AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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

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

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

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

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

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MARCH 4, 2008 - 5:00 P.M.

Next Resolution # 4544
Next Ordinance # 1418

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.

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(a)) – -3- matters


CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -2- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -1- matter.

DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957): -0- matters

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): -0- matter

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov’t Code §54956.8): -0- matter

SPECIAL MATTERS: -0- matter
AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MARCH 4, 2008 - 7:00 P.M.

Next Resolution # 4544
Next Ordinance # 1418

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Father Alexei Smith, Saint Andrews Russian Greek Catholic Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Eric Busch
PRESENTATIONS

a. Proclamation to declare Sunday, March 9, 2008 as “Knights of Columbus Day”.

b. Proclamation proclaiming March 8, 2008 as California Arbor Day and invite all citizens to plant and care for Trees to the Sea with Tree Musketeers.

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.

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

C. UNFINISHED BUSINESS

1. Consideration and possible action regarding past and pending improvements at the Urho Saari Swim Stadium (The Plunge) at 219 W. Mariposa Avenue. (Fiscal Impact: None)

Recommendation – (1) Receive and file; 2) Alternatively, discuss and take other action related to this item.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS
E. CONSENT AGENDA
All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.

2. Warrant Numbers 2564330 to 2564541 on Register No. 10 in the total amount of $2,168,579.14 and Wire Transfers from 2/8/2008 through 2/21/2008 in the total amount of $1,551,145.16.
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.

4. Consideration and possible action regarding the acceptance of the Recreation Park Baseball Lighting and Scoreboard Replacement at 339 Sheldon Street. Capital Improvement Program RFP No. 07-07. (Final Contract Amount = $160,305.18).
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 action related to this item.

5. Consideration and possible action regarding the adoption of Ordinance No. 1416 to approve an amendment to the contract between the Board of Administration of the California Public Employees Retirement System (PERS) and the El Segundo City Council providing Section 21548 (Pre-Retirement Option 2W Death Benefit) for the City’s local miscellaneous members (non safety employees).
Recommendation – (1) Second reading by title only and adoption of Ordinance No. 1416; (2) Alternatively, discuss and take other action related to this item.

6. Consideration and possible action regarding adoption of Ordinance for: 1) an amendment to the existing Development Agreement for the Plaza El Segundo Development project ("Project") located generally near the northeast corner of Sepulveda and Rosecrans Boulevards, and 2) an amendment to the existing Commercial Center (C-4) Zone development standards consistent with the proposed Amendment to the Development Agreement for Project. (Fiscal Impact: None)
Recommendation – (1) Second reading by title only, and adoption of Ordinance No. 1417 for Zone Text Amendment No. 08-01 and Development Agreement No. 07-03 (Second Amendment to Development Agreement No. 03-01) for the Plaza El Segundo Development; (2) Alternatively, discuss and take other action related to this item.
7. Consideration and possible action to amend an existing professional services agreement with MRH Structural Engineers and to approve a new agreement between J Lee Engineering and the City of El Segundo for building plan review services. Total amount not to exceed $395,000 for Fiscal Year 2007-2008. (Fiscal Impact: None, FY 2007/2008 budget allocated $645,000 for professional plan review services. Expenditures are partially offset by revenue collected for plan review services paid by developers)

Recommendation – (1) Approve a budget appropriation of $395,000 for building plan review services; (2) Authorize City Manager to execute a Third Amendment to the Professional Services Agreement with MRH Structural Engineers, in a form approved by the City Attorney to increase the amount in the agreement and purchase order by $195,000 for plan review services; (3) Authorize City Manager to execute a Professional Services Agreement with JLee Engineering, in a form approved by the City Attorney for an amount and purchase order of $200,000 for plan review services; (4) Alternatively, discuss and take other action related to this item.

8. Consideration and possible action regarding approval to sell and dispose of City property (computer equipment, office furniture, etc.) that has been designated as surplus and/or unsuitable for continued City use. (Fiscal Impact: Revenue)

Recommendation – (1) Recommend that the City Council declare City property identified in staff report as surplus and authorize the Purchasing Agent to sell items at auction; (2) Alternatively, discuss and take other action related to this item.

9. Consideration and possible action regarding an update on staffing and workload issues in the Planning and Building Safety Department. (Fiscal Impact: None)

Recommendation – (1) Receive and File; (2) Alternatively, discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA

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 Fisher –

Council Member Jacobson –

Council Member Boulgarides –

Mayor Pro Tem Busch –

10. Consideration and possible action to hold the first El Segundo Environmental Fair on Thursday, July 3, 2008 (Fiscal Impact: $3,000).

Recommendation – (1) Approve the El Segundo Environmental Fair to be held in conjunction with the Farmers Market on Thursday, July 3, 2008, (2) Alternatively, discuss and take other action related to this item.

Mayor McDowell –

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MEMORIALS –

CLOSED SESSION

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REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:

DATE: Feb 27, 2008

TIME: 4:00 p.m.

NAME: [Signature]
Proclamation

City of El Segundo, California

WHEREAS, The Knights of Columbus Queen of Martyrs Council No. 4567, established on March 9, 1958, is celebrating its 50th Anniversary of service to the communities of El Segundo, Manhattan Beach and Hermosa Beach; and

WHEREAS, the Knights of Columbus Council No. 4567, a Catholic men's fraternal organization that strives to exemplify the principles of charity, unity, fraternity and patriotism, have been an active and vibrant part of our community through their many acts of charity and fund raising activities; and

WHEREAS, for the past 50 years, the members of Council No. 4567 have strived to be men of prayer and integrity and have amassed hundreds of thousands of volunteer hours while serving the needs of our community; and

WHEREAS, special activities have been planned to celebrate the occasion of the Knights of Columbus Council No. 4567's 50th Anniversary, and it is fitting that we should join in this expression of our pride and appreciation for Council No. 4567's commitment to making the El Segundo community a better place.

NOW, THEREFORE, the Mayor and Members of the City Council of the City of El Segundo, California, hereby proclaim Sunday, March 9, 2008 as "KNIGHTS OF COLUMBUS DAY" and hereby congratulate the Knights of Columbus Council No. 4567 on their 50th Anniversary.

Mayor Kelly McDowell
Mayor Pro Tem Eric K. Busch
Council Member Ian Boulgarides
Council Member Bart Jaccobson
Council Member Bill Fisher

09
Proclamation
City of El Segundo, California

WHEREAS, Arbor Day was founded by J. Sterling Morton and first celebrated in the United States in 1872 as a special day for the planting of trees. In the State of California, Arbor Day has been observed since 1911 to enhance appreciation and knowledge of the State’s natural wonders; and

WHEREAS, El Segundo Arbor Day celebrations have been presented annually since 1988 by local youth, and as a result of our City’s commitment to its community forest, El Segundo was named a Tree City USA in 2003 and 2004; and

WHEREAS, Arbor Day is a time to recognize the value of our community’s trees that clean the air, reduce noise, absorb smells, produce life sustaining oxygen, prevent erosion, help conserve energy and water, increase property values, enhance the economic vitality of business areas, beautify our community, and wherever trees are planted, they are a source of joy and spiritual renewal that bring people together as neighbors; and

WHEREAS, Tree Musketeers and hundreds of volunteers tall and small will plant 121 Trees to the Sea in the Imperial Highway median strip to create a green noise and pollution barrier between Los Angeles International Airport and El Segundo and to beautify the northern gateway to our city on March 8, 2008 at 9:00 AM in observance of California Arbor Day; and

WHEREAS, The Trees to the Sea project to plant a total of 500 trees on the once barren Imperial Highway will be completed this Arbor Day.

NOW, THEREFORE, the Mayor and members of the City Council of the City of El Segundo, California, join with communities across the State of California in proclaiming March 8, 2008 as California Arbor Day and invite all citizens to plant and care for Trees to the Sea with Tree Musketeers and to honor all trees and the young people of our community for the important roles they play in improving our hometown quality of life.

Mayor Kelly McDowell
Mayor Pro Tem Eric H. Busch
Council Member Jim Boulgardes
Council Member Carl Jacobson
Council Member Bill Fisher

10
AGENDA DESCRIPTION:

Consideration and possible action regarding improvements and repairs at the Urho Saari Swim Stadium (The Plunge) at 219 W. Mariposa Avenue. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1). Receive and file; 2). Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

At the February 6, 2008 City Council meeting, Councilmember Fisher requested a report be brought back to City Council regarding improvements and repairs at the Urho Saari Swim Stadium (The Plunge) over the past several years and any future plans that are pending.

Multiple smaller scale expenditures and maintenance projects have been completed over recent years either by in-house City staff or by contracting out the projects. These projects were paid through Public Works or Recreation and Parks Department maintenance and operations budgeted funds. Some examples of these include painting the interior of the aquatic stadium; installation of new lifeguard stations; replacement of stadium bleacher bench seating covers; locker room and shower repairs; etc. More substantial projects that have been completed, as well as pending projects, are identified in Attachment #1.

(continued on the following page...)

ATTACHED SUPPORTING DOCUMENTS:

Attachment #1: Past and Pending Improvements at Urho Saari Swim Stadium

FISCAL IMPACT: None

Operating Budget: $399,000 Aquatics Facility CIP / $70,000 Plunge Window Replacement CIP
Account Number: 301-400-8202-8989 / 301-400-8202-8476
Amount Requested: ---
Project Phase: ---
Appropriation Required: ___Yes ___No

ORIGINATED: 2/25/08

Richard Brunette, Recreation and Parks Director

REVIEWED BY: 2/27/08

Jeff Stewart, City Manager
BACKGROUND & DISCUSSION: (continued from the previous page...)

On February 6, 2007, City Council approved a Public Works Professional Service Agreement with Rowley International, an aquatic design, engineering, and consulting firm, to address the filter replacement needs for the Urho Saari Swim Stadium.

The facility's large, multiple-steel tank rapid rate sand filtration system is corroding from the inside out, as evidenced by rust particles found in the circulation system and tank leaks that occur. A new filter system and replacement of associated pool circulation equipment is needed in order to keep the facility's water filtration systems operating properly.

Both the large and small pools within the Urho Saari Swim Stadium currently share the same circulation equipment. If the existing filters are replaced with a new system, the position of the County of Los Angeles Department of Environmental Health would find this shared circulation equipment unacceptable. Other issues pertaining to the circulation and gutter systems would also need to be addressed in order to meet current codes.

A plan to modify the swimming pool piping for both existing pools in order to facilitate the independent connection of each swimming pool to its own new circulation equipment has been proposed to the County.

Modifications proposed for the smaller pool include elimination of the existing gutter system and conversion to a surface skimmer system. Surface skimmer systems are level with the pool deck whereas the existing gutter system is located below the pool deck level. A new surface skimmer system would allow a direct equipment connection without the need for a surge and would then be connected to a new high efficiency circulation pump, a new high rate sand filter system, a plate heat exchanger, and a Siemens chemical control monitor and sanitization system. A dual main drain system would also be added.

The proposed renovation plan for the large pool is to re-pipe the circulation system to incorporate a surge chamber and new circulation equipment. Currently there is no surge chamber. The piping renovation plan proposed includes removal of the existing gutter outlets, replacement with new and additional outlets and associated piping. The existing wall return inlets will be removed along with associated piping. New wall inlets will be installed and the number of return inlets would also be increased. There are currently four (4) main drain covers at the deepest point of the pool floor. Since floor return inlets would compromise the structural integrity of the existing pool shell and force a complete facility renovation, the design intent is to preserve the historical and structural integrity of the facility. The new system would then be connected to a new high efficiency circulation pump, a new high rate sand filter system, a plate heat exchanger, and a Siemens chemical control monitor and sanitization system.

The County has recently responded to and approved the proposal as presented. Cost estimates for the proposed renovations will be estimated by Rowley International and brought back to City Council.
### COMPLETED PROJECTS

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<tr>
<th>YEAR</th>
<th>PROJECT</th>
<th>COST</th>
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<tbody>
<tr>
<td>1999</td>
<td>Siemens boiler replacement</td>
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<td>1999</td>
<td>Siemens roof replacement</td>
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<td>2005</td>
<td>Replacement of chlorinator</td>
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<td>2005</td>
<td>Reinforcement of the ceiling trusses</td>
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<td>2007</td>
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### PENDING PROJECTS

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<tr>
<td>2008</td>
<td>Window Replacement (plans and specifications approved, project being advertised for bids)</td>
<td>$70,000</td>
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<tr>
<td>Unknown</td>
<td>New filter system and replacement of associated pool circulation equipment. Modification of existing pools to facilitate independent connection. Convert the small pool gutter system. In the large pool install a new gutter system and surge tank.</td>
<td>Unknown</td>
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## CITY OF EL SEGUNDO
### WARRANTS TOTALS BY FUND

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<th>Account</th>
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<td>104</td>
<td>TRAFFIC SAFETY FUND</td>
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<td>STATE GAS TAX FUND</td>
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<tr>
<td>108</td>
<td>ASSOCIATED RECREATION ACTIVITIES FUND</td>
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<td>109</td>
<td>ASSET FORFEITURE FUND</td>
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<td>AIR QUALITY INVESTMENT PROGRAM</td>
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<td>HYPERION MITIGATION FUND</td>
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<td>708</td>
<td>OUTSIDE SERVICES trust</td>
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**TOTAL WARRANTS** $ 2,168,579.14

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**STATE OF CALIFORNIA**

**COUNTY OF LOS ANGELES**

Information on actual expenditures is available in the Director of Administrative Services office in the City of El Segundo.

I certify as to the accuracy of the Demands and the availability of fund for payment thereof.

For Approval: Regular checks held for City council authorization to release.

**CODES:**

- **R** = Computer generated checks for all non-emergency/urgent payments for materials, supplies and services in support of City Operations

- **A** = Payroll and Employee Benefit checks

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

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

**FINANCE DIRECTOR**

**DATE:** 2/25/08

---

**CITY MANAGER**

**DATE:** 2/25/08
CITY OF EL SEGUNDO  
PAYMENTS BY WIRE TRANSFER  
2/8/2008 THROUGH 2/21/2008

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<td>2/8/2008</td>
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<td>2/21/2008</td>
<td>Employment Development</td>
<td>45,943.48</td>
<td>State Taxes</td>
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<td>IRS</td>
<td>223,925.91</td>
<td>Federal Taxes</td>
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<tr>
<td>2/8-2/21/08</td>
<td>Workers Comp Activity</td>
<td>16,670.78</td>
<td>SCRMA checks issued</td>
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1,551,145.16

DATE OF RATIFICATION: 3/4/08  
TOTAL PAYMENTS BY WIRE:  
1,551,145.16

Certified as to the accuracy of the wire transfers by:

Deputy Treasurer:  

Director of Finance:  

City Manager:  

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, FEBRUARY 19, 2008 - 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER – Mayor McDowell at 5:00 p.m.

ROLL CALL

Mayor McDowell - Present
Mayor Pro Tem Busch - Present
Council Member Boulgarides - Present
Council Member Fisher - Present
Council Member Jacobson - Present

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

Mark Hensley, City Attorney, announced that Council would be meeting in closed session pursuant to items identified on the agenda and Government Code §54956.9(b) items were a threat of litigation regarding the Coleman Claim 07-62 and the Henry Radio Claim 07-48.

CLOSED SESSION:
The City Council moved 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(a)) – -3- matters

Pulido v. City of El Segundo, et al., Ninth Circuit Court of Appeals Case No. 06-55539/06-55798.
Solomon vs. City of El Segundo, LASC Case No. BC372401.
Federal Insurance Co. v. City of El Segundo, LASC Case No. YC056394.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -2- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -1- matter.

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

3
CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -0- matter

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

SPECIAL MATTERS: -0- matter

Council recessed at 6:50 p.m.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, FEBRUARY 19, 2008 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor McDowell at 7:00 p.m.

INVOCATION – Pastor Roger Kinsey, Pacific Baptist Church

PLEDGE OF ALLEGIANCE – Council Member Carl Jacobson

PRESENTATIONS

a. Jaime Byrne and Suzanne Guttermann of the Muscular Dystrophy Association made a presentation to El Segundo Firefighters for the funds raised during the Fill the Boot Campaign.

ROLL CALL

Mayor McDowell - Present
Mayor Pro Tem Busch - Present
Council Member Boulgarides - Present
Council Member Fisher - Present
Council Member Jacobson - Present

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

City Attorney, Mark Hensley, stated the restrictions on political campaigning during Council Meetings.

Adam Gerrard, Tree Musketeers spoke on the Trees to the Sea, Arbor Day and donations that will be matched by a Federal Grant in the amount of one-hundred and ninety dollars per tree.

Dickie VanBreen, Principal, Richmond Street School, spoke regarding the negative article written in the Herald on the parking at Richmond Street School.

Mike Lewis, resident, spoke regarding the power outage on January 19. He spoke on the damage incurred and the letter received from the Southern California Edison regarding his loss.
A. PROCEDURAL MOTIONS

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

MOTION by Mayor ProTem Busch, SECONDED by Council Member Jacobson to read all ordinances and resolutions on the Agenda by title only. MOTION PASSED BY UNANIMOUS VOTE. 5/0

B. SPECIAL ORDERS OF BUSINESS

1. Consideration and possible action to open a public hearing and receive testimony regarding 1) an Addendum to the previously Certified Final Environmental Impact Report ("EIR") for the Plaza El Segundo project located generally near the northeast corner of Sepulveda and Rosecrans Boulevards ("Project"); 2) an amendment to the existing Development Agreement for the Project; and 3) an amendment to the existing Commercial Center (C-4) Zone development standards consistent with the proposed Amendment to the Development Agreement. The proposed Addendum, Development Agreement Amendment and the Zone Text Amendment would: allow for an increase in the Project development area from approximately 38.1 to 41.5 net acres and the maximum developable floor area from 425,000 to 448,829 square feet; allow for certain skin care uses, allow the sale of automobiles, and as an accessory use to the sale of automobiles the sale of automobile accessories, and automobile parts, not to exceed 5,000 square feet of leaseable floor area with at least 20% of the floor area devoted to the sale of retail products; modify setback requirements for environmental treatment structures, and permit LED signs for on-site advertising and art displays (the signs cannot be oriented towards public right of ways). The Project if amended would still be required to stay within the total traffic trip generation cap that was imposed on the original Project. (Fiscal Impact: None)

Mayor McDowell stated this was the time place hereto fixed for a public hearing regarding an Addendum to the previously Certified Final Environmental Impact Report ("EIR") for the Plaza El Segundo project located generally near the northeast corner of Sepulveda and Rosecrans Boulevards ("Project"); an amendment to the existing Development Agreement for the Project; and an amendment to the existing Commercial Center (C-4) Zone development standards consistent with the proposed Amendment to the Development Agreement. The proposed Addendum, Development Agreement Amendment and the Zone Text Amendment would: allow for an increase in the Project development area from approximately 38.1 to 41.5 net acres and the maximum developable floor area from 425,000 to 448,829 square feet; allow for certain skin care uses, allow the sale of automobiles, and as an accessory use to the sale of automobiles the sale of automobile accessories, and automobile parts, not to exceed 5,000 square feet of leaseable floor area with at least 20% of the floor area devoted to the sale of retail products; modify setback requirements for environmental treatment structures, and permit LED signs for on-site advertising and art displays (the signs cannot be oriented towards public right of ways). The Project if amended would still be required to stay within the total traffic trip generation cap that was imposed on the original Project.

Clerk Mortesen stated that proper notice was completed and no written communication had been received by City Clerk’s Office.
Kim Christensen, Planning Manager, gave a report.

MOTION by Council Member Jacobson, SECONDED by Council Member Fisher to close the Public Hearing. MOTION PASSED BY UNANIMOUS VOTE. 5/0

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4542

A RESOLUTION OF THE EL SEGUNDO CITY COUNCIL TO APPROVE AN ADDENDUM TO A PREVIOUSLY CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT SUBMITTED BY ROSECRAINS-SEPULVEDA PARTNERS 2, LLC, PERS PARTNERS, LLC, AND THE CITY OF EL SEGUNDO FOR ENVIRONMENTAL ASSESSMENT NO. 768 AND GENERAL PLAN CONSISTENCY TO DEVELOPMENT AGREEMENT NO. 07-03

MOTION by Mayor ProTem Busch, SECONDED by Council Member Boulgarides to adopt Resolution No. 4542 to approve an addendum to a previously certified final Environmental Impact Report submitted by Rosecrans-Sepulveda Partners 2, LLC, PES Partners, LLC and the City of El Segundo for Environmental Assessment No. 768 and General Plan Consistency to Development Agreement No. 07-03. MOTION PASSED BY UNANIMOUS VOTE. 5/0

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1417

AN ORDINANCE REGARDING AN APPLICATION FROM ROSECRAINS-SEPULVEDA PARTNERS, LLC APPROVING DEVELOPMENT AGREEMENT NO. 07-03 (SECOND AMENDMENT TO DEVELOPMENT AGREEMENT NO. 03-01) AND ZONE TEXT AMENDMENT NO. 08-01 AMENDING SECTIONS 15-5G-2, 15-5G-6(D), AND 15-15G-9 OF THE EL SEGUNDO MUNICIPAL CODE, FOR THE PLAZA EL SEGUNDO DEVELOPMENT.

Council Member Boulgarides introduced the ordinance.

Second reading and adoption of the Ordinance scheduled for March 4, 2008.

C. UNFINISHED BUSINESS

2. Consideration and possible action to approve a professional services agreement with Bernards in the amount of $404,366 to provide construction management services for the replacement of Fire Station 2. (Fiscal Impact: $404,366)

Kevin Smith, Fire Chief, gave a report.
MOTION by Council Member Boulgarides, SECONDED by Council Member Jacobson to authorize the City Manager to execute Professional Services Agreement No. 3786 with Bernards in the amount of $404,366 in a form as approved by the City Attorney.  MOTION PASSED BY UNANIMOUS VOICE VOTE.  5/0

D.  REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

3.  Consideration and possible action regarding a recommendation to the City Council to approve the City’s participation in West Basin Municipal Water District’s “It’s Time To Get Serious” Conservation and Water Use Initiative.  (Fiscal Impact: None)

MOTION by Mayor ProTem Busch, SECONDED by Council Member Jacobson to concur with recommendations from the City Council Environmental Subcommittee and the Water Conservation Committee to participate in the West Basin Municipal Water District’s “It’s Time To Get Serious” Conservation and Water Use Initiative and adopt Resolution No. 4543 in support of the West Basin Municipal Water District “It’s Time To Get Serious” conservation and water use initiative.  MOTION PASSED BY UNANIMOUS VOICE VOTE.  5/0

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.  Approved Warrant Numbers 2564105 to 2564329 on Register No. 9 in the total amount of $867,897.96 and Wire Transfers from 1/25/2008 through 2/7/2008 in the total amount of $1,191,652.05. Authorized staff to release. Ratified: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

5.  Approved regular City Council Meeting Minutes of February 6, 2008.

6.  Approved a Data Transmission Network License Agreement No. 3787 with Equinix, Inc., in a form approved by the City Attorney, to install data transmission conduits in public streets for a private data network connecting Equinix’s LA3 facility (1920 E. Maple Avenue) to Equinix’s LA4 facility (445 N. Douglas Street) to connect the two data center facilities. Authorized the City Manager to execute. (Fiscal Impact: $10,000.00, annual license fee)

7.  Approved the examination plan for the Personnel Merit System job classification of Water Maintenance Leadworker.  (Fiscal Impact: None)

8.  Authorized the City Manager to execute of two agreements with the State of California Franchise Tax Board agreements C0700162 (City Agreement No. 3788) and C0700163 (City Agreement No. 3789) for the sharing of business tax information.  (Fiscal Impact: None)

9.  PULLED FOR DISCUSSION BY MAYOR PROTEM BUSCH
MOTION by Council Member Jacobson, SECONDED by Council Member Fisher to approve Consent Agenda Item Numbers 4, 5, 6, 7 and 8. MOTION PASSED BY UNANIMOUS VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

9. Consideration and possible action to approve the addition of a Principal Planner position in the Planning and Building Safety Department. (Fiscal Impact: None)

MOTION by Mayor ProTem Busch, SECONDED by Council Member Jacobson to approve the addition of a Principal Planner position in the Planning and Building Safety Department. (Fiscal Impact: None) MOTION PASSED BY UNANIMOUS VOTE. 5/0

F. NEW BUSINESS

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK - Announced sample ballots would be in the mail the end of February.

