</td>
<td>DataProse, Inc</td>
<td>5,850.00</td>
</tr>
<tr>
<td>501-400-7102-6253</td>
<td>DataProse, Inc</td>
<td>9,150.00</td>
</tr>
<tr>
<td>501-400-7201-5207</td>
<td>Water Meter - Metron Farnier</td>
<td>100,000.00</td>
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</table>

**Water Enterprise Fund Subtotal** 124,000.00

**Wastewater Enterprise Fund**
<table>
<thead>
<tr>
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<th>Description</th>
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<tbody>
<tr>
<td>502-400-4301-5215</td>
<td>Fuel for City Vehicles and Equipment</td>
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<tr>
<td>502-400-4301-6206</td>
<td>DataProse, Inc</td>
<td>5,850.00</td>
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<tr>
<td>502-400-4301-6253</td>
<td>DataProse, Inc</td>
<td>9,150.00</td>
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<tr>
<td></td>
<td><strong>Wastewater Enterprise Fund Subtotal</strong></td>
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<tr>
<td>503-400-5301-6214</td>
<td>Lane Donovan Partners, LLC</td>
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<td><strong>Golf Enterprise Fund Subtotal</strong></td>
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<tr>
<td>603-400-2321-6214</td>
<td>York Risk Services Group, Inc</td>
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<tr>
<td></td>
<td><strong>Workers' Comp Reserve/Insurance Fund Subtotal</strong></td>
<td><strong>100,100.00</strong></td>
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<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td><strong>2,954,951.92</strong></td>
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</table>
AGENDA DESCRIPTION:
Consideration and possible action to report on current City efforts to mitigate community concerns (crime, littering/trash, parking) in and around Clutter’s Park, located at the intersection of Imperial Avenue and Sheldon Street (Fiscal Impact: To Be Determined).

RECOMMENDED COUNCIL ACTION:
1. Receive and file report; or,
2. Direct staff to explore other options for addressing the concerns associated with Clutter’s Park; or,
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS: None

FISCAL IMPACT: To Be Determined

<table>
<thead>
<tr>
<th>Amount Budgeted:</th>
<th>$0</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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</table>

STRATEGIC PLAN:

<table>
<thead>
<tr>
<th>Goal:</th>
<th>4(a) El Segundo’s infrastructure supports an appealing, safe, and effective City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective:</td>
<td>1 The City optimizes its physical resources</td>
</tr>
</tbody>
</table>

ORIGINATED BY: Bill Whalen, Chief of Police

REVIEWED BY: Bill Whalen, Chief of Police

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

The City has received an increasing number of complaints from community members surrounding the area of Clutter’s Park, located at the intersection of Sheldon Street /Imperial Avenue. On August 21, 2017, staff facilitated a community meeting with residents from the area surrounding Clutter’s Park. The meeting was well attended with over 30 El Segundo residents in attendance. During this meeting, the following community concerns were noted:

1. Persons attracted to Clutter’s Park will drive into adjacent and darkened residential areas to engage in illicit and/or inappropriate behavior
2. Persons visiting Clutter’s Park and working at/traveling to Los Angeles World Airport (LAWA) will park in adjacent residential neighborhoods, thereby causing a decrease in available residential parking
3. Trash is being left in and around Clutter's Park as well as the surrounding community
4. Employees of LAWA litter while walking to/from work and/or while loitering near their vehicles
5. Travelers to LAWA park in the area surrounding Clutter's park and use a ride sharing service to be dropped off at the airport

The Police Department has taken the lead in attempting to address the concerns expressed by community members. Since this August 21st meeting, over 80 security checks have been done in and around the Clutter's Park area to include Sheldon Street, in an attempt to corroborate allegations of criminal misconduct. These patrols included both marked patrol units and undercover officers. In none of these cases was criminal activity noted. A lighting trailer was deployed to the area to further deter those wishing to engage in criminal conduct.

In one instance a vehicle was towed for violation of the City of El Segundo 72 hour parking ordinance. The driver later admitted they had parked in El Segundo and took a ride share to LAWA.

During these daytime security checks, persons who were reporting to or coming from work at LAWA were contacted. The companies these persons work for were noted and this information was given to representatives from LAWA during a joint problem solving meeting on September 21, 2017. As a result of this meeting, LAWA will be looking at alternatives to LAWA employee parking in the El Segundo community.

El Segundo Police Officers have conducted registration checks at different times/days in an effort to ascertain whether vehicles parked on the 900 block of Sheldon Street belong to residents who live on Sheldon Street. The results are as follows:

- August 17, 2017/12:00 a.m. (Thursday) – 27 cars parked on Sheldon Street
  - 14 registered to addresses on Sheldon Street
  - 4 registered to other addresses in El Segundo
  - 9 registered out of the City
- August 18, 2017/9:00 a.m. (Friday) – 7 cars parked on Sheldon Street
  - 2 registered to addresses on Sheldon Street
  - 5 registered out of the City
- August 29, 2017/4:40 p.m. (Tuesday) – 20 cars parked on Sheldon Street
  - 8 registered to addresses on Sheldon Street
  - 2 registered to other addresses in El Segundo
  - 8 registered out of the City (2 appeared related to home construction site)
  - 2 registered out of the State

The Police Department continues to take a high visibility posture at Clutter's Park as well as the community in and around Clutter's Park. In addition to the Police Department, both the Recreation and Parks Department and Public Works Department have been actively engaged in this overarching effort to improve the quality of life in the impacted area. The following are additional efforts that have been undertaken:

1. Trash pick-up from City installed park trash cans has been increased
2. Vegetation and trash clean-up has been conducted on the hillside adjacent to the Park
3. The red curb on Imperial Avenue, across from the D.R. Horton construction project has been removed (painted grey) to allow for additional street parking on Imperial Avenue.

4. The traffic safety committee is evaluating a request for a stop sign at the intersection of Sheldon Street/Walnut Avenue.

5. Estimates are being gathered for a fence installation between the Dog Park and the Pump Station in an effort to reduce pedestrian traffic.

During the community meeting on August 21, 2017, the process for obtaining a preferential parking zone was explained to those in attendance. By ordinance, this request must be initiated from the impacted community with 55% of those living in the community supporting the request. To date, there have been no requests from the community for a preferential parking zone.

**RECOMMENDATIONS**

Staff recommends the City Council receive and file this report. Alternatively, the City Council could direct staff to investigate additional actions to mitigate the concerns expressed by the community in and around Clutter’s Park. These additional actions could include (but aren’t limited to):

1. Decommission Clutter’s Park
2. Restrict the view (via wall construction, tree planting, or other means)
3. Further restrict parking through the installation of “No Parking” signs or parking meters
4. Roadway modifications