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fisher -

Council Member Jacobson –

Council Member Boulgarides – Spoke regarding the simulated tsunami emergency drill held in conjunction with Los Angeles County.

10. Consideration and possible action regarding the potential construction of a public restroom and lifeguard facility at El Segundo Beach just south of the Los Angeles County parking lot at the end of Grand Avenue. (Fiscal Impact: None)

MOTION by Council Member Boulgarides, SECONDED to Mayor ProTem Busch to authorize staff to negotiate with Chevron regarding the ground lease for the land needed for the restroom/lifeguard facility and continue ongoing efforts with the County of Los Angeles regarding potential funding for the project. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mayor Pro Tem Busch - Spoke on the “Trees to the Sea” event scheduled for March 8, 2008 and Opening Day for Little League and Softball League.
Mayor Pro Tem Busch requested an item be agendized for the next meeting to schedule an Environmental Fair, possibly to coincide with the Farmers Market, July 3, 2008. Also requested that a Parking Subcommittee meeting be scheduled and requested a report regarding fiber optics in El Segundo.

Mayor McDowell –

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

Liz Garnholz, resident, questioned the maintenance on the proposed public restrooms at El Segundo Beach. Also asked when the previously postponed air quality study would be done. She requested information on the parking structure sub-committee study and also what was being done with the fiber optics on Main Street.

MEMORIALS – Garland Harper

ADJOURNMENT at 8:25 p.m.

Cindy Mortesen, City Clerk
Consideration and possible action regarding the acceptance of the Recreation Park Baseball Lighting and Scoreboard Replacement at 339 Sheldon Street. Capital Improvement Program PW No. 07-07. (Final Contract Amount = $160,305.18).

RECOMMENDED COUNCIL ACTION:

Recommendation – (1) Accept the work as complete; (2) Authorize the City Clerk to file a Notice of Completion in the County Recorder’s Office; and (3) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

On October 16, 2007, the City Council awarded a contract to Ace Electric, Inc. in the amount of $160,000.00 for the replacement lighting and a scoreboard at Recreation Park for the baseball field. A part required for the project was not included in the plans and specifications for $305.18 and was added to the project cost. The $305 item that wasn’t included in the Ace Electric Contract was a transformer that was separate from the lighting system and part of the City’s electrical system leading up to the lighting poles. LED lighting used on the project is the primary reason for the part. It was necessary to make the lights function. Work is complete to the satisfaction of the City.

ATTACHED SUPPORTING DOCUMENTS:

Notice of Completion

FISCAL IMPACT:

Operating Budget: Capital Improvement Program: $160,305.18
Amount Requested: 0
Account Number: 301-400-8202-8473
Project Phase: Accept the work as complete
Appropriation Required: No

ORIGINATED BY:  DATE:  2-27-08

Dan Garcia, Assistant City Engineer

REVIEWED BY:  DATE:  2/17/08

Jeff Stewart, City Manager
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Recreation Park Lighting and Scoreboard Replacement
Project No.: PW 07-07

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 Park
5. A work of improvement on the property hereinafter described was field reviewed by the City Engineer on February 14, 2008. The work done was: Lighting and Scoreboard Replacement at Recreation Park.
6. On March 4, 2008, 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: Ace Electric, 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: Public Park.
9. The street address of said property is: 339 Sheldon Street

Dated: ___________________  

Dan Garcia  
Assistant City Engineer

VERIFICATION

I, the undersigned, say: I am the Assistant 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 ________________, 2008 at El Segundo, California.

__________________________  
Dan Garcia  
Assistant City Engineer

Notice of Completions/PW 07-07
Consideration and possible action regarding the adoption of Ordinance No 1416 to approve an amendment to the contract between the Board of Administration of the California Public Employees Retirement System (PERS) and the El Segundo City Council providing Section 21548 (Pre-Retirement Option 2W Death Benefit) for the City’s local miscellaneous members (non safety employees).

RECOMMENDED COUNCIL ACTION:

1) Second reading by title only, and adoption of Ordinance No 1416;
2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

On October 2, 2007 and October 16, 2007 the City Council approved tentative agreements and entered into three year Labor Agreements with the California Teamsters Public, Professional and Medical Employees Union, Local 911 (Police Support Services Employees Association Bargaining Unit) and the El Segundo City Employees Association respectively.

(continued on next page)

ATTACHED SUPPORTING DOCUMENTS:

1) Ordinance No 1416
2) PERS Exhibit – Amendment to Contract

FISCAL IMPACT: None

Operating Budget:
Amount Requested: 
Account Number: Various
Project Phase: 
Appropriation Required: ___ Yes  X  NO

ORIGINATED BY:  DATE: February 20, 2008

Bob Hyland, Interim Director of Human Resources

REVIEWED BY: DATE: 

Jeff Stewart, City Manager

Agenda 567
BACKGROUND & DISCUSSION:

The tentative agreement and the three year Labor Agreement with each bargaining unit provided for amending the contract between the Board of Administration of the California Public Employees Retirement System (PERS) and the El Segundo City Council providing Section 21548 (Pre-Retirement Option 2W Death Benefit) for bargaining unit members. The benefit will apply to all of the members of the City's local miscellaneous (non public safety) group of employees. Thus in addition to members represented by PSSEA and CEA, the members of the Supervisory and Professional Employees Association and the Management/Confidential employee group will be eligible for the benefit.

Staff initiated the contract amendment process in October, 2007 by requesting that PERS prepare the required actuarial evaluation necessary to establish the cost of the benefit.

Council adopted the Resolution of Intention and introduced and waived the first reading of the Ordinance on February 6, 2008.

Government Code Section 7507 requires that the future annual costs of the proposed contract amendment be made public at a public meeting at least two weeks prior to the second reading and adoption of the final Ordinance. This was complied with on February 6, 2008.

Government Code Section 20471 requires that there must be a 20 day period between the adoption of the Resolution of Intention and the second reading and adoption of the Final Ordinance.

PERS recommends that the following cost information be disclosed:

1) Change in the Present Value of Benefits $212,351
2) Change in the Accrued Liability $135,397
3) Change in the Total Employer Contribution Rate 0.195%

The estimated change in the total Employer Contribution Rate identified by PERS staff during the contract negotiation process was 0.2% - 0.4%.

PERS Description of Section 21548– “Pre-Retirement Optional Settlement 2 Death Benefit”

“The spouse or domestic partner of a deceased member, who was eligible to retire for service at the time of death, may elect to receive the Pre-Retirement Optional Settlement 2 Death Benefit in lieu of the lump sum Basic Death Benefit.

This benefit is a monthly allowance equal to the amount the member would have received if he/she had retired for service on the date of death and elected Optional Settlement 2, the highest monthly allowance a member can leave a spouse or domestic partner.

The benefit is payable to your spouse or domestic partner until death. Upon the death of your spouse or domestic partner, the benefit will continue to your natural or adopted children under age 18 who have never been married.”
ORDINANCE NO. 1416

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF EL SEGUNDO AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

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

SECTION 1: The attached Exhibit A, an amendment to the contract between the City Council of the City of El Segundo and the Board of Administration, California Public Employees' Retirement System, is approved and the Mayor is authorized to execute the amendment.

SECTION 2: 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 3: This Ordinance will become effective on the thirty-first (31st) day after its adoption.

PASSED AND ADOPTED this _____ day of ______________, 2008.

_____________________________________
Kelly McDowell, Mayor

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

By: ___________________________________
   Karl H. Berger, Assistant City Attorney
ATTEST:

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

I, Cindy Mortesen, 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. 1416 was duly introduced by said City Council at a regular meeting held on the _____ day of _______________, 2008, 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 _______________, 2008, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____________________________
Cindy Mortesen, City Clerk
AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of El Segundo


A. Paragraphs 1 through 13 are hereby stricken from said contract as executed effective July 2, 2004, and hereby replaced by the following paragraphs numbered 1 through 13 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members; age 55 for local fire members and age 50 for local police members.
2. Public Agency shall participate in the Public Employees' Retirement System from and after October 1, 1943 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
   
   a. Local Fire Fighters (herein referred to as local safety members);
   
   b. Local Police Officers (herein referred to as local safety members);
   
   c. Employees other than local safety members (herein referred to as local miscellaneous members).

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

   NO ADDITIONAL EXCLUSIONS

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

6. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after July 1, 1956, the effective date of Social Security coverage, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
7. The percentage of final compensation to be provided for each year of credited prior and current service as a local fire member shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full and Modified).

8. The percentage of final compensation to be provided for each year of credited prior and current service as a local police member shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).

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

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

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

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

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

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

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

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

h. Section 21548 (Pre-Retirement Option 2W Death Benefit) for local miscellaneous members only.

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

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

a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local safety members.
b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

12. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

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

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

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY
LORI MCGARTLAND, CHIEF
EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF EL SEGUNDO

BY
PRESIDING OFFICER

Witness Date

Attest:

Clerk
Consideration and possible action regarding adoption of an Ordinance for: 1) an amendment to the existing Development Agreement for the Plaza El Segundo Development project ("Project") located generally near the northeast corner of Sepulveda and Rosecrans Boulevards, and 2) an amendment to the existing Commercial Center (C-4) Zone development standards consistent with the proposed Amendment to the Development Agreement for Project. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1) Second reading by title only, and adoption of Ordinance No. 1417 for Zone Text Amendment No. 08-01 and Development Agreement No. 07-03 (Second Amendment to Development Agreement No. 03-01) for the Plaza El Segundo Development; and/or

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

BACKGROUND & DISCUSSION:

On February 19, 2008, the City Council held a public hearing and adopted Resolution No. 4542 approving Environmental Assessment No. 768 (Addendum to previously certified EIR). The Council also introduced an ordinance to adopt the Zone Text Amendment and Development Agreement Amendment for the Plaza El Segundo Development project.

The Ordinance was read into the record and is presented for a second reading and adoption. If adopted without change, the provisions will become effective in 30 days.

ATTACHED SUPPORTING DOCUMENTS:

1. Ordinance No. 1417
   A. Draft Second Amendment to Development Agreement
   B. Conditions of Approval Including Mitigation Measures (MMRP)

FISCAL IMPACT: None
Operating Budget: N/A
Amount Requested: N/A
Account Number: N/A
Project Phase: N/A
Appropriation Required: Yes X No

ORIGINATED BY: Gary Chicots, Director, Planning and Building Safety Department

REVIEWED BY: Jeff Stewart, City Manager

DATE: 2/21/08

DATE: 2/27/08
ORDINANCE NO. 1417

AN ORDINANCE REGARDING AN APPLICATION FROM
ROSECRANS-SEPULED A PARTNERS 2, LLC, AND PES
PARTNERS, LLC APPROVING DEVELOPMENT AGREEMENT NO. 07-
03 (SECOND AMENDMENT TO DEVELOPMENT AGREEMENT NO. 03-
01) AND ZONE TEXT AMENDMENT NO. 08-01 AMENDING SECTIONS
15-5G-2, 15-5G-6(D), AND 15-15G-9 OF THE EL SEGUNDO
MUNICIPAL CODE, FOR THE PLAZA EL SEGUNDO DEVELOPMENT.

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

SECTION 1: The City Council finds and declares that:

A. On March 1, 2005, the City Council adopted Resolution No. 4415
approving Environmental Assessment No. 631 (certified EIR) with respect
to General Plan Amendment Nos. 03-4 and 03-5 for the
Sepulveda/Rosecrans Site Rezoning Reduced Traffic Generation
Alternative and the Plaza El Segundo Development Reduced Traffic
Generation Alternative; introduced Ordinance No. 1382 for Zone Change
Nos. 03-2 and 03-3, and ZTA 04-1; and approved GPA Nos. 03-4 and 03-
5 to re-designate and re-zone an approximately 54.9-acre property at the
northeast corner of Sepulveda Boulevard and Rosecrans Avenue to allow
retail uses that includes the development of a 425,000 square-foot
shopping center to be known as Plaza El Segundo;

B. On March 15, 2005, the City Council of the City of El Segundo ("City
Council") adopted Ordinance No. 1382 for Zone Change Nos. 03-2 and
03-3, Zone Text Amendment No. 04-1, and Subdivision No. 03-7 for the
Sepulveda/Rosecrans Site Rezoning Reduced Traffic Generation
Alternative and Plaza El Segundo Development Reduced Traffic
Generation Alternative, and Development Agreement No. 03-1 for the
Plaza El Segundo Development Reduced Traffic Generation Alternative;

C. On August 7, 2007, the City of El Segundo adopted Ordinance No. 1406,
which amended Development Agreement No. 03-01;

D. On July 25, 2007, Rosecrans-Sepulveda Partners 2, LLC, and PES
Partners, LLC, filed an application for an Environmental Assessment No.
EA-768) and Development Agreement No. 07-03 (Second Amendment to
Development Agreement No. 03-01) to develop an approximately 70,000
square-foot commercial retail project on an 8.133-acre property at the
northeast corner of Sepulveda Boulevard and Rosecrans Avenue that
includes 46,171 square feet of previously approved commercial retail
development on a 4.7 gross acre parcel. On January 10, 2008,
Rosecrans-Sepulveda Partners 2, LLC, and PES Partners, LLC, filed an
additional application requesting a Zone Text Amendment (ZTA No. 08-01) relating to development standards in the Commercial Center (C-4) Zone for permitted uses, setbacks, and signs. If these matters are approved, the applicant proposes to add approximately 23,829 net square feet to the previously approved development of a 425,000 square foot shopping center, known as Plaza El Segundo;

E. The applications from Rosecrans-Sepulveda Partners 2, LLC, and PES Partners, LLC, were reviewed by the City’s Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code (“ESMC”);

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

G. An Addendum to the certified Final Program/Project Environmental Impact Report (“EIR”) for the Original Project was prepared since some changes and additions to the previously certified EIR are necessary but none of the conditions require a subsequent EIR;

H. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for January 24, 2008;

I. On January 24, 2008, the Commission opened a public hearing to receive public testimony and other evidence regarding the applications including, without limitation, information provided to the Commission by City Staff, public testimony, and representatives of Rosecrans-Sepulveda Partners 2, LLC, and PES Partners, LLC;

J. On January 24, 2008, the Planning Commission adopted Resolution No. 2630 recommending City Council approval of Environmental Assessment No. 768, Development Agreement No. 07-03 (Second Amendment to Development Agreement No. 03-01), and Zone Text Amendment No. 08-01;

K. On February 19, 2008 the City Council held a public hearing and considered the information provided by City staff, public testimony and Rosecrans-Sepulveda Partners 2, LLC, and PES Partners, LLC;

L. On February 19, 2008 the City Council introduced Ordinance No. _____ approving Development Agreement No. 07-03 (Second Amendment to
Development Agreement No. 03-01) and Zone Text Amendment No. 08-01 for the Plaza El Segundo Development (Reduced Traffic Generation Alternative);

M. This Ordinance and its findings are made based upon the testimony and evidence presented to the City Council at its February 19 2008 public hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

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

A. The approximately 8.13-acre, irregularly shaped, subject property is located in the southern portion of the City of El Segundo. The site is comprised of 2 separate parcels of 3.41 acres and 4.72 acres that would be merged into one parcel. The entire subject property is roughly bounded by the Union Pacific Railroad to the north, the General Chemical and Air Products properties to the east, Rosecrans Avenue to the south, and Sepulveda Boulevard to the west.

B. The majority of the site was historically devoted to industrial chemical manufacturing facilities. Honeywell International, Inc. and General Chemical had operational facilities on the site until 2003. At that time the facilities were closed and demolished for resale and reuse. Remediation activities for on-site soil contamination has also commenced on the Honeywell International property.

C. The 8.13-acre project site ("Plaza El Segundo Project Site Phase 1B") has a Commercial Center land use designation and the zoning designation is the Commercial Center (C-4) Zone. The FAR for the Commercial Center land use designation is 0.275:1 and would permit up to 97,030 square feet of commercial shopping center development. The proposed project includes approximately 70,000 square feet of commercial shopping center development.

D. Additional environmental evaluation has been conducted in an Addendum to the previously certified EIR for the proposed approximately 70,000 square-foot shopping center on the 8.13 acre project site that includes the additional 3.4 acres from the Rosecrans/Sepulveda Site Rezoning being added to the Plaza El Segundo development project.

E. The proposed Plaza El Segundo Project Site Phase 1B would be constructed on approximately 8.13 gross acres within the Sepulveda/Rosecrans Site Rezoning and would implement the new C-4 zoning on that portion of the site. The proposed Plaza El Segundo Project Site Phase 1B would be located south of the Union Pacific Railroad tracks at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue.
F. The proposed Plaza El Segundo Project Site Phase 1B is a shopping center of approximately 70,000 square feet. It would include the addition of 23,829 square feet to the Plaza El Segundo project which is a 425,000 square-foot shopping center for a total of 448,829 square feet. The Plaza El Segundo Project Site Phase 1B shopping center would contain retail and other commercial uses which could include specialty retail, home furnishings, electronics, a spa, health/skin care services, apparel and accessories, sales of automobiles and as an accessory use to the sale of automobiles the sale of automobile accessories and parts, and a variety of sit-down restaurants, and limited fast food restaurants excluding drive through restaurants.

G. The proposed shopping center in Plaza El Segundo Project Site Phase 1B would consist of several one- and two-story buildings with a maximum height of 65 feet. All development within the proposed Plaza El Segundo would conform to the C-4 development standards.

H. The proposed FAR for this development would be 0.20:1 based on approximately 70,000 gross square feet of development on 8.13 net acres.

I. Primary ingress and egress to the proposed addition to the Plaza El Segundo development would be provided from Sepulveda Boulevard via a driveway approximately 660 feet north of the intersection of Sepulveda Boulevard and Rosecrans Avenue and via a driveway approximately 370 feet east of the intersection of Sepulveda Boulevard and Rosecrans Avenue. An approximately 150 to 200-foot deceleration lane will be provided for the Sepulveda Boulevard driveway. An approximately 94-foot deceleration lane will be provided for the Rosecrans Avenue driveway.

J. The addition to the Plaza El Segundo development is proposed to be constructed as one phase. Construction is expected to commence in mid 2008 and to be completed in 2009.

K. An underground stormwater system would be constructed within the proposed 8.13-acre site to detain storm water runoff that would connect to the on-site detention basin in the northeast corner of the site. The proposed Plaza El Segundo Project Site Phase 1B would connect into the existing water and sewer lines.

L. Parking for the proposed 8.13 acre portion of the Plaza El Segundo development is proposed to be located in surface parking lots that will surround the proposed shopping center buildings. Based on a total of 51,670 net square feet of commercial/retail space and 17,000 net square feet of restaurant floor area, 388 parking spaces are required. The
developer proposes to provide 394 parking spaces, which exceeds the City's parking requirements.

M. An amendment to the previously approved Development Agreement for the Plaza El Segundo Project Site Phase 1B includes modifications to the project site boundary, an increase in the allowable building square footage for the Plaza El Segundo Project by 23,829 square feet; subject to the City Council's approval of an amendment to ESMC 15-5G-2, to allow health and/or skin care services; an amendment to Section 4.1 of the Development Agreement to permit the sale of automobiles, and as an accessory use to the sale of automobiles, the sale of automobile accessories and automobile parts in Plaza El Segundo Project Site Phase 1B, provided such use does not exceed 5,000 square feet of leaseable floor area and provided that automobile repair and maintenance uses shall not be permitted; subject to the City Council's approval of an amendment to ESMC § 15-5G-9, to allow on-site light emitting diode ("LED") signs; a fencing and landscaping screening requirement along the eastern boundary of Phase 1B; a $25,000 contribution to the Downtown Signage Program; an irrevocable offer to dedicate land within the C-4 Zone for the extension of the Park Place right-of-way; and conditional funding of up to $2,418,000 for the City's acquisition of the Honeywell, Chevron and Union Pacific Railroad Park Place roadway segments for the extension of Park Place in connection with the development of Area B; conditions and requirements for the use of Park Place Extension funds for the construction of Park Place; and an amendment to Section 5.7 of the Development Agreement to provide that the term of the Development Agreement is for a period of 11 years from the date Ordinance No. 1382 became effective (April 16, 2005).

SECTION 3: Zone Text Amendment Findings. Based on the factual findings of this Ordinance, the proposed Zone Text Amendment is necessary to amend the Commercial Center (C-4) development standards relating to permitted uses, setbacks and signs. Specifically, the Zone Text Amendment amends ESMC § 15-5G-2 relating to permitted uses to allow health/skin care services; amends ESMC § 15-5G-6(D) to exclude environmental mitigation structures that are required by other regulatory agencies, including but not limited to the Los Angeles Regional Water Quality Control Board and the Department of Toxic Substance Control, from setback requirements; and amends ESMC § 15-5G-9 to permit light emitting diode ("LED") on site advertising and display signs.

SECTION 4: Development Agreement Findings. The project approved as part of the Development Agreement, as amended, would be as generally described in Section 2 above. Pursuant to City Council Resolution No. 3268, adopted June 26, 1984, the City Council finds that:
A. The project is consistent with the objectives, policies, general land uses, and programs specified in the general plan and any applicable specific plan. The Development Agreement would provide the following public benefits in exchange for valuable development rights (eight-year entitlement):

1. Development of a property that is currently vacant and underutilized.
2. Increasing and further stabilizing the City's tax base through development of new commercial businesses.
3. Increase in employment opportunities for the City's residents.
4. Increasing the diversity of retail uses and services in the City.
5. Increasing City revenues through the generation of taxes that outweigh the City cost of services.
6. Development of a project that is consistent with the Elements of the General Plan.
7. The project would reduce the maximum permitted floor area ratio on the property from 0.6:1 to 0.275:1.
8. Improvements to roadways and intersections in the project vicinity.
9. Expansion of the planned ITS network to make it even more effective in relieving congestion.
10. Contribution of approximately $20,045 in police, fire, and library, mitigation fees to offset the impacts of the project on public services.
11. Contribution of approximately $407,675 in traffic impact mitigation fees to offset the impacts of the project on public roadway infrastructure.
12. Contribution of $25,000 for signage to enhance and promote businesses in the Downtown Specific Plan Area of El Segundo.

B. The project is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located. These uses and development standards are similar and compatible with the other commercially zoned districts in the City.

C. The project is in conformity with the public convenience, general welfare and good land use practice. The proposed project permits a lower floor area ratio than allowed under the prior M-2 zoning (0.275:1 vs. 0.6:1). The project will facilitate constructing public roadways, through an irrevocable offer to dedicate land for public roadway purposes. The project will also be designed to support and encourage public transportation uses and contribute to the continued diversification of the southeast quadrant of the City by providing a broad range of commercial uses.

D. The project will not be detrimental to the health, safety and general welfare. The project will not create any negative environmental impacts,
with the exception of traffic, operational and temporary construction related air quality, and temporary construction-related noise impacts, and cumulative solid waste and traffic impacts. The City Council has determined there are overriding considerations, which outweigh the identified unavoidable environmental consequences of the project.

E. The project will not adversely affect the orderly development of property or the preservation of property values. The Commercial Center (C-4) Zone development standards and Development Agreement, as amended, will ensure that the project will be developed in an orderly fashion. All mitigation measures will be implemented at the time and place impacts occur.

F. The project would also be designed to support and encourage public transportation uses and contribute to the continued diversification of the southeast quadrant of the City.

SECTION 5: Approvals. The City Council approves the following:

A. The City Council adopts Development Agreement No. 07-03 (the Second Amendment to Development Agreement No. 03-01) by and between the City of El Segundo, and Rosecrans-Sepulveda Partners 2, LLC, and PES Partners, LLC, as set forth in attached Exhibit "A," which is incorporated into this Ordinance by reference.

B. The City Council amends ESMC § 15-5G-2 to read as follows:

"15-5G-2: PERMITTED USES:

The following uses are permitted in the C-4 Zone:

A. Fitness centers (indoors only).

B. General offices not exceeding five thousand (5,000) square feet.

C. Health/skin care services that are limited to non-invasive and/or minimally invasive cosmetic medical procedures that may be rendered by licensed health care professionals provided that such use does not exceed 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.

D. Pet supplies and services including veterinary services.

E. Restaurants and cafes.
F. Retail sales uses (excluding off-site alcohol sales).

G. Other similar uses approved by the Director of Planning and Building Safety, as provided by Chapter 22 of this Title."

C. The City Council amends ESMC § 15-5G-6(D) to read as follows:

"D. Setbacks:

The setback requirements shall not be applicable to environmental treatment facilities that are determined by a regulatory agency to be necessary to mitigate the presence of hazardous substances that are present in the soils on the parcel of property on which a treatment facility is located. However, the environmental treatment facility must otherwise comply with the City's traffic safety and building code requirements.

1. Front Yard: Twenty five feet (25') minimum.

2. Side Yard: Zero (0') minimum, unless one of the following conditions exists:

   a. If the side yard adjoins a dedicated street, at least twenty five feet (25') must be provided; and

   b. If the side yard abuts property with a different classification, the side yard setback is the average of the two (2) side yard setbacks, but not less than ten feet (10').

3. Rear Yard: Fifteen feet (15') minimum unless one of the following conditions exists:

   a. If the rear yard adjoins an alley, dedicated street, public right-of-way, or if the primary access is through the rear yard, at least twenty five feet (25') must be provided;

   b. If the rear yard adjoins a railroad right-of-way, at least ten feet (10') must be provided; and,

   c. If the rear yard abuts property with a different classification, the rear yard setback is the
D. The City Council amends ESMC § 15-5G-9 in its entirety to read as follows:

"15-5G-9: SIGNS:

Signs in the C-4 Zone must comply with requirements of Chapter 18 of this Title. However, parcels that are comprised of a minimum of 7.5 acres and that have at least eighty percent of the floor area devoted to retail and restaurant uses may have up to two light emitting diode signs ("LED Sign") that do not exceed thirty (30) feet in height and sixty (60) feet in width so long as (i) 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 (ii) 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 a LED Sign located on another parcel that is subject to the same development agreement."
E. Subject to the conditions listed on the attached Exhibit "B," which are incorporated into this Ordinance by reference, the City Council approves Development Agreement No. 07-03 (Second Amendment to Development Agreement No. 03-01) and Zone Text Amendment No. 08-01.

SECTION 6: 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 7: This Ordinance will remain effective until superseded by a subsequent Ordinance.

SECTION 8: 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 9: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED, APPROVED AND ADOPTED this 4th day of March 2008.

______________________________
Kelly McDowell, Mayor

ATTEST:

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

I, Cindy Mortesen, 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. 1417 was duly introduced by said City Council at a regular meeting held on the 19th day of February 2008, 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 4th day of March, 2008, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

______________________________
Cindy Mortesen, City Clerk

APPROVED AS TO FORM:

______________________________
Mark D. Hensley, City Attorney
SECOND AMENDMENT TO DEVELOPMENT AGREEMENT
BY AND AMONG
THE CITY OF EL SEGUNDO AND
ROSECRANS-SEPULVEDA PARTNERS, 2, LLC AND
PES PARTNERS, LLC

(AREA A)

THIS AGREEMENT SHALL BE RECORDED WITHIN TEN DAYS OF EXECUTION BY
ALL PARTIES HERETO PURSUANT TO THE REQUIREMENTS OF GOVERNMENT
CODE §65868.5
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Recitals</td>
<td>1</td>
</tr>
<tr>
<td>2. Amendment of Property Descriptions</td>
<td>4</td>
</tr>
<tr>
<td>3. Revised Acreage and Square Footage of the Project</td>
<td>5</td>
</tr>
<tr>
<td>4. Conditions of Approval</td>
<td>5</td>
</tr>
<tr>
<td>5. Zone Text Amendment</td>
<td>5</td>
</tr>
<tr>
<td>5.1 Screening Requirements along the Eastern Boundary of Phase 1B</td>
<td>5</td>
</tr>
<tr>
<td>5.2 LED Signage</td>
<td>5</td>
</tr>
<tr>
<td>6. Phase 1B Development Standards</td>
<td>5</td>
</tr>
<tr>
<td>7. Contribution to Downtown Signage Program</td>
<td>6</td>
</tr>
<tr>
<td>8. Park Place Extension</td>
<td>6</td>
</tr>
<tr>
<td>8.1 Irrevocable Offers to Dedicate</td>
<td>6</td>
</tr>
<tr>
<td>8.2 RSP 2’s Funding of City’s Acquisition of the Honeywell, Chevron</td>
<td>6</td>
</tr>
<tr>
<td>8.3 Funding/Financing for the Design, Acquisition and Construction of</td>
<td>6</td>
</tr>
<tr>
<td>8.4 Use of Park Place Extension Funds for Construction of Park Place</td>
<td>7</td>
</tr>
<tr>
<td>9. Amendments to Section 4.1 of the Development Agreement</td>
<td>8</td>
</tr>
<tr>
<td>10. Amendment to Section 5.7 of the Development Agreement</td>
<td>8</td>
</tr>
<tr>
<td>11. Remainder of Development Agreement to Remain in Full Force and Effect</td>
<td>8</td>
</tr>
</tbody>
</table>

EXHIBIT A – DEPICTION OF HONEYWELL, CHEVRON AND UNION PACIFIC RR PARK PLACE SEGMENTS ........................................... A-1

EXHIBIT B – AMENDED PROPERTY DESCRIPTION ........................................... B-1

EXHIBIT C – PHASE 1B PROPERTY DESCRIPTION ........................................... C-1

EXHIBIT D – AMENDMENTS TO CONDITIONS OF APPROVAL ................................... D-1

EXHIBIT E – ENCUMBRANCES TO WHICH THE RSP 4 DEED OF TRUST MAY BE SUBJECT ................................................................. E-1

DEFINITIONS ......................................................................................................................... C-1
SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

This Second Amendment to Development Agreement ("Second Amendment") is made and entered into by and among the CITY OF EL SEGUNDO, a municipal corporation ("City") and ROSECRANS-SEPULVEDA PARTNERS, 2, LLC, a Delaware limited liability company ("RSP 2") and PES PARTNERS, LLC, a Delaware limited liability company ("PESP") as of this ___ day of ____________ , 2008. RSP 2 and PESP are hereinafter referred to collectively as "Developer." City and Developer are referred to hereinafter individually as "Party" and collectively as "Parties." In consideration of the mutual covenants and agreements contained in this Second Amendment, City and Developer agree as follows:

1. Recitals. This Second Amendment is made with respect to the following facts and for the following purposes, each of which is acknowledged as true and correct by the Parties:

1.1 RSP 2’s and PESP’s predecessor-in-interest, Rosecrans-Sepulveda Partners, LLC ("RSP"), and the City are parties to a Development Agreement dated March 15, 2005 (the "Development Agreement"), which Development Agreement was recorded on April 6, 2005 in the Official Records of Los Angeles County as Instrument No. 05 0797875.

1.2 Unless otherwise stated in this Second Amendment, all capitalized terms used in this Second Amendment will carry the same definitions as those set forth in the Development Agreement.

1.3 On November 10, 2005, RSP and RSP 2 executed an Assignment and Assumption Agreement (the "RSP 2 Assignment") whereby RSP conveyed to RSP 2, in accordance with the provisions of Section 3 of the Development Agreement, RSP’s right, title, and interest in and to the Development Agreement and the Project Approvals with respect to approximately 4.7 acres of the Property (the "RSP 2 Property"). The RSP 2 Assignment was recorded on January 19, 2006 in the Official Records of Los Angeles County as Instrument No. 06 0128517.

1.4 On November 10, 2005, RSP and PESP’s predecessor-in-interest, Rosecrans-Sepulveda Partners, 3, LLC ("RSP 3") executed an Assignment and Assumption Agreement (the "RSP 3 Assignment") whereby RSP conveyed to RSP 3, in accordance with the provisions of Section 3 of the Development Agreement, RSP’s right, title, and interest in and to the Development Agreement and the Project Approvals with respect to approximately 37.3 acres of the Property (the "PESP Property" and/or "Phase 1A"). The RSP 3 Assignment was recorded on January 19, 2006 in the Official Records of Los Angeles County as Instrument No. 06 0128518.

1.5 On July 31, 2007, RSP 3 executed an Assignment and Assumption Agreement ("PESP Assignment") whereby RSP 3 conveyed to PESP, in accordance with the provisions of Section 3 of the Development Agreement, RSP 3’s right, title and interest in and to the Development Agreement and the Project Approvals with respect to the PESP Property. The PESP Assignment was recorded on August 3, 2007 in the Official Records of Los Angeles County as Instrument No. 2007 1838772.
1.6 As of June 19, 2007, City, RSP 2 and RSP 3 executed Operating Memorandum No. 1 to the Development Agreement ("Operating Memorandum No. 1"), which Operating Memorandum No. 1 was recorded on August 14, 2007 in the Official Records of Los Angeles County as Instrument No. 20071901777.

1.7 As of July 30, 2007, City, RSP 2 and RSP 3 executed a First Amendment to Development Agreement (the "First Amendment") which First Amendment was recorded on October 2, 2007 in the Official Records of Los Angeles County as Instrument No. 2007 2256909. For purposes of this Second Amendment, the term "Development Agreement" shall include the First Amendment.

1.8 The RSP 2 Property is located at the southerly end of the Property at the northeast corner of the intersection of Sepulveda Boulevard and Rosecrans Avenue. On July 13, 2007, RSP 2 acquired title to an additional 3.4 (approximate) acres of property that is located adjacent to and directly east of the RSP 2 Property (the "Additional 3.4 Acres"). Developer has proposed to the City and the City has agreed that the Additional 3.4 Acres will become a part of the RSP 2 Property and thus will become a part of the Property and Area A. As a result of the Additional 3.4 Acres becoming a part of the RSP 2 Property, the RSP 2 Property will be comprised of approximately 8.1 acres ("Phase 1B" or "Phase 1B Property"), on which RSP 2 proposes to develop approximately 70,000 square feet of retail and restaurant space. The Phase 1B Property is described in Exhibit C hereto. Phase 1B will consist of a mix of one and two story buildings with a maximum height of sixty-five feet and will conform to the Commercial Center (C-4) zoning and development standards, as amended by the "Zone Text Amendment" (as hereinafter defined). Based on the foregoing, the Parties have agreed that the legal description of the Property and the legal description of the RSP 2 Property (as set forth in the RSP 2 Assignment) should be amended to add the Additional 3.4 Acres. The Parties have determined and confirmed that when the traffic generated by Phase 1B is added to the existing development in Area A of 378,829 square feet, the cumulative traffic within Area A will not exceed the previously entitled 1,477 p.m. peak and 16,645 daily trips.

1.9 In connection with RSP 2's development of Phase 1B, Developer has proposed zone text amendments to the "Commercial Center (C-4) Zone" (the "Zone Text Amendment") to, among other things, (a) permit non-invasive and/or minimally invasive cosmetic medical procedures, (b) exclude environmental treatment facilities that are required by regulatory agencies from setback requirements and (c) subject to compliance with certain restrictions, permit "LED Signs" (as hereinafter defined) to be located within the interior portion of project areas.

1.10 Section 4.2.2 of the Development Agreement originally established a maximum of 75,000 square feet (the "75,000 Square Foot Limit") for uses that could occupy less than 10,000 square feet of building space within the Project. Operating Memorandum No. 1 authorized a reduction from 10,000 to 4,000 square feet for uses to which the 75,000 Square Foot Limit would apply. In addition, Operating Memorandum No. 1 established standards (the "Smaller Tenant Standards") for tenants who lease less than 4,000 square feet within the Project. Because of the upscale nature of the boutique type tenants targeted for Phase 1B, it is Developer's expectation that the majority of the tenants of Phase 1B will lease spaces of less
than 4,000 square feet. Therefore, Developer has requested and City has agreed that the 75,000 Square Foot Limit shall not apply to Developer’s leasing of space in Phase 1B.

1.11 Subject to City’s approval of this Second Amendment, RSP has agreed to contribute Twenty-Five Thousand Dollars ($25,000) to the City for the City’s downtown sign program.

1.12 Concurrently with the City’s approval of the Project Approvals, City also redesignated and rezoned the Other C-4 Property with a “Commercial Center (C-4)” land use and zoning designation. It has been and continues to be RSP 2’s hope and expectation that RSP 2 or an “affiliate” (as hereinafter defined) of RSP 2 will acquire and develop substantially all of the Other C-4 Property. In connection with the development of the Other C-4 Property, Developer has acknowledged that, as an integral part of being permitted to fully develop the Other C-4 Property, Developer will be required to extend Park Place (a four-lane east-west street) from its existing terminus at Nash Street to connect with Park Place in Area A (the “Park Place Extension”). To affirm Developer’s commitment to develop Park Place as an integral part of the development of the Other C-4 Property, City has requested and Developer has agreed that as RSP 2, or any affiliate of RSP 2, acquires portions of the Other C-4 Property, to the extent such acquired portions of the Other C-4 Property include segments of the right-of-way for the Park Place Extension (the “Park Place Segments”), RSP 2 shall cause the Park Place Segments to become the subject of an irrevocable offer of dedication to the City.

1.13 In addition to agreeing to cause the Park Place Segments to become the subject of an irrevocable offer of dedication in accordance with the provisions of Recital 1.12 above, RSP 2 has agreed, subject to the satisfaction of the “Park Place Extension Conditions Precedent” (as hereinafter defined) and certain other conditions (set forth in Section 8.2 below), to fund up to Two Million Four Hundred Eighteen Thousand Dollars ($2,418,000) (the “Park Place Extension Fund”) to City in order to permit City to undertake the activities to extend Park Place which includes (a) that portion of the Park Place Extension (the “Honeywell Park Place Segment”) that is currently owned by Honeywell International (“Honeywell”), (b) that portion of the Park Place Extension (the “Chevron Park Place Segment”) that is currently owned by Chevron Corporation (“Chevron”) and (c) that portion of the Park Place Extension (the “Union Pacific RR Park Place Segment”) that is currently owned by the Union Pacific Railroad. The approximate locations of the Honeywell Park Place Segment, the Chevron Park Place Segment and the Union Pacific RR Park Place Segment are depicted on Exhibit “A” attached hereto. In order to secure RSP 2’s obligation to make the Park Place Extension Fund payment, RSP 2 has agreed to cause RSP 2’s affiliate, Rosecrans-Sepulveda Partners, 4, LLC’s (“RSP 4”) to execute the “RSP 4 Deed of Trust” (as hereafter defined) in favor of City covering approximately 8.76 acres of the Other C-4 Property currently owned by RSP 4 (the “RSP 4 Property”). In addition, in order to ensure that RSP 2 complies with its Park Place Extension Fund obligation, RSP 2 has agreed that a condition precedent to RSP 2’s right to receive a Certificate of Occupancy for any building in Phase 1B shall be RSP 4’s execution of the RSP 4 Deed of Trust.

1.14 Because health and beauty uses have become a significant attraction to the customer base of upscale shopping centers, City and Developer have agreed to amend Section 4.1 of the Development Agreement to permit two non-invasive and/or minimally invasive cosmetic medical procedure uses in the Project, provided that neither use exceeds 3,000 square
feet of leaseable floor area and each of the two uses has at least twenty percent (20%) of the net floor area devoted to the sale of retail products.

1.15 City and Developer have agreed to amend Section 4.1 of the Development Agreement to permit the sale of automobiles and, as an accessory use to the sale of automobiles, the sale of automobile accessories and automobile parts in Phase 1B, provided that such use does not exceed 5,000 square feet of leaseable floor area and provided that automobile repair and maintenance uses shall not be permitted.

1.16 City and Developer have agreed to amend Section 5.7 of the Development Agreement to revise the term of the Development Agreement from eight (8) to eleven (11) years (measured from the effective date of the Enabling Ordinance).

1.17 The City Council has determined that none of the elements set forth in Public Resources Code Section 21166 or Section 15162 of the State CEQA Guidelines ("CEQA Guidelines") exists and therefore has determined, in accordance with Public Resources Code Section 21166 and Section 15162 of the CEQA Guidelines, that no subsequent or supplemental Environmental Impact Report or Mitigated Negative Declaration is required to be prepared prior to adopting the Ordinance approving this Second Amendment. However, the City Council has also determined pursuant to Section 15164(a) of the CEQA Guidelines that some changes or additions to the EIR are necessary. Therefore, an Addendum to the EIR has been prepared and has been reviewed and approved by the City Council, exercising its independent judgment.

1.18 Section 15 of the Development Agreement provides for amendment of the Development Agreement upon mutual consent of the parties and in accordance with the procedures established by the Development Agreement Act. The City Council has found that this Second Amendment has been adopted in conformance with the procedures of the Development Agreement Statute set forth in Government Code Section 65865, et seq.

1.19 On January 24, 2008, the Planning Commission held a duly noticed public hearing on this Second Amendment and, at the conclusion thereof, adopted Resolution No. 2630, recommending to the City Council approval of this Second Amendment.

1.20 On February 19, 2008, the City Council held a duly noticed public hearing on this Second Amendment and, at the conclusion thereof, introduced Ordinance No. 1417 and on March 4, 2008, the City Council adopted Ordinance No. 1417 approving this Second Amendment. Ordinance No. 1417 became effective on April 4, 2008.

2. Amendment of Property Descriptions. In order to incorporate the Additional 3.4 Acres into the description of the Property, Exhibit "A" of the Development Agreement is hereby amended in its entirety to read as set forth in Exhibit "B" attached hereto. Any references in the Development Agreement and/or this Second Amendment to the "Property" shall hereinafter be deemed to be a reference to the property described in Exhibit "B." In addition, Exhibit "B" of the RSP 2 Assignment is hereby amended in its entirety to read as set forth in Exhibit "C" attached hereto. Any references in this Second Amendment to the RSP 2 Property shall be deemed to be a reference to the Phase 1B Property described in Exhibit "C."
3. **Revised Acreage and Square Footage of the Project.** As a result of the Additional 3.4 Acres becoming a part of the Property and Area A, Section 1.2 of the Development Agreement is hereby amended to revise the number “42” to read “45,566.” In addition, the number “four-hundred twenty-five thousand (425,000)” in Section 1.3 is hereby revised to read “four-hundred forty-eight thousand eight hundred twenty-nine (448,829) square feet.”

4. **Conditions of Approval.** In connection with the development of the Phase 1B Property, the Conditions of Approval are hereby amended as set forth in Exhibit “D” attached hereto.

5. **Zone Text Amendment.** Subject to the City’s approval of the Zone Text Amendment, the following conditions shall be applicable to Phase 1B:

   5.1 **Screening Requirements along the Eastern Boundary of Phase 1B.** RSP shall cause the eastern boundary of Phase 1B to be screened from the property located adjacent to and east of Phase 1B by (a) installing a fence comprised of decorative cement or ceramic blocks or wrought iron at least six (6) feet in height along the eastern boundary of Phase 1B and (b) planting, irrigating and maintaining screening type landscaping that includes trees, vines, bamboo and/or hedges that shall be projected to grow at least 15 feet in height along the western side of the fence.

   5.2 **LED Signage.** A maximum of two light emitting diode signs (“LED Sign”), not to exceed 30’ in height and 60’ in length each, may be located within the interior portion of Phase 1B. The displays are intended for viewing by the customers of Phase 1B and Developer shall use reasonable efforts to minimize exposure of the displays to Rosecrans Avenue and Sepulveda Boulevard. In addition, in no event shall the top of any display exceed 15’ above a plane that is parallel with the 157.00 foot elevation of the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. Each LED Sign shall be utilized for the purpose of providing on site advertising for tenants of the Project and for the products that are offered for sale by those tenants (but only in conjunction with the display of the name of the tenant that sells the product), and may also be utilized for movie projections and abstract video that are not related to advertising any particular product, or entertainment, retail or service use. Each display shall be attached to a building or other structure and integrated into the architectural design of the building and shall not be free standing. In no event shall LED Signs be permitted to be located in Phase 1A.

6. **Phase 1B Development Standards.** The 75,000 Square Foot Limit shall not apply to Developer’s leasing of space in Phase 1B. However, all other requirements of the Development Agreement and the Conditions of Approval, including the Smaller Tenant Standards, shall continue to remain in full force and effect with respect to the Project and with respect to each tenant that leases less than 4,000 square feet of space in Phase 1B.

7. **Contribution to Downtown Signage Program.** RSP 2 agrees to pay the City $25,000 upon the earlier of (i) the expiration of the statute of limitations for challenging City’s approval of this Second Amendment with no challenge having been filed or (ii) upon a final court judgment or settlement of litigation which results in RSP 2 being allowed to proceed with development of Phase 1B. The funds paid to the City shall be used for City’s downtown sign program.
8. Park Place Extension.

8.1 Irrevocable Offers to Dedicate. To the extent RSP 2, or any affiliate of RSP 2, acquires any portion of the Other C-4 Property and such acquired portion contains any portion of the designated right-of-way for Park Place, RSP 2 shall execute, or cause its affiliate to execute, an irrevocable offer to dedicate such designated right-of-way portion of Park Place to the City. As used in this Section 8.1, the term “affiliate” shall mean an entity controlling, controlled by or under common control with the entity to which the term applies, whether by ownership, contract or voting control. In addition, the term “affiliate” shall mean any member of RSP 2 (“Member”), which Members currently include Mar El Segundo, LLC, a Delaware limited liability company, CCA Sepulveda, LLC, a California limited liability company, Continental Rosecrans-Sepulveda, Inc., a California corporation, Daniel Romano, an individual, and any affiliate of any Member. The term “affiliate” shall also include, individually, Richard Lundquist, Allan Mackenzie, Robert Comstock and Daniel Crosser.

Notwithstanding the foregoing, no irrevocable offer to dedicate shall be accepted by City until (a) the alignment of the right-of-way for the Park Place Extension has been approved by the City Engineer and any other governmental agencies having jurisdiction over such right-of-way and (b) City has initiated such steps as may be required to acquire the right-of-way for those portions of the Park Place Extension, including, without limitation, those portions owned by existing railroads, pipeline easement holders, utilities and/or other third parties whose interests could impact or interfere with the construction and use of the Park Place Extension, that have not otherwise been offered for dedication to City (cumulatively, the “Park Place Extension Conditions Precedent”).

8.2 RSP 2's Funding of City's Acquisition of the Honeywell, Chevron and Union Pacific RR Park Place Segments; Security for RSP 2's Performance. Subject to the satisfaction of the Park Place Extension Conditions Precedent and to all applicable governmental permits and requirements (federal, state and/or local) including, without limitation, compliance with CEQA and laws relating to hazardous materials, having been obtained and/or satisfied with respect to the approval, design, remediation and construction of the Park Place Extension and a funding plan for the design and construction of the Park Place Extension having been approved by City (which funding plan may include RSP 2’s payment of the Park Place Extension Fund in accordance with the provisions of Section 8.2 below and any other dedications and payments as RSP 2, or any RSP 2 affiliate, may agree to in connection with the development of Area B), RSP 2 agrees, upon the (a) commencement by City of acquisition of the right-of-way for the Honeywell Park Place Segment, the Chevron Park Place Segment and/or the Union Pacific RR Park Place Segment and (b) award of a construction contract to extend Park Place to pay, within thirty (30) days of RSP 2’s receipt of a written request from City, to City that portion of the Park Place Extension Fund to the extent City requires all or any portion of such Fund in order to complete its acquisition of the Honeywell, Chevron and/or Union Pacific RR Park Place Segment(s). In order to secure the obligation of RSP 2 to make the Park Place Extension Fund payment, RSP 2 shall cause RSP 4 to execute and record a Deed of Trust secured by the RSP 4 Property, such Deed of Trust to be in a form mutually and reasonably agreed upon by City and RSP 4 (the “RSP 4 Deed of Trust”) and shall only be subject to the encumbrances identified on Exhibit “E” attached hereto. RSP 2 shall cause an ALTA title policy in the amount of $2,418,000
to be issued to the City for the RSP 4 Deed of Trust. In order to ensure RSP 2’s performance in accordance with the provisions of this Section 8.2, no Certificate of Occupancy shall be issued by City for any building in Phase 1B until RSP 4 has executed and recorded the RSP 4 Deed of Trust and the title policy has been issued to the City. In addition, RSP 2 agrees to use reasonable business efforts to cause Honeywell, subject to the Park Place Conditions Precedent, to irrevocably offer to dedicate the Honeywell Park Place Segment to the City. RSP hereby acknowledges that the dedications and payments referenced in Section 8.1 and 8.2 of this Agreement may not represent the entire share of the costs that RSP2 or its affiliates may be ultimately required to pay towards the extension of Park Place.

8.3 Funding/Financing for the Design, Acquisition and Construction of the Park Place Extension. The Parties agree to continue to work together to identify and seek to secure funding and/or financing sources for the design, acquisition and construction of the Park Place Extension.

8.4 Use of Park Place Extension Funds for Construction of Park Place. To the extent the entire Park Place Extension Fund is not required to be used by City for the acquisition of the Honeywell, Chevron and/or Union Pacific RR Segments, any funds remaining shall be paid to City by RSP 2 within thirty (30) days of RSP 2’s receipt of a written request from City confirming the award of a construction contract to extend Park Place; provided, however, to the extent RSP 2, or any affiliate of RSP 2, from time to time, acquires all or any portion of the Honeywell, Chevron and/or Union Pacific RR Segments, the Park Place Extension Fund shall be reduced by an amount equal to $30 multiplied by the total number of square feet in the Honeywell, Chevron and/or Union Pacific RR Segments acquired by RSP 2, or any affiliate of RSP 2, and irrevocably offered for dedication to the City in accordance with the provisions of Section 8.1 above.

9. Amendments to Section 4.1 of the Development Agreement. Section 4.1 of the Development Agreement is hereby amended to add new Sections 4.1.7 and 4.1.8 to read as follows:

“4.1.7 Health/Skin Care Uses. Two tenants that have uses devoted to health/skin care that are limited to non-invasive and/or minimally invasive cosmetic medical procedures and may include the services of licensed health care professionals, shall be permitted, provided that neither use exceeds 3,000 square feet of leaseable floor area and at least twenty percent (20%) of each tenant floor area is devoted to the sale of retail products.

4.1.8 Automobile Sales. The sale of automobiles and, as an accessory use to the sale of automobiles, the sale of automobile accessories and automobile parts shall be permitted in Phase 1B, provided such use does not exceed 5,000 square feet of leaseable floor area and provided that automobile repair and maintenance uses shall not be permitted.”

10. Amendment to Section 5.7 of the Development Agreement. Section 5.7 of the Development Agreement is hereby amended in its entirety to read as follows:
“5.7  Term. This Agreement shall be in effect for a period of eleven (11) years from the effective date of the Enabling Ordinance. However, Developer or City shall be entitled to, by written notice to the other Party prior to the Agreement’s expiration, one (1) five (5)-year extension, provided that the requesting Party is not in material default of its obligations hereunder at such time.

11.  Remainder of Development Agreement to Remain in Full Force and Effect. Except as set forth in this Second Amendment, all terms and conditions of the Development Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, Developer and City have executed this Second Amendment on the date first above written.

CITY:
CITY OF EL SEGUNDO, a municipal corporation

By: ______________________________
Kelly McDowell, Mayor

ATTEST

______________________________
Cindy Mortesen
City Clerk

APPROVED AS TO FORM:

By: ______________________________
Mark D. Hensley, City Attorney

[SIGNATURES CONTINUED ON NEXT PAGE]
DEVELOPER

ROSECRANS-SEPULVEDA PARTNERS, 2, LLC, a Delaware limited liability company

By: CCA Sepulveda, LLC, a California limited liability company
Its: Managing Member

By: __________________________
Name: _________________________
Its: __________________________

By: __________________________
Name: _________________________
Its: __________________________

PES PARTNERS, LLC,
a Delaware limited liability company

By: Rosecrans-Sepulveda Partners 3, LLC,
a Delaware limited liability company
Its: Sole Member

By: CCA Sepulveda, LLC
a California limited liability company
Its: Managing Member

By: __________________________
Name: _________________________
Its: __________________________

By: __________________________
Name: _________________________
Its: __________________________
STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On ____________, 2008 before me, ____________________, (here insert name of the officer), Notary Public, personally appeared ____________________, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

______________________________
Signature of Notary Public

[Seal]

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On ____________, 2008 before me, ____________________, (here insert name of the officer), Notary Public, personally appeared ____________________, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

______________________________
Signature of Notary Public

[Seal]
STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On ______________, 2008 before me, ______________________ (here insert name of the officer), Notary Public, personally appeared ______________________, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

__________________________________________
Signature of Notary Public

[Seal]

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On ______________, 2008 before me, ______________________ (here insert name of the officer), Notary Public, personally appeared ______________________, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

__________________________________________
Signature of Notary Public

[Seal]
EXHIBIT A

DEPICTION OF HONEYWELL, CHEVRON AND UNION PACIFIC RR PARK PLACE SEGMENTS
EXHIBIT B
AMENDED PROPERTY DESCRIPTION

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 14 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT IN THE EASTERLY LINE OF SEPULVEDA BOULEVARD, AS DESCRIBED IN THE FINAL DECREES OF CONDEMNATION RECORDED IN BOOK 13174 AT PAGE 92, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING 1040 FEET NORTHERLY, MEASURED ALONG SAID EASTERLY LINE, FROM THE INTERSECTION OF SAID EASTERLY LINE WITH THE NORTHERLY LINE OF LOT 4 OF TRACT NO. 1314, AS PER MAP RECORDED IN BOOK 20, PAGE 161 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG EASTERLY LINE AS FOLLOWS:

SOUTH 0°01' EAST, A DISTANCE OF 70.16 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 3050.00 FEET; SOUTHERLY ALONG SAID CURVE A DISTANCE OF 292.78 FEET; SOUTH 5°29' WEST, A DISTANCE OF 389.98 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 2950.00 FEET; SOUTHERLY ALONG SAID CURVE A DISTANCE OF 283.18 FEET; AND SOUTH 0°01' EAST, A DISTANCE OF 3.90 FEET TO THE NORTHERLY LINE OR FORESAID LOT 4 OF TRACT NO. 1314; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 4, SOUTH 60°41' EAST, A DISTANCE OF 5.74 FEET TO THE MOST WESTERLY CORNER OF THE LAND DESCRIBED IN THE DEED TO THE PACIFIC ELECTRIC LAND COMPANY, RECORDED IN BOOK 5839, PAGE 185 OF DEEDS, RECORDS OF SAID COUNTY; THENCE ALONG THE NORTHERLY LINE OF SAID LAND SO DESCRIBED (A PORTION OF WHICH IS SHOWN ON A MAP FILED FOR RECORDS WITH THE DEED RECORDED IN BOOK 6708, PAGE 304 OF SAID DEED RECORDS) SOUTH 70°41' EAST, A DISTANCE OF 219.75 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 458.59 FEET; THENCE EASTERLY ALONG SAID CURVE IN SAID NORTHERLY LINE A DISTANCE OF 475.29 FEET; THENCE CONTINUING ALONG SAID NORTHERLY LINE OF SAID LAND SO DESCRIBED, NORTH 49°56'05" EAST, A DISTANCE OF 1601.41 FEET TO AN INTERSECTION WITH A LINE WHICH IS PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND PASSES THROUGH THE POINT OF BEGINNING; THENCE NORTH 89°59' 30" WEST, A DISTANCE OF 1820.11 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND DESCRIBED AND GRANTED IN THE DEED FROM ALLIED CORPORATION, A NEW YORK CORPORATION TO THE CITY OF EL SEGUNDO, RECORDED ON OCTOBER 18, 1982 AS INSTRUMENT NO. 82-1045151, OFFICIAL RECORDS

ALSO EXCEPTING THEREFROM THAT PORTION OF SAID LAND DESCRIBED AND GRANTED IN THE DEED FROM ALLIED CORPORATION, A NEW YORK CORPORATION TO CHEVRON U.S.A. INC., A CALIFORNIA CORPORATION RECORDED OCTOBER 15, 1984 AS INSTRUMENT NO. 84-1233577, OFFICIAL RECORDS ATTACHED THERE TO A RESOLUTION OF THE CITY OF EL SEGUNDO NO. 2030 DATED FEBRUARY 11, 1983, APPROVING SAID LOT LINE ADJUSTMENT.
EXHIBIT B
AMENDED PROPERTY DESCRIPTION

TOGETHER WITH THOSE PORTIONS OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 14 WEST, IN THE RANCHO SAUSAL REDONDO, IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF THE LAND DESCRIBED IN DEED TO THE PACIFIC ELECTRIC LAND COMPANY RECORDED IN BOOK 5839, PAGE 185 OF DEEDS, WITH A LINE PARALLEL WITH THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, WHICH PASSES THROUGH A POINT IN THE EASTERLY LINE OF SEPULVEDA BOULEVARD, AS DESCRIBED IN THE FINAL DEGREE OF CONDEMNATION RECORDED IN BOOK 13174, PAGE 29, OFFICIAL RECORDS, SAID POINT BEING 1040 FEET NORTHERLY, MEASURED ALONG SAID EASTERLY LINE FROM THE INTERSECTION OF SAID EASTERLY LINE WITH THE NORTHERLY LINE OF LOT 4 OF TRACT NO. 1314, AS PER MAP RECORDED IN BOOK 20, PAGE 161 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG THE ABOVE MENTIONED NORTHERLY LINE SOUTH 49°56′05″ WEST, A DISTANCE OF 1601.41 FEET TO THE BEGINNING OF A TANGENT CURVE IN SAID NORTHERLY LINE CONCAVE NORTHERLY AND HAVING A RADIUS OF 458.59 FEET; THENCE WESTERLY ALONG SAID CURVE, A DISTANCE OF 347.97 FEET TO THE NORTHERLY LINE OF THE LAND DESCRIBED IN THE DEED RECORDED IN BOOK 6708, PAGE 304, OF DEEDS; THENCE ALONG THE NORTHERLY LINE OF SAID LAST MENTIONED LAND THE FOLLOWING COURSES AND DISTANCES; SOUTH 68°48′25″ EAST, 98.98 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 421.07 FEET; THENCE EASTERLY ALONG SAID CURVE 390.17 FEET; THENCE TANGENT TO SAID CURVE AT ITS POINT OF ENDING NORTH 58°06′05″ EAST, 172.86 FEET; THENCE NORTH 49°56′06″ EAST, A DISTANCE OF 1388.71 FEET TO A POINT WHICH BEARS SOUTH 40°03′55″ EAST FROM THE POINT OF BEGINNING; THENCE LEAVING SAID NORTHERLY LINE, NORTH 40°03′55″ WEST, 200 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH PARCEL 1 OF PARCEL MAP NO. 17911, IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 269, PAGES 82 THROUGH 84 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH PARCEL 1 OF THE CERTIFICATE OF COMPLIANCE, IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECORDED JULY 11, 2007 AS INSTRUMENT NO. 20071647635 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

THIS DESCRIPTION WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

[Signature]
John M. Smith, P.L.S.
License Expires: 12/31/07
Date Prepared: 12/03/07

4438613320812v1
EXHIBIT B - Page 2 of 3
EXHIBIT C

PHASE 1B PROPERTY DESCRIPTION

PARCEL 1 OF PARCEL MAP NO. 17911, IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 269, PAGES 82 THROUGH 84 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH PARCEL 1 OF THE CERTIFICATE OF COMPLIANCE, IN THE CITY OF EL SEGUNDO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECORDED JULY 11, 2007 AS INSTRUMENT NO. 20071647836 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

THE ABOVE DESCRIBED PARCELS CONTAIN 8.133 ACRES, MORE OR LESS.

THIS DESCRIPTION WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

[Signature]

JOHN M. SMITH, P.L.S. 8070
LICENSE EXPIRES 12/31/07

DATE PREPARED: 12/06/07
PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR EXHIBIT "C"

LEGEND

PROPERTY LINE
EXISTING INTERIOR PARCEL LINE
ADJACENT PROPERTY
CENTERLINE

AREA
8.133 ACRES

SCALE: 1"=150'

CITY OF EL SEGUNDO, CALIFORNIA

DEVELOPMENT RESOURCE CONSULTANTS, INC.

CITY OF EL SEGUNDO, CALIFORNIA

44386\1322701\v1
EXHIBIT D

AMENDMENTS TO CONDITIONS OF APPROVAL

The Conditions of Approval that were approved by the City Council on March 15, 2005 as part of Ordinance No. 1382 (the “Conditions of Approval”) are hereby amended as follows:

DEFINITIONS

I. Condition No. 2 is hereby amended as follows:

A. A new Condition No. 2.C-1 is hereby added to read as follows:

“‘Development Agreement’ refers to Development Agreement No. 03-1 and any amendments thereto.”

B. Condition No. 2.D is hereby amended in its entirety to read as follows:

“‘Project Area’ refers to each of the 20 developable lots on the Plaza El Segundo development Project Site as shown on Vesting Tentative Map No. 061630 and the 3.41 acres comprised of Parcel 1 of Lot Line Adjustment No. 07-06 (formerly Parcel 2 and that portion of Parcel 3 of Parcel Map No. 17911, in the City of El Segundo, County of Los Angeles, State of California, As Per Map Filed in Book 269, Pages 82 through 84, of Parcel Maps, in the Office of the County Recorder of Said County, lying Westerly of a line parallel with and 120.00 feet easterly of the westerly line of said Parcel 3, said line shown as “S 00 Degrees 02’26” W 418.50 Degrees on Said Parcel Map).”

C. A new Condition No. 2.E-1 is hereby added to read as follows:

“‘Project Site Phase 1B’ refers to the 8.13-acre site comprised of the approximately 4.72-acre portion of Vesting Tentative Map No. 061630 south of the Union Pacific Railroad and the 3.41 acres comprised of Parcel 1 of Lot Line Adjustment No. 07-06 (formerly Parcel 2 and that portion of Parcel 3 of Parcel Map No. 17911, in the City of El Segundo, County of Los Angeles, State of California, As Per Map Filed in Book 269, Pages 82 through 84, of Parcel Maps, in the Office of the County Recorder of Said County, lying Westerly of a line parallel with and 120.00 feet easterly of the westerly line of said Parcel 3, said line shown as “S 00 Degrees 02’26” W 418.50 Degrees on Said Parcel Map), generally located south of the Union Pacific Railroad, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue.”

D. A new Condition No. 2.E-2 is hereby added to read as follows:

“Phase 1A’ refers to the portion of the Project Area located north of the Union Pacific Railroad right-of-way.”
E. A new Condition No. 2.E-3 is hereby added to read as follows:

"‘Phase 1B’ refers to the portion of the Project Area located south of the Union Pacific Railroad right-of-way."

AESTHETICS

Materials and Design

II. Condition No. 5 is hereby amended as follows:

A. Condition No. 5.F is hereby amended in its entirety to read as follows:

“All buildings must be in accordance with the Project Area’s Conditions, Covenants and Restrictions (CC&R’s).”

B. Condition No. 5.L is hereby amended in its entirety to read as follows:

“A six-foot high solid wall must be constructed along the southern property line of Lot 15 of Vesting Tentative Tract Map No. 061630 for at least a length of 200 feet from the eastern edge of the Sepulveda Boulevard right-of-way and along the northern property line of Lot 19 of Vesting Tentative Tract Map No. 061630 for at least a length of 200 feet from the eastern edge of the Sepulveda Boulevard right-of-way. A six-foot high wall or a fence constructed of vinyl chain link or other material must be constructed along the remaining property lines of the Project Area abutting the Union Pacific Railroad right-of-way with screening of the right-of-way with the use of landscaping, including, without limitation, vines, hedges and/or trees to the satisfaction of the P.B.S. Director. A combination of a fence constructed of 6-foot high wrought iron or steel tubing and a six-foot high solid wall compatible with the fence and wall materials on the portion of the site north of the Union Pacific Railroad right-of-way must be constructed along the northern property line of Project Site Phase 1B for those portions east of the eastern edge of the Sepulveda Boulevard right-of-way with screening of the right-of-way with the use of landscaping, that includes without limitation, vines, hedges and/or trees to the satisfaction of the P.B.S. Director excepting those areas closest to Sepulveda Boulevard prohibited by Union Pacific Railroad for visibility and safety reasons.”

C. Condition No. 5.S is hereby amended in its entirety to read as follows:

“The Project Area site plan must be revised to provide sidewalks or other designated pathways following direct and safe routes from the Park Place right-of-way to buildings H through A-7, from the Park Place right-of-way to Pad D, and from the Sepulveda Boulevard right-of-way to Building No. 2, and any other building that may developed that is set back more than 200 feet from a public right-of-way, subject to the review and approval of the P.B. S. Director. The Project Area site plan must provide sidewalks or other designated pathways following direct and safe routes from the Sepulveda Boulevard public right-of-
way and the Rosecrans Avenue public right-of-way to the entrances of the buildings and the plaza in front of the buildings, subject to the review and approval of the P.B.S. Director.”

**Landscaping and Irrigation**

III. Condition No. 7 is hereby amended in its entirety to read as follows:

“Before the issuance of the first Building Permit in the Project Area, the applicant must provide a Landscape Plan and Architectural Plan (i.e. construction drawings), consistent with the Master Landscaping Plan, to the P.B.S. Director, Director of Recreation and Parks, and the Police Chief for review and approval. The Landscape Plan and Architectural Plan must demonstrate that errant nighttime illumination is generally screened from other potentially sensitive uses, through building design and landscape treatments. Before the issuance of the first Building Permit in the Project Site Phase 1B, the applicant must provide a Landscape and Irrigation Plan and an Architectural Site Plan (i.e. construction drawings), consistent with the Master Landscaping Plan, to the P.B.S. Director, Director of Recreation and Parks, and the Police Chief for review and approval that includes the use of trees, hedges, and or vines along the eastern boundary from Rosecrans Avenue to the Union Pacific Railroad. The plant material must be placed west and in front of the property line wall or fence. The Landscape Plan must utilize decorative pavement material in the plaza and for the pedestrian entrances to the plaza. The Landscape Plan and Architectural Plan must demonstrate that errant nighttime illumination is generally screened from other potentially sensitive uses, through building design and landscape treatments.”

**Signs**

IV. Condition No. 9 is hereby amended as follows:

A. Condition No. 9.B is hereby amended in its entirety to read as follows:

“Notwithstanding any other provisions in the ESMC, a maximum of three ground or monument signs with a maximum height of 35 feet each are permitted along the Sepulveda Boulevard street frontage of the Project Area north of the Union Pacific Railroad;”

B. A new Condition No. 9.B-1 is hereby added to read as follows:

“Notwithstanding any other provisions in the ESMC, a maximum of two ground or monument signs with a maximum height of 20 feet each are permitted along the Sepulveda Boulevard street frontage of the Project Area south of the Union Pacific Railroad;”

C. Condition No. 9.C is hereby amended in its entirety to read as follows:

“Notwithstanding any other provisions in the ESMC, a maximum of two ground or monument signs with a maximum height of 25 feet are permitted along the Park Place street frontages of the Project Area;”
D. Condition No. 9.D is hereby amended in its entirety to read as follows:

“Notwithstanding any other provisions in the ESMC, a maximum of two ground or monument signs with a maximum height of 25 feet are permitted along the Allied Way street frontages of the Project Area;”

E. A new Condition No. 9.D-1 is hereby added to read as follows:

“Notwithstanding any other provision in the ESMC, a maximum of two ground or monument signs with a maximum height of 20 feet are permitted along the Rosecrans Avenue street frontage of the Project Area;”

F. A new Condition No. 9.D-2 is hereby added to read as follows:

“A maximum of two light emitting diode signs “LED Sign”), not to exceed 30’ in height and 60’ in length each, may be located within the interior portion of Phase 1B. The displays are intended for viewing by the customers of Phase 1B and Developer shall use reasonable efforts to minimize exposure of the displays to Rosecrans Avenue and Sepulveda Boulevard. In addition, in no event shall the top of any LED Sign exceed 15’ above a plane that is parallel with the 157.00 foot elevation of the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. Each LED Sign shall be utilized for the purpose of providing on site advertising for tenants of the Project and for the products that are offered for sale by those tenants (but only in conjunction with the display of the name of the tenant that sells the product), and may also be utilized for movie projections and abstract video and artistic images that are not related to advertising any particular product, or entertainment, retail or service use. Each LED Sign shall be attached to a building or other structure and integrated into the architectural design of the building and shall not be free standing.”

G. Condition No. 9.E is hereby amended in its entirety to read as follows:

“Notwithstanding any other provisions in the ESMC, no freestanding or pole signs, except as set forth in this Condition No. 9 and except as described in Condition No. 10 below, are permitted along the Rosecrans Avenue frontage of the Project Area;”

H. A new Condition No. 9.I is hereby added to read as follows:

“Height limitations of signs referred to in this Condition No. 9 shall be measured from the average adjacent street elevation.”

V. Condition No. 10 is hereby amended in its entirety to read as follows:

“Before the issuance of a Final Certificate of Occupancy for the first building in the Project Area, the applicant must construct and maintain a monument sign at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue announcing the entrance to the City. The sign is subject to review and approval by the City Council. The sign should be
compatible with the design of the Master Sign Program for the Plaza El Segundo development project.”

PROJECT DESCRIPTION

Plans

VI. Condition No. 29 is hereby amended in its entirety to read as follows:

“The Plaza El Segundo development project is allowed to develop up to a maximum of 448,829 square feet including a maximum of 70,000 net square feet for the Plaza El Segundo Phase 1B development project, consisting of a combination of uses as permitted by the Plaza El Segundo Reduced Traffic Generation Alternative described in the Final EIR, the C-4 Zone and as limited by the Development Agreement as long as the total AM, PM peak, daily, and Saturday midday peak trip generation established in the EIR for the Plaza El Segundo development project as a whole is not exceeded.”

VII. Condition No. 30 is hereby amended in its entirety to read as follows:

“The maximum project size may be reduced as determined by the vehicle trip generation for each use. The Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo development project permit the following vehicle trips:

<table>
<thead>
<tr>
<th>MAXIMUM PERMITTED TRIPS</th>
<th>AM</th>
<th>PM</th>
<th>Daily</th>
<th>Saturday Midday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sepulveda/Rosecrans Site Rezoning</td>
<td>1,033</td>
<td>2,346</td>
<td>25,859</td>
<td>3,379</td>
</tr>
<tr>
<td>Plaza El Segundo Development Project</td>
<td>779</td>
<td>1,477</td>
<td>16,645</td>
<td>2,205</td>
</tr>
</tbody>
</table>

The trip generation for each use and building must be determined using the rates identified below, adjusted for internal capture and pass by discount rate consistent with the traffic study for EA No. 631:

<table>
<thead>
<tr>
<th>Shopping Center (per 1,000 sf) – LU 820</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily: Ln(T) = 0.65 Ln(A) + 5.83</td>
</tr>
<tr>
<td>AM Peak Hour Ln(T) = 0.60 Ln(A) + 2.29; I/B=61%, O/B=39%</td>
</tr>
<tr>
<td>PM Peak Hour Ln(T) = 0.66 Ln(A) + 3.40; I/B=48%, O/B=52%</td>
</tr>
<tr>
<td>Saturday Ln(T) = 0.65 Ln(A) + 3.77; I/B=52%, O/B=48%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grocery Store (per 1,000 sf) – LU 850</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily T = 66.95(A) + 1391.56</td>
</tr>
<tr>
<td>AM Peak Hour Ln(T) = 1.70 Ln(A) - 1.42; I/B=61%, O/B=39%</td>
</tr>
<tr>
<td>PM Peak Hour Ln(T) = 0.79 Ln(A) + 3.20; I/B=51%, O/B=49%</td>
</tr>
<tr>
<td>Saturday Ln(T) = 0.74 Ln(A) + 3.47; I/B=51%, O/B=49%</td>
</tr>
</tbody>
</table>
Free Standing Discount Store (per 1,000 sf) – LU 815
Daily: T = 56.02 (A)
AM Peak Hour T = 0.84 (A); I/B=68%, O/B=32%
PM Peak Hour T = 5.06 (A); I/B=50%, O/B=50%
Saturday T = 7.58 (A); I/B=51%, O/B=49%

Electronics Superstore (per 1,000 sf) – LU 863
Daily T = 45.04 (A)
AM Peak Hour T = 0.28 (A); I/B=53%, O/B=47%
PM Peak Hour T = 4.50 (A); I/B=49%, O/B=51%
Saturday [N/A]*

Health Club (per 1,000 sf) – LU 493
Daily T = 43.0 (A)
AM Peak Hour* T = 3.06 (A); I/B=58%, O/B=42%
PM Peak Hour T = 5.76 (A); I/B=63%, O/B=37%
Saturday [N/A]*

Fast-food Restaurant with Drive-Through Window (per 1,000 sf) – LU 934
Daily T = 496.12 (A)
AM Peak Hour T = 53.11 (A); I/B=51%, O/B=49%
PM Peak Hour T = 34.64 (A); I/B=52%, O/B=48%
Saturday T = 59.20 (A); I/B=51%, O/B=49%

High-Turnover (Sit-Down) Restaurant (per 1,000 sf) – LU 932
Daily T = 127.15 (A)
AM Peak Hour T = 11.52 (A); I/B=52%, O/B=48%
PM Peak Hour T = 10.92 (A); I/B=61%, O/B=39%
Saturday T = 20.00 (A); I/B=63%, O/B=37%

Quality Restaurant (per 1,000 sf) – LU 931
Daily T = 89.95 (A)
AM Peak Hour T = 0.81 (A); I/B = 82%, O/B = 18%
PM Peak Hour T = 7.49 (A); I/B = 67%, O/B = 33%

T = trip ends A = building area in 1,000’s of square feet
I/B = inbound percentages LU = ITE land use code
O/B = outbound percentages
Sources:
* Saturday information unavailable – PM Peak hour utilized.”

VIII. Condition No. 33 is hereby amended in its entirety to read as follows:
"Before the issuance of a Building Permit for the Project Area, the applicant must submit plans and specifications for any new curbs, sidewalks, driveway approaches, wheelchair ramps, and asphalt concrete (A.C.) pavement, that must be constructed/reconstructed in the public right-of-way for any missing public segments/areas on the perimeter of the Project Area, as reasonably required by the Director of Public Works. Any existing driveways and other paved areas on the perimeter of the Project Site that will not be incorporated into the development must be removed and replaced with standard curb and sidewalk. Before issuance of a Certificate of Occupancy for the building that is the subject of the Building Permit, the applicant must install the required public improvements per the approved plans to the reasonable satisfaction of the Director of Public Works."

IX. A new Condition No. 33.A is hereby added to read as follows:

"The applicant must submit either a Lot Line Adjustment or Lot Merger application after the recording of Final Map 061530, to merge the two parcels south of Union Pacific Railroad into one parcel."

DEDICATIONS AND FEES

X. Condition No. 35 is hereby amended in its entirety to read as follows:

"The applicant must dedicate approximately 0.50-acres of the "Project Area" to the City for roadway widening along the east side of Sepulveda Boulevard, as required in the Development Agreement and as depicted on Vesting Tentative Map 061630. An easement may be provided in lieu of a dedication, only if Caltrans will not accept the dedication and will only accept an easement. A dedication may be provided for the Phase 1A portion of Sepulveda Boulevard and an easement may be provided for the Phase 1B portion of Sepulveda Boulevard or conversely an easement may be provided for the Phase 1A portion of Sepulveda Boulevard and a dedication may be provided for the Phase 1B portion of Sepulveda Boulevard. Such dedication and/or such easement shall occur through and upon recordation of the Final Map."

TRANSPORTATION/CIRCULATION/PARKING

XI. Condition No. 54 is hereby amended in its entirety to read as follows:

"If the Los Angeles Congestion Management Plan (CMP) requires the City to track the debits/credits associated with development in the City, before the issuance of the first Building Permit for the Project Site, the applicant must provide Los Angeles County Congestion Management Plan (CMP) Debit/Credit Calculations, and a Phasing Plan for CMP related improvements, to the P.B.S. Director and Public Works for review and approval. The calculations must include only programs which meet all the minimum criteria (e.g., density) contained in the CMP. Before the issuance of a Certificate of Occupancy for the building, the applicant must provide evidence to the P.B.S. Director that the proposed project CMP debits/credits related improvements were implemented and balanced in the Project Area in accordance with the approved phasing plan. Compliance with this measure must be verified by the P.B.S. Director before permit
issuance. As may be applicable, the City will give credit for CMP related improvements towards the applicant’s traffic mitigation impact fee, as appropriate.”

XII. Condition No. 57 is hereby amended in its entirety to read as follows:

“The applicant must install ‘No Parking’ and other traffic signs on the Park Place and Allied Way roadway extensions, as required by the Public Works Department. The applicant must install “No Parking” and other traffic signs on Sepulveda Boulevard and Rosecrans Avenue, as required by the Public Works Department.”

XIII. Condition No. 61 is hereby amended in its entirety to read as follows:

“Prior to the issuance of a Certificate of Occupancy for any building in the Project Area, the new roadways, including any medians, sidewalks, curbs, and gutters must be constructed in accordance with applicable Department of Public Works construction standards for a public roadway with the minimum dimensions required by the Circulation Element of the El Segundo General Plan, and must comply with applicable requirements of the Americans with Disabilities Act (ADA), as well as City requirements for traffic signage, street lighting, drainage plans, and underground utility service, subject to the review and approval of the Director of Public Works. The applicant must be responsible for the design and construction of the new roadways.”

UTILITIES

XIV. Condition No. 78 is hereby amended in its entirety to read as follows:

“Before issuance of the first building permit in the Project Area, the applicant must inspect the existing sewer laterals that connect to the City sewer mains in the area with closed circuit television (CCTV) to determine the condition of the existing infrastructure that will serve the project. All reports and copies of CCTV videos must be submitted to the Public Works Department.”

XV. Condition No. 82 is hereby amended in its entirety to read as follows:

“Before issuance of a first Certificate of Occupancy for any building in the Project Area north of the Union Pacific Railroad right-of-way, the applicant must replace the 15-inch sewer line located to the north of the project site with an 18-inch sewer line as depicted on the Phase 1 Utility Layout plan. Before issuance of a first Certificate of Occupancy for any building in the Project Area south of the Union Pacific Railroad right-of-way, the applicant must prepare an analysis of the existing sanitary system on Rosecrans Avenue and calculate additional flow resulting from the proposed development into the existing system. If necessary, upgrade the 12” and 15” diameter downstream sanitary sewer pipes on Rosecrans Avenue from point of connection to Aviation Boulevard.”
WATER

XVI. Condition No. 94 is hereby amended in its entirety to read as follows:

"The applicant must install a loop water distribution system for the Project Area with service connections to each of the water mains in the streets surrounding the project, subject to the review and approval of the Director of Public Works. Before the issuance of each Building Permit in the Project Area, the applicant must submit a construction phasing plan for the water service, which must include, without limitation, how the building which is the subject of the permit will be connected to the looped water distribution system. The looped water system must provide water mains connection to Rosecrans Avenue on the south and Sepulveda Boulevard to the west."

XVII. A new Condition 100 is hereby added to the Conditions of Approval to read as follows:

"Water meters must be provided for each building by the applicant per City Standard and approved by the City of El Segundo Water Division prior to installation."

Except as set forth herein, the Conditions of Approval shall remain in full force and effect.
<table>
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<th>Term</th>
<th>Section</th>
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<tr>
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<td>Zone Text Amendment</td>
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</tbody>
</table>
EXHIBIT E

ENCUMBRANCES TO WHICH THE RSP 4 DEED OF TRUST MAY BE SUBJECT

The RSP 4 Deed of Trust may only be encumbered by the exceptions identified in Section A of Schedule B (Items 1 through 5), and Section B of Schedule B (Items A, B, and C.1. through C.5), of that certain preliminary title report issued by Commonwealth Land Title Company on November 7, 2007 (File No. 06158316-27).
CITY COUNCIL RESOLUTION No. 4542 Exhibit "C"
CITY COUNCIL ORDINANCE No. 1417 Exhibit "B"

CONDITIONS OF APPROVAL

The following conditions shall be binding upon Rosecrans-Sepulveda Partners 2, LLC, and PES Partners, LLC, the property owner(s) and their successors in interest, including without limitation occupants of the property. The following conditions for the City of El Segundo’s approval of Environmental Assessment No. 768, Zone Text Amendment No. 08-01, Development Agreement No. 07-03 ("Project Conditions") shall be fully complied with as set forth below.

1. All mitigation measures in the Environmental Impact Report (SCH No. 2003121037) for Environmental Assessment No. 631, Development Agreement No. 03-1, General Plan Amendment No. 03-4 & 03-5, Zone Change No. 03-2 & 03-3, Zone Text Amendment No. 04-1, and Subdivision No. 03-7, which are reflected in the Mitigation Monitoring and Reporting Program for the proposed Sepulveda/Rosecrans Site Rezoning Reduced Traffic Generation Alternative and Plaza El Segundo Development Reduced Traffic Generation Alternative are incorporated by this reference into these conditions of approval.

2. All conditions of approval in Environmental Assessment No. 631, Development Agreement No. 03-1, General Plan Amendment No. 03-4 & 03-5, Zone Change No. 03-2 & 03-3, Zone Text Amendment No. 04-1, and Subdivision No. 03-7, except as modified below.

3. Condition No. 2 of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

DEFINITIONS

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in these conditions.

A. "P.B.S. Director" means the City of El Segundo Director of Planning and Building Safety, or designee.

B. "EIR" means the Final Environmental Impact Report for the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo development project (SCH No. 2003121037), El Segundo, California.


C-1. Development Agreement refers to Development Agreement No. 03-1 and any amendments thereto.

2/19/08
CITY COUNCIL RESOLUTION No. 4542 Exhibit “C”

CITY COUNCIL ORDINANCE No. 1417 Exhibit “B”

CONDITIONS OF APPROVAL

D. “Project Area” refers to each of the 20 developable lots on the Plaza El Segundo development Project Site as shown on Vesting Tentative Map No. 061630 and the 3.41 acres comprised of Parcel 1 of Lot Line Adjustment No. 07-06 (formerly Parcel 2 and that portion of Parcel 3 of Parcel Map No. 17911, in the City of El Segundo, County of Los Angeles, State of California, As Per Map Filed in Book 269, Pages 82 through 84, of Parcel Maps, in the Office of the County Recorder of Said County, lying Westerly of a line parallel with and 120.00 feet easterly of the westerly line of said Parcel 3, said line shown as “S 00 Degrees 02’26” W 418.50 Degrees on Said Parcel Map).

E. “Project Site” refers to the 43.3-acre site generally located south of Hughes Way, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue.

E-1. “Project Site Phase 1B” refers to the 8.13-acre site comprised of the approximately 4.72-acre portion of Vesting Tentative Map No. 061630 south of the Union Pacific Railroad and the 3.41 acres comprised of Parcel 1 of Lot Line Adjustment No. 07-06 (formerly Parcel 2 and that portion of Parcel 3 of Parcel Map No. 17911, in the City of El Segundo, County of Los Angeles, State of California, As Per Map Filed in Book 269, Pages 82 through 84, of Parcel Maps, in the Office of the County Recorder of Said County, lying Westerly of a line parallel with and 120.00 feet easterly of the westerly line of said Parcel 3, said line shown as “S 00 Degrees 02’26” W 418.50 Degrees on Said Parcel Map), generally located south of the Union Pacific Railroad, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue.

E-2. “Phase 1A” refers to the portion of the Project Area located north of the Union Pacific Railroad right-of-way.

E-3. “Phase 1B” refers to the portion of the Project Area located south of the Union Pacific Railroad right-of-way.

F. “Sepulveda/Rosecrans Rezoning Site” refers to the approximately 110 acres generally located south of Hughes Way, east of Sepulveda Boulevard, west of Douglas Street, and north of Rosecrans Avenue which is the subject of a General Plan and Zoning Code Amendment that is being considered concurrently with the land use entitlements for the Project Area and the Project Site.

G. Except as otherwise specified in these Conditions of Approval, conditions must be satisfied before the issuance of a Building Permit for each building within the Project Area.
CITY COUNCIL RESOLUTION No. 4542 Exhibit “C”
CITY COUNCIL ORDINANCE No. 1417 Exhibit “B”
CONDITIONS OF APPROVAL
AESTHETICS

Materials and Design

4. Condition No. 5F of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

“All buildings must be in accordance with the Project Area’s Conditions, Covenants and Restrictions (CC&R’s).”

5. Condition No. 5L of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

“A six-foot high solid wall must be constructed along the southern property line of Lot 15 of Vesting Tentative Tract Map No. 061630 for at least a length of 200 feet from the eastern edge of the Sepulveda Boulevard right-of-way and along the northern property line of Lot 19 of Vesting Tentative Tract Map No. 061630 for at least a length of 200 feet from the eastern edge of the Sepulveda Boulevard right-of-way. A six-foot high wall or a fence constructed of vinyl chain link or other material must be constructed along the remaining property lines of the Project Area abutting the Union Pacific Railroad right-of-way with screening of the right-of-way with the use of landscaping, including, without limitation, vines, hedges and/or trees to the satisfaction of the P.B.S. Director. A combination of a fence constructed of 6-foot high wrought iron or steel tubing and a six-foot high solid wall compatible with the fence and wall materials on the portion of the site north of the Union Pacific Railroad right-of-way must be constructed along the northern property line of Project Site Phase 1B for those portions east of the eastern edge of the Sepulveda Boulevard right-of-way with screening of the right-of-way with the use of landscaping, that includes without limitation, vines, hedges and/or trees to the satisfaction of the P.B.S. Director excepting those areas closest to Sepulveda Boulevard prohibited by Union Pacific Railroad for visibility and safety reasons.”

6. Condition No. 5S of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

“The Project Area site plan must be revised to provide sidewalks or other designated pathways following direct and safe routes from the Park Place right-of-way to buildings H through A-7, from the Park Place right-of-way to Pad D, and from the Sepulveda Boulevard right-of-way to Building No. 2, and any other building that may be developed that is setback more than 200 feet from a public right-of-way, subject to the review and approval of the P.B.S. Director. The Project Area site plan must provide sidewalks or other designated pathways following direct and safe routes from the Sepulveda Boulevard public right-of-way and the Rosecrans Avenue public right-of-way to the entrances of the buildings and the plaza in front of the buildings, subject to the review and approval of the P.B.S. Director.”
Landscaping and Irrigation

7. Condition No. 7 of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

Before the issuance of the first Building Permit in the Project Area, the applicant must provide a Landscape Plan and Architectural Plan (i.e. construction drawings), consistent with the Master Landscaping Plan, to the P.B.S. Director, Director of Recreation and Parks, and the Police Chief for review and approval. The Landscape Plan and Architectural Plan must demonstrate that errant nighttime illumination is generally screened from other potentially sensitive uses, through building design and landscape treatments. Before the issuance of the first Building Permit in the Project Site Phase 1B, the applicant must provide a Landscape and Irrigation Plan and an Architectural Site Plan (i.e. construction drawings), consistent with the Master Landscaping Plan, to the P.B.S. Director, Director of Recreation and Parks, and the Police Chief for review and approval that includes the use of trees, hedges, and or vines along the eastern boundary from Rosecrans Avenue to the Union Pacific Railroad. The plant material must be placed west and in front of the property line wall or fence. The Landscape Plan must utilize decorative pavement material in the plaza and for the pedestrian entrances to the plaza. The Landscape Plan and Architectural Plan must demonstrate that errant nighttime illumination is generally screened from other potentially sensitive uses, through building design and landscape treatments.

Signs

8. Condition No. 9 of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

"Before the issuance of the first Building Permit in the Project Area, the applicant must submit to the P.B.S. Director for review and approval an overall Master Sign Program for the Project Area. Before the issuance of a Certificate of Occupancy for each building within the Project Area, the applicant must submit construction sign plans substantially consistent with the approved Master Sign Program for the review and approval of the P.B.S. Director. Before the issuance of a Certificate of Occupancy, signs must be installed in accordance with the approved Master Sign Program. The overall Master Sign Program must include, without limitation:

A. Compliance with the ESMC;

B. Notwithstanding any other provisions in the ESMC, a maximum of three ground or monument signs with a maximum height of 35 feet each are permitted along the Sepulveda Boulevard street frontage of the Project Area north of the Union Pacific Railroad;
CITY COUNCIL RESOLUTION No. 4542 Exhibit “C”

CITY COUNCIL ORDINANCE No. 1417 Exhibit “B”

CONDITIONS OF APPROVAL

B-1. Notwithstanding any other provisions in the ESMC, a maximum of two ground or monument signs with a maximum height of 20 feet each are permitted along the Sepulveda Boulevard street frontage of the Project Area south of the Union Pacific Railroad;

C. Notwithstanding any other provisions in the ESMC, a maximum of two ground or monument signs with a maximum height of 25 feet are permitted along the Park Place street frontages of the Project Area;

D. Notwithstanding any other provisions in the ESMC, a maximum of two ground or monument signs with a maximum height of 25 feet are permitted along the Allied Way street frontages of the Project Area;

D-1. Notwithstanding any other provisions in the ESMC, a maximum of two ground or monument signs with a maximum height of 20 feet each are permitted along the Rosecrans Avenue street frontage of the Project Area;

D-2. A maximum of two light emitting diode signs ("LED Sign"), not to exceed 30’ in height and 60’ in width each, may be located within the interior portion of Phase 1B. The displays are intended for viewing by the customers of Phase 1B and Developer shall use reasonable efforts to minimize exposure of the displays to Rosecrans Avenue and Sepulveda Boulevard. In addition, in no event shall the top of any display exceed 15’ above a plane that is parallel with the 157.00 foot elevation of the northeast corner of Rosecrans Avenue and Sepulveda Boulevard. Each sign shall be utilized for the purpose of providing on site advertising for tenants of the Project and for the products that are offered for sale by those tenants (but only in conjunction with the display of the name of the tenant that sells the product), and may also be utilized for movie projections and abstract video and artistic images that are not related to advertising any particular product, or entertainment, retail or service use. Each sign shall be attached to a building or other structure and integrated into the architectural design of the building and shall not be free standing;

E. Notwithstanding any other provisions in the ESMC, no freestanding or pole signs, except as set forth in this Condition No. 9 and as except as described in Condition No. 10 below, are permitted along the Rosecrans Avenue frontage of the Project Area;

F. All signs must be architecturally compatible with the proposed buildings;

G. All signs must be compatible with the aesthetic objectives of the General Plan; and,

H. No sign must impede traffic or pedestrian safety.
CONDITIONS OF APPROVAL

I. Height limitation of signs referred to in this Condition No. 9 shall be measured from the average adjacent street elevation."

9. Condition No. 10 of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

"Before the issuance of a Final Certificate of Occupancy for the first building in the Project Area, the applicant must construct and maintain a monument sign at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue announcing the entrance to the City. The sign is subject to review and approval by the City Council. The sign should be compatible with the design of the Master Sign Program for the Plaza El Segundo development project."

PROJECT DESCRIPTION

Plans

10. Condition No. 29 of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

"The Plaza El Segundo development project is allowed to develop up to a maximum of 448,829 square feet including a maximum of 70,000 square feet for the Plaza El Segundo Phase 1B development project, consisting of a combination of uses as permitted by the Plaza El Segundo Reduced Traffic Generation Alternative described in the Final EIR, the C-4 Zone and as limited by the Development Agreement as long as the total AM, PM peak, daily, and Saturday midday peak trip generation established in the EIR for the Plaza El Segundo development project as a whole is not exceeded."

11. Condition No. 30 of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

"The maximum project size may be reduced as determined by the vehicle trip generation for each use. The Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo development project permit the following vehicle trips:

<table>
<thead>
<tr>
<th>MAXIMUM PERMITTED TRIPS</th>
<th>AM</th>
<th>PM</th>
<th>Daily</th>
<th>Saturday Midday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sepulveda/Rosecrans Site Rezoning</td>
<td>1,033</td>
<td>2,346</td>
<td>25,859</td>
<td>3,379</td>
</tr>
<tr>
<td>Plaza El Segundo Development Project</td>
<td>779</td>
<td>1,477</td>
<td>16,645</td>
<td>2,205</td>
</tr>
</tbody>
</table>
CONDITIONS OF APPROVAL

The trip generation for each use and building must be determined using the rates identified below, adjusted for internal capture and pass by discount rate consistent with the traffic study for EA No. 631:

<table>
<thead>
<tr>
<th>Use</th>
<th>Daily</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shopping Center (per 1,000 sf) – LU 820</td>
<td></td>
<td>Ln(T) = 0.65 Ln(A) + 5.83</td>
<td>Ln(T) = 0.60 Ln(A) + 2.29; I/B=61%, O/B=39%</td>
<td>Ln(T) = 0.65 Ln(A) + 3.77; I/B=52%, O/B=48%</td>
</tr>
<tr>
<td>Grocery Store (per 1,000 sf) – LU 850</td>
<td>Daily T = 66.95(A) + 1391.56</td>
<td>Ln(T) = 1.70 Ln(A) – 1.42; I/B=61%, O/B=39%</td>
<td>Ln(T) = 0.79 Ln(A) + 3.20; I/B=51%, O/B=49%</td>
<td>Ln(T) = 0.74 Ln(A) + 3.47; I/B=51%, O/B=49%</td>
</tr>
<tr>
<td>Free Standing Discount Store (per 1,000 sf) – LU 815</td>
<td>Daily: T = 56.02(A)</td>
<td>T = 0.84 (A); I/B=68%, O/B=32%</td>
<td>T = 5.06 A; I/B=50%, O/B=50%</td>
<td>T = 7.58 (A); I/B=51%, O/B=49%</td>
</tr>
<tr>
<td>Electronics Superstore (per 1,000 sf) – LU 863</td>
<td>Daily T = 45.04 (A)</td>
<td>T = 0.28 (A); I/B=53%, O/B=47%</td>
<td>T = 4.50 (A); I/B=49%, O/B=51%</td>
<td>T[A]</td>
</tr>
<tr>
<td>Health Club (per, 1,000 sf) – LU 493</td>
<td>Daily T = 43.0 (A)</td>
<td>T = 3.06 (A); I/B=58%, O/B=42%</td>
<td>T = 5.76 (A); I/B=63%, O/B=37%</td>
<td>T[A]</td>
</tr>
<tr>
<td>Fast-food Restaurant with Drive-Through Window (per 1,000 sf) – LU 934</td>
<td>Daily T = 496.12 (A)</td>
<td>T = 53.11 (A); I/B=51%, O/B=49%</td>
<td>T = 34.64 (A); I/B=52%, O/B=48%</td>
<td>T = 59.20 (A); I/B=51%, O/B=49%</td>
</tr>
<tr>
<td>High-Turnover (Sit-Down) Restaurant (per 1,000 sf) – LU 932</td>
<td>Daily T = 127.15 (A)</td>
<td>T = 11.52 (A); I/B=52%, O/B=48%</td>
<td>T[A]</td>
<td></td>
</tr>
</tbody>
</table>
12. Condition No. 33 of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

"Before the issuance of a Building Permit for the Project Area, the applicant must submit plans and specifications for any new curbs, sidewalks, driveway approaches, wheelchair ramps, and asphalt concrete (A.C.) pavement, that must be constructed/reconstructed in the public right-of-way for any missing public segments/areas on the perimeter of the Project Area, as reasonably required by the Director of Public Works. Any existing driveways and other paved areas on the perimeter of the Project Site that will not be incorporated into the development must be removed and replaced with standard curb and sidewalk. Before issuance of a Certificate of Occupancy for the building that is the subject of the Building Permit, the applicant must install the required public improvements per the approved plans to the reasonable satisfaction of the Director of Public Works."

13. Condition No. 33A of Exhibit C to Ordinance No. 1382 is added to read as follows:

"The applicant must submit either a Lot Line Adjustment or Lot Merger application after the recording of Final Map 061530, to realign the two parcels south of Union Pacific Railroad to match the proposed locations of the buildings to maintain conformity with the development standards in the ESMC."

**DEDICATIONS AND FEES**

14. Condition No. 35 of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

"The applicant must dedicate approximately 0.50-acres of the "Project Area" to the city for roadway widening along the east side of Sepulveda Boulevard, as required in Development Agreement No. 03-1 and as depicted on Vesting Tentative Map..."
061630. An easement may be provided in lieu of a dedication, only if Caltrans will not accept the dedication and will only accept an easement. A dedication may be provided for the Phase 1A portion of Sepulveda Boulevard and an easement may be provided for the Phase 1B portion of Sepulveda Boulevard or conversely an easement may be provided for the Phase 1A portion of Sepulveda Boulevard and a dedication may be provided for the Phase 1B portion of Sepulveda Boulevard. Such dedication and/or such easement shall occur through and upon recordation of the Final Map.”

TRANSPORTATION/CIRCULATION/PARKING

15. Condition No. 54 of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

“If the Los Angeles Congestion Management Plan (CMP) requires the City to track the debits/credits associated with development in the City, before the issuance of the first Building Permit for the Project Site, the applicant must provide Los Angeles County Congestion Management Plan (CMP) Debit/Credit Calculations, and a Phasing Plan for CMP related improvements, to the P.B.S. Director and Public Works for review and approval. The calculations must include only programs which meet all the minimum criteria (e.g., density) contained in the CMP. Before the issuance of a Certificate of Occupancy for the building, the applicant must provide evidence to the P.B.S. Director that the proposed project CMP debits/credits related improvements were implemented and balanced in the Project Area in accordance with the approved phasing plan. Compliance with this measure must be verified by the P.B.S. Director before permit issuance. As may be applicable, the City will give credit for CMP related improvements towards the applicant’s traffic mitigation impact fee, as appropriate.”

16. Condition No. 57 of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

“The applicant must install ‘No Parking’ and other traffic signs on the Park Place and Allied Way roadway extensions, as required by the Public Works Department. The applicant must install “No Parking” and other traffic signs on Sepulveda Boulevard and Rosecrans Avenue, as required by the Public Works Department.”

17. Condition No. 61 of Exhibit C to Ordinance No. 1382 is amended in its entirety to read as follows:

“Prior to the issuance of a Certificate of Occupancy for any building in the Project Area, the new roadways, including any medians, sidewalks, curbs, and gutters must be constructed in accordance with applicable Department of Public Works construction standards for a public roadway with the minimum dimensions required by the Circulation Element of the El Segundo General Plan, and must comply with
CONDITIONS OF APPROVAL

applicable requirements of the Americans with Disabilities Act (ADA), as well as City
requirements for traffic signage, street lighting, drainage plans, and underground
utility service, subject to the review and approval of the Director of Public Works.
The applicant must be responsible for the design and construction of the new
roadways."

UTILITIES

18. Condition No. 78 of Exhibit C to Ordinance No. 1382 is amended in its entirety to
read as follows:

“Before issuance of the first building permit in the Project Area, the applicant must
inspect the existing sewer laterals that connect to the City sewer mains in the area
with closed circuit television (CCTV) to determine the condition of the existing
infrastructure that will serve the project. All reports and copies of CCTV videos must
be submitted to the Public Works Department.”

19. Condition No. 82 of Exhibit C to Ordinance No. 1382 is amended in its entirety to
read as follows

“Before issuance of a first Certificate of Occupancy for any building in the Project
Area north of the Union Pacific Railroad right-of-way, the applicant must replace the
15-inch sewer line located to the north of the project site with an 18-inch sewer line
as depicted on the Phase 1 Utility Layout plan. Before issuance of a first Certificate
of Occupancy for any building in the Project Area south of the Union Pacific Railroad
right-of-way, the applicant must prepare an analysis of the existing sanitary system
on Rosecrans Avenue and calculate additional flow resulting from the proposed
development into the existing system. If necessary, upgrade the 12" and 15"
diameter downstream sanitary sewer pipes on Rosecrans Avenue from point of
connection to Aviation Boulevard.”

WATER

20. Condition No. 94 of Exhibit C to Ordinance No. 1382 is amended in its entirety to
read as follows:

“The applicant must install a loop water distribution system for the Project Area with
service connections to each of the water mains in the streets surrounding the
project, subject to the review and approval of the Director of Public Works. Before
the issuance of each Building Permit in the Project Area, the applicant must submit a
construction phasing plan for the water service, which must include, without
limitation, how the building which is the subject of the permit will be connected to the
looped water distribution system. The looped water system must provide water
mains connection to Rosecrans Avenue on the south and Sepulveda Boulevard to
the west.”
21. Condition No. 100 is added to read as follows:

"At least two water meters must be provided by the applicant per City Standard and approved by the City of El Segundo Water Division prior to installation."

INDEMNIFICATION

22. The Developer must defend, indemnify and hold the City and its elected and appointed officials, officers, employees and agents harmless from and against any claims, legal or equitable actions, damages, costs (including, without limitation, attorney's fees), injuries, or liability of whatsoever kind or nature, arising from the City's approval of the project, including but not limited to the CEQA determination and/or the Development Agreement approval.

23. Rosecrans Sepulveda Partners 2, LLC and PES Partners, LLC must acknowledge receipt and acceptance of the Project Conditions by executing the acknowledgement below.

By signing this document, Rosecrans Sepulveda Partners 2, LLC, and PES Partners, LLC, certify that they have read, understood, and agrees to the Project Conditions listed in this document and represents and warrants that it has the authority to execute this document on behalf of the property owner and acknowledges that the conditions set forth above shall run with the land and be binding upon all owners and occupants of the land.

Rosecrans Sepulveda Partners 2, LLC

By: ______________________________
   Dan Crosser

Its: Vice-President ______________________________

By: ______________________________
   Eric Winquist

Its: Vice-President ______________________________
PES Partners, LLC

By: ______________________________
   Dan Cresser

Its:  Vice-President ____________________

By: ______________________________
   Eric Winquist

Its:  Vice-President ____________________

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}
IX. MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM PROCEDURES

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for the changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring Program, Section 15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). The Planning and Building Safety Department for the City of El Segundo is the Lead Agency for the Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development.

An Environmental Impact Report has been prepared to address the potential environmental impacts of the proposed project. Where appropriate, this environmental document identified project design features or recommended mitigation measures to avoid or to reduce potentially significant environmental impacts of the proposed project. This Mitigation Monitoring and Reporting Program (MMRP) is designed to monitor implementation of requirements for subsequent environmental documentation and mitigation measures identified for the Sepulveda/Rosecrans Site Rezoning Reduced Traffic Generation Alternative and the Plaza El Segundo Reduced Traffic Generation Alternative Development. The MMRP is subject to review and approval by the Lead Agency as part of the certification of the EIR and adoption of project conditions. The required subsequent environmental documentation and mitigation measures are listed separately and categorized by impact area, with an accompanying identification of the following:

- Monitoring Phase, the phase of the project during which the mitigation measure must be monitored;
  - Pre-Construction, including the design phase
  - Construction
  - Post-Construction

- The Implementing Party, the agency with the power to implement the mitigation measure;

- The Enforcement Agency, the agency with the power to enforce the mitigation measure, and

\[1 \text{ In addition to mitigation measures, requirements for the preparation of subsequent environmental analysis and documentation are identified in the EIR. These requirements are intended to provide guidance for environmental review of future projects that would implement the Sepulveda/Rosecrans Site Rezoning, using the Program EIR. Because these requirements would also work to mitigate or avoid significant effects on the environment in accordance with PRC Section 21081.6, they have been included in this MMRP.}\]
• The Monitoring Agency, the agency to which reports involving feasibility, compliance, implementation and development are made.

The MMRP performance must be monitored annually to determine the effectiveness of the measures implemented in any given year and re-evaluate the mitigation needs for the upcoming year.

I. AESTHETICS

Subsequent Environmental Documentation

No subsequent environmental documentation is required for the Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

Impacts related to visual character and light and glare would be less than significant under the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development. No mitigation measures are required. However, the following measures are recommended as Conditions of Approval to ensure that potential impacts from glare are less than significant.

B-1 Expansive areas of highly reflective materials, such as mirrored glass, must not be permitted. Non-reflective building materials must be used to the maximum extent possible to reduce potential glare impacts.

<table>
<thead>
<tr>
<th>Monitoring Phase:</th>
<th>Pre-construction; Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implementation Party:</td>
<td>Applicant</td>
</tr>
<tr>
<td>Enforcement Agency:</td>
<td>Planning and Building Safety Department</td>
</tr>
<tr>
<td>Monitoring Agency:</td>
<td>Planning and Building Safety Department</td>
</tr>
</tbody>
</table>

B-2 Lighting must be designed to minimize off-site glare.

<table>
<thead>
<tr>
<th>Monitoring Phase:</th>
<th>Pre-construction; Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implementation Party:</td>
<td>Applicant</td>
</tr>
<tr>
<td>Enforcement Agency:</td>
<td>Planning and Building Safety Department</td>
</tr>
<tr>
<td>Monitoring Agency:</td>
<td>Planning and Building Safety Department</td>
</tr>
</tbody>
</table>

Plaza El Segundo Development

Impacts related to visual character and light and glare would be less than significant under the Plaza El Segundo Development. No mitigation measures are required. However, the following measures are recommended as Conditions of Approval to ensure that potential impacts from glare are less than significant.
B-3 Expansive areas of highly reflective materials, such as mirrored glass, must not be permitted. Non-reflective building materials must be used to the maximum extent possible to reduce potential glare impacts.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning and Building Safety Department  
**Monitoring Agency:** Planning and Building Safety Department

B-4 Lighting must be designed to minimize off-site glare.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning and Building Safety Department  
**Monitoring Agency:** Planning and Building Safety Department

II. **AIR QUALITY**

**Subsequent Environmental Documentation**

Subsequent environmental documentation must be prepared for any future development project proposed within the Sepulveda/Rosecrans Rezoning Site to identify emissions associated with construction of that specific development. The subsequent environmental documentation must address the following:

C-1 Prior to implementation of specific development projects, impacts associated with construction emissions must be examined in light of this Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. This examination must provide quantified estimates of construction emissions based upon the specific site, schedule and construction equipment utilization characteristics of the proposed development and compare the estimated emissions to the SCAQMD thresholds for construction emissions. The analysis must incorporate the mitigation measures identified below as appropriate, along with any other mitigation measures identified by the project-specific analysis.

**Mitigation Measures**

**Sepulveda/Rosecrans Site Rezoning**

C-1 Prior to implementation of specific development projects, impacts associated with construction emissions must be examined. This examination must provide quantified estimates of construction emissions based upon the specific site, schedule and construction equipment utilization characteristics of the proposed development and compare the estimated emissions to the SCAQMD thresholds for construction emissions.
The analysis must incorporate the mitigation measures identified below as appropriate, along with any other mitigation measures identified by the project-specific analysis.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning and Building Safety Department  
**Monitoring Agency:** Planning and Building Safety Department

**Construction**

**C-2** The construction area and vicinity (500-foot radius) must be swept (preferably with water sweepers) and watered at least twice daily. Site wetting must occur often enough to maintain a 10 percent surface soil moisture content throughout all earth moving activities.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** South Coast Air Quality Management District  
**Monitoring Agency:** Planning and Building Safety Department; Public Works Department

**C-3** All unpaved roads, parking and staging areas must be watered at least once every two hours of active operation.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** South Coast Air Quality Management District  
**Monitoring Agency:** Planning and Building Safety Department; Public Works Department

**C-4** Site access points must be swept/washed within thirty minutes of visible dirt deposition.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** South Coast Air Quality Management District  
**Monitoring Agency:** Planning and Building Safety Department; Public Works Department

**C-5** On-site stockpiles of debris, dirt or rusty materials must be covered or watered at least twice daily.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-6 All haul trucks hauling soil, sand, and other loose materials must either be covered or maintain two feet of freeboard.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-7 All haul trucks must have a capacity of no less than twelve and three-quarter (12.75) cubic yards.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-8 At least 80 percent of all inactive disturbed surface areas must be watered on a daily basis when there is evidence of wind driven fugitive dust.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-9 Operations on any unpaved surfaces must be suspended when winds exceed 25 mph.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-10 Traffic speeds on unpaved roads must be limited to 15 miles per hour.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department
C-11 Operations on any unpaved surfaces must be suspended during first and second stage smog alerts.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** South Coast Air Quality Management District  
**Monitoring Agency:** Planning and Building Safety Department; Public Works Department

C-12 The applicant must develop and implement a construction management plan, as approved by the City of El Segundo, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD.

a. Configure construction parking to minimize traffic interference.

b. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).

c. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable.

d. Re-route construction trucks away from congested streets.

e. Consolidate truck deliveries when possible.

f. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.

g. Maintain equipment and vehicle engines in good condition and in proper tune as per manufacturer’s specifications and per SCAQMD rules, to minimize exhaust emissions.

h. Suspend use of all construction equipment operations during second stage smog alerts. Contact SCAQMD at (800) 242-4022 for daily forecasts.

i. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators.

j. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.

k. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.
Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

Plaza El Segundo Development

Construction

C-13 The construction area and vicinity (500-foot radius) must be swept (preferably with water sweepers) and watered at least twice daily. Site wetting must occur often enough to maintain a 10 percent surface soil moisture content throughout all earth moving activities.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-14 All unpaved roads, parking and staging areas must be watered at least once every two hours of active operation.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-15 Site access points must be swept/washed within thirty minutes of visible dirt deposition.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-16 On-site stockpiles of debris, dirt or rusty materials must be covered or watered at least twice daily.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-17 All haul trucks hauling soil, sand, and other loose materials must either be covered or maintain two feet of freeboard.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-18 All haul trucks must have a capacity of no less than twelve and three-quarter (12.75) cubic yards.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-19 At least 80 percent of all inactive disturbed surface areas must be watered on a daily basis when there is evidence of wind driven fugitive dust.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-20 Operations on any unpaved surfaces must be suspended when winds exceed 25 mph.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department

C-21 Traffic speeds on unpaved roads must be limited to 15 miles per hour.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Planning and Building Safety Department; Public Works Department
C-22 Operations on any unpaved surfaces must be suspended during first and second stage smog alerts.

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C-23 The applicant must develop and implement a construction management plan, as approved by the City of El Segundo, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD.

a. Configure construction parking to minimize traffic interference.

b. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).

c. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable.

d. Re-route construction trucks away from congested streets.

e. Consolidate truck deliveries when possible.

f. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.

g. Maintain equipment and vehicle engines in good condition and in proper tune as per manufacturer’s specifications and per SCAQMD rules, to minimize exhaust emissions.

h. Suspend use of all construction equipment operations during second stage smog alerts. Contact SCAQMD at (800) 242-4022 for daily forecasts.

i. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators.

j. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.

k. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.
Monitoring Phase: Pre-construction; Construction  
Implementation Party: Applicant  
Enforcement Agency: South Coast Air Quality Management District  
Monitoring Agency: Planning and Building Safety Department; Public Works Department

III. BIOLOGICAL RESOURCES

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for any proposed development project that includes the northwest corner of the proposed Sepulveda/Rosecrans Rezoning Site that has been identified as potentially containing 0.30 acres of jurisdictional wetlands area under the jurisdiction of LARWQCB. Impacts to any jurisdictional wetlands that may exist in this area must be examined, at the time the development project is proposed, in light of the Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. The subsequent environmental documentation must address the following:

D-1 A site specific analysis must be conducted to determine whether the design of the proposed development project would impact any of the 0.30 acres identified as potential jurisdictional wetlands. This analysis shall be completed prior to the start of construction activities for any proposed development within the Sepulveda/Rosecrans Rezoning Site. If jurisdictional wetlands would be affected by the development project, measures shall be identified to reduce impacts to less than significant levels.

Subsequent environmental documentation must also be prepared for any proposed development project within the proposed Sepulveda/Rosecrans Rezoning Site to determine the presence/absence of sensitive species. This information must be examined, at the time the development project is proposed, in light of the Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. The subsequent environmental documentation must address the following:

D-2 Site specific analysis of potential effects to four sensitive bird species (white tailed kite, loggerhead shrike, burrowing owl and Belding’s savannah sparrow) must be conducted prior to the start of construction activities for any proposed development within the Sepulveda/Rosecrans Rezoning Site. If any of these sensitive species would be affected by the proposed development, measures must be identified to reduce impacts to these species to less than significant levels, including, but not limited to, on-site monitoring by a qualified biologist during grading and/or construction activities.
In the preparation of subsequent environmental documentation, as described above, it is not necessary to re-survey any area that has already been addressed in this EIR or may be surveyed in the course of preparing subsequent environmental documentation for later projects.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

D-1. A site specific analysis must be conducted to determine whether the design of the proposed development project would impact any of the 0.30 acres identified as potential jurisdictional wetlands. This analysis shall be completed prior to the start of construction activities for any proposed development within the Sepulveda/Rosecrans Rezoning Site. If jurisdictional wetlands would be affected by the development project, measures shall be identified to reduce impacts to less than significant levels.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Los Angeles Regional Water Quality Control Board
Monitoring Agency: Planning Division

D-2. Site specific analysis of potential effects to four sensitive bird species (white tailed kite, loggerhead shrike, burrowing owl and Belding’s savannah sparrow) must be conducted prior to the start of construction activities for any proposed development within the Sepulveda/Rosecrans Rezoning Site. If any of these sensitive species would be affected by the proposed development, measures must be identified to reduce impacts to these species to less than significant levels, including, but not limited to, on-site monitoring by a qualified biologist during grading and/or construction activities.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: California Department of Fish and Game
Monitoring Agency: Planning Division

D-3. All construction personnel must receive copies of all pertinent mitigation measures to reduce impacts to general biological resources and must be instructed on avoiding adverse impacts to birds encountered on-site.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

D-4. Prior to site remediation or construction grading on parts of the Site where burrowing owls may occur, a qualified biologist must be retained to conduct surveys for burrowing
owl to determine if it is resident on-site. Surveys must be conducted no more than 30 days prior to commencement of such activities. If burrowing owl is determined to be resident, a qualified biologist must oversee site remediation and demolition activities in and around any semi-natural areas which could be occupied by burrowing owl. Proposed mitigation measures must be presented to the California Department of Fish and Game and/or U.S. Fish and Wildlife Service for approval to avoid directly harming the owl if it is present on-site during these activities.

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**Plaza El Segundo Development**

D-5. All construction personnel must receive copies of all pertinent mitigation measures to reduce impacts to general biological resources and must be instructed on avoiding adverse impacts to birds encountered on-site.

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D-6. Prior to site remediation or construction grading on parts of the Site where burrowing owls may occur, a qualified biologist must be retained to conduct surveys for burrowing owl to determine if it is resident on-site. Surveys must be conducted no more than 30 days prior to commencement of such activities. If burrowing owl is determined to be resident, a qualified biologist must oversee site remediation and demolition activities in and around any semi-natural areas which could be occupied by burrowing owl. Proposed mitigation measures must be presented to the California Department of Fish and Game and/or U.S. Fish and Wildlife Service for approval to avoid directly harming the owl if it is present on-site during these activities.

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D-7. Prior to issuance of building permits, evidence must be provided to the City of El Segundo that all necessary approvals for any wetland dredge/fill contemplated by such
permit have been obtained from the Regional Water Quality Control Board – Los Angeles Region or equivalent documentation, or a waiver stating that no permit is presently required pursuant to the regulations of that agency. If required, conditions for permit approval by LARWQCB must include, but may not be limited to the following:

- Mitigation of any unavoidable impacts to wetland values and functions to the satisfaction of the permitting agency;
- Incorporation of buffers to the wetland areas;
- On-site treatment of runoff to improve water quality; and
- Compliance with best management practices during construction.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Los Angeles Regional Water Quality Control Board  
**Monitoring Agency:** Planning Division

### IV. GEOLOGY AND SOILS

#### Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for any proposed development on the Sepulveda/Rosecrans Rezoning Site to determine the presence or absence of methane. The subsequent environmental documentation must address the following:

**E-1** A methane study must be conducted to determine the levels at which methane is or is not present in the area of any proposed development. If methane is determined to be present at or above levels which require action, then the report must include recommendations and mitigation measures which must be followed.

#### Mitigation Measures

**Sepulveda/Rosecrans Site Rezoning**

**E-1** A methane study must be conducted to determine the levels at which methane is or is not present in the area of any proposed development. If methane is determined to be present at or above levels which require action, then the report must include recommendations and mitigation measures which must be followed.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant
Enforcement Agency: Planning and Building Safety Department
Monitoring Agency: Building Safety Division

E-2 All soil disturbance and travel on unpaved surfaces must be suspended if winds exceed 25 miles per hour.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Building Safety Division; Public Works Department

Plaza El Segundo Development

E-3 All soil disturbance and travel on unpaved surfaces must be suspended if winds exceed 25 miles per hour.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: South Coast Air Quality Management District
Monitoring Agency: Building Safety Division; Public Works Department

V. HYDROLOGY AND WATER QUALITY

Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

Construction

F-1. The applicant must prepare hydrology studies for each specific development on the Sepulveda/Rosecrans Rezoning Site. Such studies must be reviewed and approved by the City of El Segundo and any other applicable agency.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department

F-2. The applicant must prepare runoff studies for each specific development on the Sepulveda/Rosecrans Rezoning Site so that the runoff from one specific project area would not flow onto another specific project area without the owners consent. Such
studies must be reviewed and approved by the City of El Segundo and any other applicable agency.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department

F-3. The applicant must prepare a master drainage plan for each specific development on the Sepulveda/Rosecrans Rezoning Site. This plan must include detailed hydrology/hydraulic calculations and drainage improvements, showing quantitatively how the project will eliminate the potential for downstream flooding due to increased storm water runoff. These plans will also identify the proposed BMPs to be implemented in compliance with the requirements of the Standard Urban Storm Water Mitigation Plan and the ESMC. Such plans must be reviewed and approved by the City of El Segundo and the Los Angeles County Department of Public Works.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department

F-4. The applicant must design, for each specific development on the Sepulveda/Rosecrans Rezoning Site, a conveyance and detainment system to meet the Los Angeles County Department of Public Works limits on the storm drains that would convey the Sepulveda/Rosecrans Rezoning Site’s discharge.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

F-5. The proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development must comply with the City of El Segundo Ordinance No. 1347 and No. 1348, which establishes storm water and urban pollution controls.

Monitoring Phase: Pre-construction; Construction; Post-Construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Public Works Department
Operation

F-6. The project owner/developer of a specific development (e.g., Plaza El Segundo) on the Sepulveda/Rosecrans site must maintain all structural or treatment control BMPs for the life of the project.

Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department; El Segundo Fire Department
Monitoring Agency: Building Safety Division; Public Works Department; El Segundo Fire Department

Plaza El Segundo Development

Construction

F-7. The applicant must prepare a hydrology study for the Plaza El Segundo site. The study must be reviewed and approved by the City of El Segundo and any other applicable agencies.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department

F-8. The applicant must prepare a runoff study for the Plaza El Segundo site so that the runoff does not flow onto another area without the owners consent. The study must be reviewed and approved by the City of El Segundo and any other applicable agencies.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department

F-9. The applicant must prepare a master drainage plan for the Plaza El Segundo site. This plan must include detailed hydrology/hydraulic calculations and drainage improvements, showing quantitatively how the project will eliminate the potential for downstream flooding due to increased storm water runoff. These plans will also identify the proposed BMPs to be implemented in compliance with the requirements of the Standard Urban Storm Water Mitigation Plan and the ESMC. Such plans must be reviewed and approved by the City of El Segundo and the Los Angeles County Department of Public Works.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Public Works Department

F-10. The applicant must design a conveyance and detention system to meet the City of El Segundo's and Los Angeles County Department of Public Works limits on the storm drains that would convey the Plaza El Segundo site's discharge.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Public Works Department

F-11. The proposed Plaza El Segundo Development must comply with the City of El Segundo Ordinance No. 1347 and No. 1348, which establishes storm water and urban pollution controls.

Monitoring Phase: Pre-construction; Construction; Post-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Public Works Department

Operation

F-12. The project owner/developer must maintain all structural or treatment control BMPs for the life of the Plaza El Segundo Development.

Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; El Segundo Fire Department
Monitoring Agency: Public Works Department; El Segundo Fire Department

VI. HAZARDS AND HAZARDOUS MATERIALS

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for any proposed development project within the proposed Sepulveda/Rosecrans Rezoning Site. Conditions related to soil and groundwater contamination must be examined for the proposed development site, at the time the development project is proposed, in light of the Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. The subsequent environmental documentation must address the following:
G-1. A full characterization of all the parcels that comprise that project site must be undertaken. The City must require that this process be initiated by requiring the project applicant to conduct a Phase I Environmental Site Assessment (ESA) or equivalent investigation and analysis for the specific project site that would be occupied by the proposed development. The Phase I ESA or equivalent document must be prepared by a licensed professional (Registered Environmental Assessor or equivalent) and submitted to the City for review.

G-2. If indicated by the initial investigation, the City must require the preparation of subsequent Phase II investigation(s) and submission to the Los Angeles Regional Water Quality Control Board and/or other appropriate agency. The project applicant must provide to the City copies of all materials submitted to the LARWQCB or any other regulatory agency.

G-3. Remediation of any environmental conditions identified in the Phase I and Phase II site assessments or investigations must be accomplished to the standards established and agreed upon by the appropriate regulatory agency(ies) for the contemplated development, prior to the issuance of grading or building permits for the project. The project applicant must provide to the City copies of any materials received from the LARWQCB or any other regulatory agency.

G-4. If the future development project would include any part of the Sepulveda/Rosecrans Rezoning Site that currently contains structures, an asbestos and lead survey must be conducted to determine the presence or absence of these substances. Removal of these substances must be conducted in accordance with all applicable rules and regulations.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

G-1. A full characterization of all the parcels that comprise that project site must be undertaken. The City must require that this process be initiated by requiring the project applicant to conduct a Phase I Environmental Site Assessment (ESA) or equivalent investigation and analysis for the specific project site that would be occupied by the proposed development. The Phase I ESA or equivalent document must be prepared by a licensed professional (Registered Environmental Assessor or equivalent) and submitted to the City for review.

| Monitoring Phase: | Pre-construction |
| Implementation Party: | Applicant |
| Enforcement Agency: | Planning Division; El Segundo Fire Department |
| Monitoring Agency: | Planning Division |
G-2. If indicated by the initial investigation, the City must require the preparation of subsequent Phase II investigation(s) and submission to the Los Angeles Regional Water Quality Control Board and/or other appropriate agency. The project applicant must provide to the City copies of all materials submitted to the LARWQCB or any other regulatory agency.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Los Angeles Regional Water Quality Control Board; Planning Division  
**Monitoring Agency:** Planning Division

G-3. Remediation of any environmental conditions identified in the Phase I and Phase II site assessments or investigations must be accomplished to the standards established and agreed upon by the appropriate regulatory agency(ies) for the contemplated development, prior to the issuance of grading or building permits for the project. The project applicant must provide to the City copies of any materials received from the LARWQCB or any other regulatory agency.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division; Los Angeles Regional Water Quality Control Board  
**Monitoring Agency:** Planning Division

G-4. If the future development project would include any part of the Sepulveda/Rosecrans Rezoning Site that currently contains structures, an asbestos and lead survey must be conducted to determine the presence or absence of these substances. Removal of these substances must be conducted in accordance with all applicable rules and regulations.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Building Safety Division  
**Monitoring Agency:** Building Safety Division

**Plaza El Segundo Development**

G-5. Remedial investigations, health risk assessments for the contemplated development and soils remedial action plans for the Plaza El Segundo portion of the project site must be completed and approved to the standards established and agreed upon in conjunction with the LARWQCB prior to the start of any project activities. The project applicant must provide to the City copies of any materials received from the LARWQCB or any other regulatory agency.
Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Los Angeles Regional Water Quality Control Board
Monitoring Agency: Planning Division

G-6. Remediation of shallow soil of the Plaza El Segundo Development site must be accomplished to the standards for commercial development established and agreed upon in conjunction with the LARWQCB and a shallow soil closure letter must be issued by the LARWQCB prior to the issuance of grading permits for construction of the proposed Plaza El Segundo Development. The project applicant must provide to the City copies of any materials received from the LARWQCB or any other regulatory agency.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Los Angeles Regional Water Quality Control Board
Monitoring Agency: Planning Division

VII. LAND USE

Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

No mitigation measures are required.

Plaza El Segundo Development

No mitigation measures are required.
VIII. NOISE

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for development projects proposed to be constructed on the Sepulveda/Rosecrans site. The subsequent environmental documentation must address the following:

I-1 A project-specific construction noise analysis must be prepared that calculates, based on project-specific parameters and identification of the site-specific sensitive receptors that could be affected by construction activities, the noise levels that would be experienced at sensitive receptors located adjacent to that site. If noise levels resulting from construction activity would result in temporary construction noise levels that exceed 65 dBA at a sensitive receptor, or cause an incremental increase of 5 dBA over the existing ambient sound level, if the existing ambient sound level at the sensitive receptor location is 65 dBA or more, then the study must identify feasible mitigation measures to be applied to that project from the list of mitigation measures provided below.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

I-1 A project-specific construction noise analysis must be prepared that calculates, based on project-specific parameters and identification of the site-specific sensitive receptors that could be affected by construction activities, the noise levels that would be experienced at sensitive receptors located adjacent to that site. If noise levels resulting from construction activity would result in temporary construction noise levels that exceed 65 dBA at a sensitive receptor, or cause an incremental increase of 5 dBA over the existing ambient sound level, if the existing ambient sound level at the sensitive receptor location is 65 dBA or more, then the study must identify feasible mitigation measures to be applied to that project from the list of mitigation measures provided below.

- Construction contracts must specify that all construction equipment must be equipped with mufflers and other applicable noise attenuation devices.
- During construction phases, the contractor must store and maintain equipment as far as possible from the adjacent receptor property locations to the southwest, north, and east of the Sepulveda/Rosecrans Rezoning Site.
- As stated in the City of El Segundo Municipal Code, construction must be restricted to the hours of 7:00 a.m. to 6 p.m. Monday through Saturday, and prohibited at anytime on Sunday or a Federal holiday.
• Temporary plywood noise barriers must be constructed along the property lines of the Sepulveda/Rosecrans Rezoning Site during construction, which must be high enough to block the line-of-site between the Sepulveda/Rosecrans Rezoning Site and receptor property locations to the southwest, north, and east.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division  
**Monitoring Agency:** Planning Division

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**Plaza El Segundo Development**

I-2 Construction contracts must specify that all construction equipment must be equipped with mufflers and other applicable noise attenuation devices.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division  
**Monitoring Agency:** Planning Division

I-3 During construction phases, the contractor must store and maintain equipment as far as possible from the adjacent receptor property locations to the north and east of the Plaza El Segundo Site.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division  
**Monitoring Agency:** Planning Division

I-4 As stated in the City of El Segundo Municipal Code, construction must be restricted to the hours of 7:00 a.m. to 6 p.m. Monday through Saturday, and prohibited at anytime on Sunday or a Federal holiday.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Building Safety Division  
**Monitoring Agency:** Building Safety Division

I-5 Temporary plywood noise barriers must be constructed along the property lines of the 4.5 net acre portion of the Plaza El Segundo site south of the UPRR tracks during construction, which must be high enough to block the line-of-site (a minimum of 8 feet above existing grade) between the Plaza El Segundo site and receptor property locations to the southwest, north, and east.
IX. POPULATION, HOUSING, AND EMPLOYMENT

Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

*Sepulveda/Rosecrans Site Rezoning*

No mitigation measures are required.

*Plaza El Segundo Development*

No mitigation measures are required.

X. PUBLIC SERVICES

Fire Protection

*Subsequent Environmental Documentation*

No subsequent environmental documentation is required.

*Mitigation Measures*

*Sepulveda/Rosecrans Site Rezoning*

K.1-1 The applicant must pay the City of El Segundo a Fire Service Mitigation Fee of $0.14 per gross square foot of building area prior to the issuance of a certificate of occupancy.

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K.1-2 A fire life safety plan, which must include definitive plans and specifications, must be submitted to the El Segundo Fire Department (ESFD) for review and approval prior to commencement of construction of any portion of the proposed development.
K.1-3 The applicant must provide fire access roadways to and throughout the property and submit a layout plan to the ESFD for approval.

K.1-4 The applicant must provide water flow and on-site fire hydrants as required by the ESFD.

K.1-5 The following installations require separate Fire Department approval. The applicant must submit separate plans for Fire Department review:

- Automatic fire sprinklers;
- Fire alarm system;
- Underground fire service mains;
- Fire pumps;
- Emergency generators; and
- Any aboveground or underground storage tank including elevator sumps and condensation tanks.

Plaza El Segundo Development

K.1-6 The applicant must pay the City of El Segundo a Fire Service Mitigation Fee of $0.14 per gross square foot of building area prior to the issuance of a certificate of occupancy.
Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

K.1-7 A fire life safety plan, which must include definitive plans and specifications, must be submitted to the El Segundo Fire Department (ESFD) for review and approval prior to commencement of construction of any portion of the proposed development.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

K.1-8 The applicant must provide fire access roadways throughout the property and submit a layout plan to the ESFD for approval.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

K.1-9 The applicant must provide water flow and on-site fire hydrants as required by the ESFD.

Monitoring Phase: Pre-construction; Construction; Post-construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

K.1-10 The following installations require separate Fire Department approval. The applicant must submit separate plans for Fire Department review:

- Automatic fire sprinklers;
- Fire alarm system;
- Underground fire service mains;
- Fire pumps;
- Emergency generators; and
- Any aboveground or underground storage tank including elevator sumps and condensation tanks.
Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Fire Department
Monitoring Agency: El Segundo Fire Department

Police Protection

Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

K.2-1 The applicant must pay the City of El Segundo a Police Service Mitigation Fee of $0.11 per gross square foot of building area prior to the occupancy of each building.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

K.2-2 A strategic security plan, which must include definitive plans and specifications, must be submitted to the El Segundo Police Department (ESPD) for review and approval prior to commencement of construction of any portion of the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development. The strategic security plan must include, but not be limited to, the following item:

- Depending upon the size of the structure and its location in relation to the streets, the size of the displayed address may vary from a minimum of 4” to as much as 24”.

- Building entrances and exits must be limited in number and located in a manner to increase security and visibility of the building.

- All landscaping must be low profile especially around perimeter fencing, windows, doors and entryways taking special care not to limit visibility and provide climbing access.

- Adequate street, walkway, building and parking lot lighting must be provided to enhance security.

- Provisions for on-site security personnel.
Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Police Department
Monitoring Agency: El Segundo Police Department

Plaza El Segundo Development

K.2-3 The applicant must pay the City of El Segundo a Police Service Mitigation Fee of $0.11 per gross square foot of building area prior to the occupancy of each building.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

K.2-4 A strategic security plan, which must include definitive plans and specifications, must be submitted to the El Segundo Police Department (ESPD) for review and approval prior to commencement of construction of any portion of the proposed Sepulveda/Rosecrans Site Rezoning and Plaza El Segundo Development. The strategic security plan must include, but not be limited to, the following item:

- Depending upon the size of the structure and its location in relation to the streets, the size of the displayed address may vary from a minimum of 4” to as much as 24”.
- Building entrances and exits must be limited in number and located in a manner to increase security and visibility of the building.
- All landscaping must be low profile especially around perimeter fencing, windows, doors and entryways taking special care not to limit visibility and provide climbing access.
- Adequate street, walkway, building and parking lot lighting must be provided to enhance security.
- Provisions for on-site security personnel.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: El Segundo Police Department
Monitoring Agency: El Segundo Police Department

XI. TRANSPORTATION AND TRAFFIC

Subsequent Environmental Documentation
No subsequent environmental documentation is required.

Mitigation Measures

**Sepulveda/Rosecrans Site Rezoning**

**Physical Roadway Improvements**

L-1 **El Segundo Boulevard and Sepulveda Boulevard.** Convert the existing eastbound right-turn only lane to a shared through/right-turn lane. There exists three receiving lanes on the east leg of the intersection. In addition, modify the raised center median to convert the westbound shared through left-turn lane to a dedicated second left turn lane and additional through lane.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Caltrans  
**Monitoring Agency:** Public Works Department; Caltrans

L-2 **El Segundo Boulevard and Aviation Boulevard.** Not required for Sepulveda/Rosecrans Site Rezoning Reduced Traffic Generation Alternative.

L-3 **Park Place and Nash Street.** Provide a new traffic signal at this location. Widen and restrripe the eastbound and westbound directions to provide one left-turn lane, one through lane, and one right-turn only lane.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department  
**Monitoring Agency:** Public Works Department

L-4 **Park Place and Douglas Street.** Provide a new traffic signal at this location.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department  
**Monitoring Agency:** Public Works Department

L-5 **Rosecrans Avenue and Sepulveda Boulevard.** On the westbound approach of Rosecrans Avenue dedicate additional right-of-way on the north side of Rosecrans Avenue to provide a free flow right-turn lane and third left-turn lane. Sepulveda Boulevard south of Rosecrans Avenue may need to be widened to accommodate the third left-turn lane, depending on the specific design of this lane. This widening could take place within the existing Sepulveda Boulevard right-of-way. Widen the east side of Sepulveda Boulevard.
along the project frontage to provide the acceptance lane for the free westbound right-turn lane. This additional lane on Sepulveda should be improved to the new Park Place connection where a right turn lane will be provided. This intersection's jurisdiction is shared with Manhattan Beach and Caltrans. Coordination and concurrence of these agencies for implementation of these improvements would be required.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Caltrans; City of Manhattan Beach Public Works Department  
**Monitoring Agency:** Public Works Department; Caltrans; City of Manhattan Beach Public Works Department


L-7  *Rosecrans Avenue and Douglas Street.* On the westbound approach, widen the north side of Rosecrans Avenue to provide a dedicated westbound right-turn lane. This intersection's jurisdiction is shared with Manhattan Beach. Coordination and concurrence of this agency for implementation of this improvement would be required. This improvement is included as part of the current Rosecrans/Aviation Widening (discussed above under “Future Highway System Improvements”) but will be guaranteed by the project.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; City of Manhattan Beach Public Works Department  
**Monitoring Agency:** Public Works Department; City of Manhattan Beach Public Works Department

**Site Trip Reductions**

L-8  Project applicants must promote rideshare programs (bikes, rideshare matching and transit options) as required by the City of El Segundo Transportation Demand Management Program (TDM). In addition to the traditional TDM program, project applicants must promote access to the Commute View System which is being implemented by the City to provide information on congested routes to provide additional trip reduction measures. The Commute View System is an advanced traveler information system which provides real time travel time information, incident information, and general traffic conditions through a variety of devices such as the cable, internet, cell phone and wireless PDA. This will provide commuters the ability to make informed decisions regarding the route, time of travel and mode of transportation.
Project applicants must include or share in a transit connection system to promote use of the existing Metro Green Line service, remote employee lot during seasonal peaks and local circulator service. Based upon estimate usage patterns and trial studies, an approximately three percent reduction in trips to and from the site during peak periods is anticipated with these enhancements.

**Monitoring Phase:** Post-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Planning Division  
**Monitoring Agency:** Public Works Department; Planning Division

**Intelligent Transportation Systems Connections/Upgrades**

L-9 The South Bay area will be enhanced with an area-wide signal system upgrade prior to project completion in 2012. This system is already funded and will be implemented with or without the proposed project. The improvement will provide for intelligent transportation systems (ITS) which provide real time adjustment to signal timing based upon current conditions thereby increasing capacity along major corridors. ITS system enhancements are currently being tested and evaluated which provide further enhanced capacity. These enhancements provide advanced communication upgrades to the users of the roadway systems. Items include Advanced Traveler Information System (ATIS) and Advanced Traffic Management Systems (ATMS). ATIS provides commuters with information to make route and time of day decisions. The enhanced ATIS system that would be included within the South Bay ITS system will enable private sector partners to disseminate freeway and arterial traffic information to the public via paid subscription services. ATMS manages the traffic system on surrounding streets.

Applicants for development projects within the proposed Sepulveda/Rosecrans Rezoning Site must provide for connectivity to the systems described above. Project applicants must provide access to information disseminated by the ATIS system to patrons and employees by including at least one television monitor or equivalent equipment that is compatible with and connected to the ATIS system and that displays current commuter information from the ATIS system during all hours that the development is open for business. The monitor or equivalent equipment shall be placed in a centralized location within the development, shall be specifically identified on directory maps of the facility, shall be specifically and clearly identified as the location for obtaining current travel information and shall be identified elsewhere throughout the development with signage that directs patrons to the location.

Project applicants must also facilitate dissemination of information provided by the ATIS system to project employees by working with project tenants to offer fully or partially subsidized monthly subscriptions to employees (currently estimated at full cost
of $5.00 per month per user). Project applicants (or successors in interest) must provide any new project tenant with information regarding subscription programs available to employees and costs thereof and shall encourage tenants to provide subsidized monthly subscriptions to their employees. However, because there is no guarantee that subscription subsidies will be provided by future tenants of developments within the Sepulveda/Rosecrans Rezoning Site, no additional credit for these subscriptions can be taken except for the enhancements provided by the South Bay ITS system as presently designed (7%, see discussion under "Future Highway System Improvements" above).

**Monitoring Phase:** Construction; Post-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Planning Division; Los Angeles County Public Works Department  
**Monitoring Agency:** Public Works Department; Planning Division; Los Angeles County Public Works Department

Local Street-Freeway Inter-Ties

L-10 This mitigation measure is applicable to buildout of the Sepulveda/Rosecrans Rezoning Site beyond the Plaza El Segundo Project Development. Applicants for development projects within the Sepulveda/Rosecrans Rezoning Site (excluding the Plaza El Segundo Project) shall fund or construct upgrades and enhancements to the El Segundo and/or South Bay ITS systems, and/or the Caltrans ITS system that singly or in combination cause an increase of 3% in the capacity of the street system served by these ITS systems. The 3% increase shall be measured from the calculated capacity of the system based upon existing lane configurations, plus a 10% increase on street in the City of El Segundo, and 7% increase on streets outside the City of El Segundo to reflect the El Segundo and South Bay ITS systems, respectively. The upgrades/enhancements shall be selected from the following menu and approved by the relevant jurisdictional agency: expansion of the fiber optic communication system, expansion of wireless communication components, provision of software components, supplemental advance system detectors, changeable message signs, closed circuit television cameras, or any other reasonably feasible upgrade or enhancement approved by the relevant jurisdictional agency. The applicant shall participate in any applicable fair share fee mitigation program that will otherwise fund the foregoing upgrades/enhancements and shall receive credit for all fair share payments.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Caltrans; County of Los Angeles Department of Public Works
Monitoring Agency: Public Works Department; Caltrans; County of Los Angeles Department of Public Works

Project Parking/Egress Information System for Key Access/Egress Corridors

L-11 Project applicants must provide parking/egress information systems in the manner of Changeable Message Signs (CMS) along key access/egress corridors of Sepulveda Boulevard, Rosecrans Avenue, and Park Place. Currently, Los Angeles County is installing CMS on major streets in the South Bay area and locations for additional CMS would be identified in coordination with Los Angeles County. A centrally located kiosk system must be included in project design that can disseminate roadway conditions along the major routes. This information would be utilized by the employee or patron to determine the least congested access/egress route to/from the project, thereby minimizing delay on the roadway systems. Based upon recent studies in the South Bay area under trial conditions, implementation of this measure is anticipated to improve capacity at the site adjacent intersections by three percent, along major corridors of Rosecrans Avenue, Sepulveda Boulevard, and El Segundo Boulevard by two percent, and the balance of the study intersections by one percent.

Monitoring Phase: Construction; Post-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Planning Division
Monitoring Agency: Public Works Department; Planning Division

Improvements for Cumulative Growth

L-12 In order to assist in addressing future cumulative traffic deterioration, the City of El Segundo through its Traffic Congestion Mitigation Fee Ordinance will require the developer of a specific project to make a “fair share” contribution for programmed roadway improvements. In addition, project implementation of the signal system enhancements described above will benefit the entire system and reduce cumulative impacts along the roadway corridors.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Public Works Department
Monitoring Agency: Planning Division; Public Works Department
Plaza El Segundo Development

Physical Roadway Improvements

L-13 El Segundo Boulevard and Sepulveda Boulevard – Convert the existing eastbound right-turn only lane to a shared through/right-turn lane. There exists three receiving lanes on the east leg of the intersection. In addition, modify the raised center median to convert the westbound shared through left-turn lane to a dedicated second left turn lane and additional through lane.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Caltrans
Monitoring Agency: Public Works Department; Caltrans

L-14 El Segundo Boulevard and Aviation Boulevard – Not required for Plaza El Segundo Reduced Traffic Generation Alternative

L-15 Rosecrans Avenue and Sepulveda Boulevard – On the westbound approach of Rosecrans Avenue dedicate additional right-of-way on the north side of Rosecrans Avenue to provide a free flow right-turn lane. Widen the east side of Sepulveda Boulevard along the project frontage to provide the acceptance lane for the free westbound right-turn lane. This additional lane on Sepulveda should be improved to the new Park Place connection where a right turn lane will be provided. This intersection’s jurisdiction is shared with Manhattan Beach and Caltrans. Coordination and concurrence of these agencies for implementation of these improvements would be required.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Caltrans
Monitoring Agency: Public Works Department; Caltrans


Site Trip Reductions

L-17 The project applicant must promote rideshare programs (bikes, rideshare matching, and transit options) as required by the City of El Segundo Transportation Demand Management Program (TDM). In addition to the tradition TDM program and to provide additional trip reduction measures, the project applicant must promote access to the Commuter View System which is being implemented by the City to provide information on congested routes. The project applicant must provide a transit connection system
must be established and/or shared with other nearby retail projects to promote use of the existing Metro Green Line service, remote employee lot during seasonal peaks and local circulator service. Based upon typical usage patterns, an approximately three percent reduction in trips to and from the site during peak periods is anticipated with these enhancements.

**Monitoring Phase:** Post-Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Planning Division  
**Monitoring Agency:** Public Works Department; Planning Division

*Intelligent Transportation System Connections/Upgrades*

**L-18** The South Bay area will be enhanced with an area-wide signal system upgrade prior to project completion in 2012. This system is already funded and will be implemented with or without the proposed project. The improvement will provide for intelligent transportation systems (ITS) which provide real time adjustment to signal timing based upon current conditions thereby increasing capacity along major corridors. ITS system enhancements are currently being tested and evaluated which provide further enhanced capacity. These enhancements provide advanced communication upgrades to the users of the roadway systems. Items include Advanced Traveler Information System (ATIS) and Advanced Traffic Management Systems (ATMS). ATIS provides commuters with information to make route and time of day decisions. The enhanced ATIS system that would be included within the South Bay ITS system will enable private sector partners to disseminate freeway and arterial traffic information to the public via paid subscription services. ATMS manages the traffic system on surrounding streets.

Applicants for development projects within the proposed Sepulveda/Rosecrans Rezoning Site must provide for connectivity to the systems described above. Project applicants must provide access to information disseminated by the ATIS system to patrons and employees by including at least one television monitor or equivalent equipment that is compatible with and connected to the ATIS system and that displays current commuter information from the ATIS system during all hours that the development is open for business. The monitor or equivalent equipment shall be placed in a centralized location within the development, shall be specifically identified on directory maps of the facility, shall be specifically and clearly identified as the location for obtaining current travel information and shall be identified elsewhere throughout the development with signage that directs patrons to the location.

Project applicants must also facilitate dissemination of information provided by the ATIS system to project employees by working with project tenants to offer fully or partially subsidized monthly subscriptions to employees (currently estimated at full cost...
of $5.00 per month per user). Project applicants (or successors in interest) must provide any new project tenant with information regarding subscription programs available to employees and costs thereof and shall encourage tenants to provide subsidized monthly subscriptions to their employees. However, because there is no guarantee that subscription subsidies will be provided by future tenants of developments within the Sepulveda/Rosecrans Rezoning Site, no additional credit for these subscriptions can be taken except for the enhancements provided by the South Bay ITS system as presently designed (7%, see discussion under “Future Highway System Improvements” above).

Monitoring Phase: Construction; Post-Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Planning Division; Los Angeles County Public Works Department
Monitoring Agency: Public Works Department; Planning Division; Los Angeles County Public Works Department

Improvements for Cumulative Growth

L-19 In order to assist in addressing future cumulative traffic deterioration, the project applicant must comply with the City of El Segundo Traffic Congestion Mitigation Fee Ordinance and make a “fair share” contribution for programmed roadway improvements. In addition, project implementation of the signal system enhancements described above will benefit the entire system and reduce cumulative impacts along the roadway corridors.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Public Works Department
Monitoring Agency: Planning Division; Public Works Department

XII. UTILITIES

Sewer

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for development projects proposed to be constructed on the Sepulveda/Rosecrans Rezoning Site. This information must be examined, at the time the development project is proposed, in light of the Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. The subsequent environmental documentation must include the following:
M.1-1 An analysis of sewer service to the proposed development must be prepared which examines the capacity of existing sewer lines to serve the development, the projected peak sewage generation and shall identify new sewer infrastructure required to serve the development.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

M.1-1 An analysis of sewer service to the proposed development must be prepared which examines the capacity of existing sewer lines to serve the development, the projected peak sewage generation and must identify new sewer infrastructure required to serve the development.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.1-2 The Sepulveda/Rosecrans Rezoning Site must be annexed to Los Angeles County Sanitation District No. 5.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
Monitoring Agency: Public Works Department

M.1-3 Project applicants must be required to obtain a sewer connection permit from the Los Angeles County Sanitation Districts (District 5) to obtain sanitary sewer service.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
Monitoring Agency: Public Works Department

M.1-4 Additional local sewer infrastructure must be provided by the applicant as necessary to connect the Sepulveda/Rosecrans Rezoning Site with existing sewer infrastructure. This provision must be coordinated with the project applicant and may be the partial responsibility of the applicant, as determined by the City.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
Monitoring Agency: Public Works Department

M.1-5 The applicant must be required to replace or upgrade the sewer infrastructure on or adjacent to the Sepulveda/Rosecrans Rezoning Site, as needed.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
Monitoring Agency: Public Works Department

M.1-6 Project applicants must comply with the City’s Sewer Ordinance No. 1093, of the City of El Segundo Municipal Code, Title 12, Chapter I General Provisions, Policies, and Procedures.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.1-7 Prior to a building permit being issued the project applicant must submit the Final Working Drawings to the City of El Segundo Planning and Building Safety Department and the Public Works Department for review and approval.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Building Safety Division; Public Works Department
Monitoring Agency: Planning Division; Building Safety Division; Public Works Department

M.1-8 Closed circuit television (CCTV) inspection of existing on-site and adjacent off-site sewer mains must be conducted to determine the present condition of the infrastructure which the Sepulveda/Rosecrans Site Rezoning project will connect to.

Monitoring Phase: Pre-construction
Implementation Party: City of El Segundo
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.1-9 All future developments must be discharged to the existing twelve-inch sanitary sewer main in Rosecrans Avenue.
Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.1-10 New businesses that generate Fats, Oils, or Greases (e.g., restaurants and grocery stores) must be required to install grease interceptors with a minimum 30 minute retention period to ensure these contaminants do not block the sewerage system.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department

Plaza El Segundo Development

M.1-11 The Sepulveda/Rosecrans Rezoning Site must be annexed to Los Angeles County Sanitation District No. 5

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
Monitoring Agency: Public Works Department

M.1-12 The project applicant must be required to obtain a sewer connection permit from the Los Angeles County Sanitation Districts (District 5) to obtain sanitary sewer service.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
Monitoring Agency: Public Works Department

M.1-13 Additional local sewer infrastructure must be provided by the applicant as necessary to connect the Plaza El Segundo site with existing sewer infrastructure. This provision must be coordinated with the project applicant and may be the partial responsibility of the applicant, as determined by the City.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Los Angeles County Sanitation Districts
Monitoring Agency: Public Works Department
M.1-14 The existing 15-inch sanitary sewer line must be removed and replaced with an 18-inch line. Plans must identify the point of connection for the proposed ten-inch sanitary sewer to the existing sanitary sewer main on Allied Way.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department; Los Angeles County Sanitation Districts  
**Monitoring Agency:** Public Works Department

M.1-15 Project applicants must comply with the City’s Sewer Ordinance No. 1093, of the City of El Segundo Municipal Code, Title 12, Chapter I General Provisions, Policies, and Procedures.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Public Works Department  
**Monitoring Agency:** Public Works Department

M.1-16 Prior to a building permit being issued the project applicant must submit the Final Working Drawings to the City of El Segundo Planning and Building Safety Department and the Public Works Department for review and approval.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division; Building Safety Division; Public Works Department  
**Monitoring Agency:** Planning Division; Building Safety Division; Public Works Department

M.1-17 Closed circuit television (CCTV) inspection of existing on-site and adjacent off-site sewer mains must be connected to determine the present condition of the infrastructure which the Sepulveda/Rosecrans Site Rezoning project will connect to.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** City of El Segundo  
**Enforcement Agency:** Public Works Department  
**Monitoring Agency:** Public Works Department

M.1-18 New businesses that generate Fats, Oils, or Greases (e.g., restaurants and grocery stores) must be required to install grease interceptors with a minimum 30 minute retention period to ensure these contaminants do not block the sewerage system.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant
Enforcement Agency: Building Safety Division; Public Works Department
Monitoring Agency: Building Safety Division; Public Works Department

Water

Subsequent Environmental Documentation

Subsequent environmental documentation must be prepared for development projects proposed to be constructed on the Sepulveda/Rosecrans Rezoning Site. This information must be examined, at the time the development project is proposed, in light of the Program EIR to determine whether a new Initial Study would be required to be prepared leading to either an EIR or Negative Declaration. The subsequent environmental documentation must include the following:

M.2-1 An analysis of water service to the proposed development must be prepared which examines the capacity of existing water lines to serve the development and projected water demand and must identify new water infrastructure required to serve the development.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

M.2-1 An analysis of water service to the proposed development must be prepared which examines the capacity of existing water lines to serve the development and the projected water demand and must identify new water infrastructure required to serve the development.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.2-2 New streets shall be connected through the Sepulveda/Rosecrans Rezoning Site to adjacent existing streets, with no gaps or disconnects, so as to allow connections to existing infrastructure contained in the existing streets.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.2-3 Water distribution mains must be installed in the through streets in order to complete the existing water grid and provide water distribution to the interior of the Sepulveda/Rosecrans Rezoning Site. Connecting pipes must be a minimum of ten inches.
Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.2-4 New water lines must be connected to the existing water line located in Allied Way to provide a continuous public water line beginning from Sepulveda Boulevard to an existing line in Allied Way.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.2-5 Development on the proposed Sepulveda/Rosecrans Rezoning Site must include dual water connections to allow for landscaping to be irrigated by reclaimed water.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Building Safety Division; Public Works Department
Monitoring Agency: Planning Division; Building Safety Division; Public Works Department

M.2-6 Reclaimed water must be used as the water source to irrigate landscaped areas on the Sepulveda/Rosecrans Rezoning Site.

Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Planning Division
Monitoring Agency: Public Works Department

M.2-7 Efficient irrigation systems must be installed which minimize runoff and evaporation and maximize the water which will reach plant roots (e.g. drip irrigation, automatic sprinklers equipped with moisture sensors).

Monitoring Phase: Pre-construction; Construction; Post-construction
Implementation Party: Applicant
Enforcement Agency: Recreation and Parks Department
Monitoring Agency: Planning Division; Building Safety Division

M.2-8 Automatic sprinkler systems must be set to irrigate landscaping during early morning hours or during the evening to reduce water losses from evaporation. Sprinklers must also be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation.
Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

M.2-9 Selection of drought-tolerant, low water consuming plant varieties must be used to reduce irrigation water consumption.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Recreation and Parks Department
Monitoring Agency: Planning Division; Recreation and Parks Department

M.2-10 Project applicants must comply with the City's Conservation Program, Ordinance No. 1194, of the City of El Segundo Municipal Code, Title 10-Parks and Recreation, Chapter 2 Water Conservation in Landscaping and Resolution No. 3806.

- Prior to a building permit being issued the project applicant must submit the Final Working Drawings to the City of El Segundo Planning and Building Safety Department for review and approval relative to compliance with the City’s Water Conservation Ordinance and Guidelines for Water Conservation in Landscaping.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Recreation and Parks Department
Monitoring Agency: Recreation and Parks Department

Plaza El Segundo Development

M.2-11 Water distribution mains must be installed in the eastward extension of Park Place and the extension of Allied Way to Park Place in order to complete the existing water grid and provide water distribution to the interior of the Plaza El Segundo site. Connecting pipes should be a minimum of ten inches.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department
Monitoring Agency: Public Works Department

M.2-12 Development on the proposed Plaza El Segundo Site must include dual water connections to allow for landscaping to be irrigated by reclaimed water.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Building Safety Division; Public Works Department
Monitoring Agency: Planning Division; Building Safety Division; Public Works Department

M.2-13 Reclaimed water must be used as the water source to irrigate landscaped areas on the Plaza El Segundo Development.

Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Public Works Department; Planning Division
Monitoring Agency: Public Works Department

M.2-14 Efficient irrigation systems must be installed which minimize runoff and evaporation and maximize the water which will reach plant roots (e.g. drip irrigation, automatic sprinklers equipped with moisture sensors).

Monitoring Phase: Pre-construction; Construction; Post-construction
Implementation Party: Applicant
Enforcement Agency: Recreation and Parks Department
Monitoring Agency: Public Works Department; Building Safety Division

M.2-15 Automatic sprinkler systems must be set to irrigate landscaping during early morning hours or during the evening to reduce water losses from evaporation. Sprinklers must also be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation.

Monitoring Phase: Post-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

M.2-16 Selection of drought-tolerant, low water consuming plant varieties must be used to reduce irrigation water consumption.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Recreation and Parks Department
Monitoring Agency: Planning Division; Recreation and Parks Department

M.2-17 The project applicant must comply with the City’s Conservation Program, Ordinance No. 1194, of the City of El Segundo Municipal Code, Title 10-Parks and Recreation, Chapter 2 Water Conservation in Landscaping and Resolution No. 3806.
• Prior to a building permit being issued the project applicant must submit the Final Working Drawings to the City of El Segundo Planning and Building Safety Department for review and approval relative to compliance with the City’s Water Conservation Ordinance and Guidelines for Water Conservation in Landscaping.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Recreation and Parks Department  
**Monitoring Agency:** Recreation and Parks Department

**Solid Waste**

**Subsequent Environmental Documentation**

No subsequent environmental documentation is required.

**Mitigation Measures**

**Sepulveda/Rosecrans Site Rezoning**

M.3-1 Where economically feasible, the proposed Sepulveda/Rosecrans Site Rezoning project must incorporate the use of recycled materials in building materials, furnishing operations and building maintenance.

**Monitoring Phase:** Construction; Post-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division  
**Monitoring Agency:** Planning Division

M.3-2 The proposed Sepulveda/Rosecrans Site Rezoning project must recycle all construction debris in a practical, available, and accessible manner, to the maximum extent feasible, during the demolition and construction phases.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Building Safety Division  
**Monitoring Agency:** Building Safety Division

M.3-3 The design of the proposed Sepulveda/Rosecrans Site Rezoning project must allocate space for a recycling collection area for use by both on-site employees and visitors, the design of which will adhere to siting requirements in the City’s recycling ordinance. The design of the collection area will facilitate source separation and collection of additional materials that may be designated as recyclable by the City in the future.
Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

Plaza El Segundo Development

M.3-4 Where economically feasible, the proposed Plaza El Segundo Development must incorporate the use of recycled materials in building materials, furnishing operations and building maintenance.

Monitoring Phase: Construction; Post-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

M.3-5 The proposed Plaza El Segundo Development must recycle all construction debris in a practical, available, and accessible manner, to the maximum extent feasible, during the demolition and construction phases.

Monitoring Phase: Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

M.3-6 The design of the proposed Plaza El Segundo Development must allocate space for a recycling collection area for use by both on-site employees and visitors, the design of which will adhere to siting requirements in the City’s recycling ordinance. The design of the collection area will facilitate source separation and collection of additional materials that may be designated as recyclable by the City in the future.

Monitoring Phase: Pre-construction
Implementation Party: Applicant
Enforcement Agency: Planning Division
Monitoring Agency: Planning Division

Natural Gas

Subsequent Environmental Documentation

No subsequent environmental documentation is required.
Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

No mitigation measures are required.

Plaza El Segundo Development

No mitigation measures are required.

Electricity

Subsequent Environmental Documentation

No subsequent environmental documentation is required.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

M.5-1 The applicant must consult with SCE during the design process of the proposed Sepulveda/Rosecrans Site Rezoning project regarding potential energy conservation measures for the project. Examples of such energy conservation measures include:

- Design windows (i.e., tinting, double pane glass, etc.) to reduce thermal gain and loss and thus cooling loads during warm weather, and heating loads during cool weather.

- Install thermal insulation in walls and ceilings that exceed requirements established by the State of California Energy Conservation Standards.

- Install high-efficiency lamps for all internal streetlights and outdoor security lighting.

- Time control interior and exterior lighting. These systems must be programmed to account for variations in seasonal daylight times.

- Finish exterior walls with light-colored materials and high-emissivity characteristics to reduce cooling loads. Finish interior walls with light-colored materials to reflect more light and thus increase lighting efficiency.

Monitoring Phase: Pre-construction; Construction
Implementation Party: Applicant
Enforcement Agency: Planning Division; Building Safety Division; Southern California Edison (SCE)
Monitoring Agency: Planning Division; Building Safety Division
M.5-2 All on-site electrical lines must be placed underground, except for high voltage transmission lines located along Rosecrans Avenue.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Building Safety Division; Public Works Department; SCE  
**Monitoring Agency:** Building Safety Division; Public Works Department

M.5-3 Electrical transformers must be screened from view from the public right-of-way.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division  
**Monitoring Agency:** Planning Division

_Plasa El Segundo Development_

M.5-4 The applicant must consult with SCE during the design process of the proposed Plaza El Segundo Development regarding potential energy conservation measures for the project. Examples of such energy conservation measures include:

- Design windows (e.g., tinting, double pane glass, etc.) to reduce thermal gain and loss and thus cooling loads during warm weather, and heating loads during cool weather.

- Install thermal insulation in walls and ceilings that exceed requirements established by the State of California Energy Conservation Standards.

- Install high-efficiency lamps for all internal streetlights and outdoor security lighting.

- Time control interior and exterior lighting. These systems must be programmed to account for variations in seasonal daylight times.

- Finish exterior walls with light-colored materials and high emissivity characteristics to reduce cooling loads. Finish interior walls with light-colored materials to reflect more light and thus increase lighting efficiency.

**Monitoring Phase:** Pre-construction; Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division; Building Safety Division; SCE  
**Monitoring Agency:** Planning Division; Building Safety Division
M.5-5 All on-site electrical lines must be placed underground, except for high voltage transmission lines located along Rosecrans Avenue.

Monitoring Phase: Construction  
Implementation Party: Applicant  
Enforcement Agency: Building Safety Division; Public Works Department; SCE  
Monitoring Agency: Building Safety Division; Public Works Department

M.5-6 Electrical transformers must be screened from view from the public right-of-way.

Monitoring Phase: Construction  
Implementation Party: Applicant  
Enforcement Agency: Planning Division  
Monitoring Agency: Planning Division

XIII. CULTURAL RESOURCES

Subsequent Environmental Documentation

Subsequent environmental documentation shall be prepared for development projects proposed to be constructed on the Sepulveda/Rosecrans Rezoning Site. The subsequent environmental documentation shall include the following:

N-1 A records search and/or Phase I Archaeological Survey must be conducted by a qualified archaeologist prior to the start of construction activities (including grading) for any development on the Sepulveda/Rosecrans Rezoning Site. If the survey identifies resources within the construction area, follow on studies shall be conducted in accordance with the recommendations of the records search prior to commencement of construction.

N-2 Further analysis of Cultural Resource 19-186856 is required, that meets the requirements of CEQA Guidelines Section 15064.5(a)(2), to determine potential eligibility for the California or National Register of Historic Places prior to any construction activities occurring on the H. Kramer portion of the Sepulveda/Rosecrans Rezoning Site. If further analysis identifies that the resource is eligible, then the recommendations identified in that analysis shall be followed.

Mitigation Measures

Sepulveda/Rosecrans Site Rezoning

N-1 A records search and/or Phase I Archaeological Survey must be conducted by a qualified archaeologist prior to the start of construction activities (including grading) for any
development on the Sepulveda/Rosecrans Rezoning Site. If the survey identifies resources within the construction area, follow on studies must be conducted in accordance with the recommendations of the records search prior to commencement of construction.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division  
**Monitoring Agency:** Planning Division

N-2 Further analysis of Cultural Resource 19-186856, that meets the requirements of CEQA Guidelines Section 15064.5(a)(2), is required to determine potential eligibility for the California or National Register of Historic Places prior to any construction activities occurring on the H. Kramer portion of the Sepulveda/Rosecrans Rezoning Site. If further analysis identifies that the resource is eligible, then the recommendations identified in that analysis must be followed and measures identified to reduce impacts to less than significant levels.

**Monitoring Phase:** Pre-construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division  
**Monitoring Agency:** Planning Division

N-3 In the event that archaeological or paleontological resources are encountered during the course of grading or construction, all development must temporarily cease in these areas until the resources are properly assessed and subsequent recommendations are determined by a qualified archaeologist/paleontologist.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division; Building Safety Division  
**Monitoring Agency:** Planning Division; Building Safety Division

**Plaza El Segundo Development**

N-4 In the event that archaeological or paleontological resources are encountered during the course of grading or construction, all development must temporarily cease in these areas until the resources are properly assessed and subsequent recommendations are determined by a qualified archaeologist/paleontologist.

**Monitoring Phase:** Construction  
**Implementation Party:** Applicant  
**Enforcement Agency:** Planning Division; Building Safety Division  
**Monitoring Agency:** Planning Division; Building Safety Division
Consideration and possible action to amend an existing professional services agreement with MRH Structural Engineers and to approve a new agreement between J Lee Engineering and the City of El Segundo for building plan review services. Total amount not to exceed $395,000 for Fiscal Year 2007-2008 (Fiscal Impact - None, FY 2007/2008 budget allocated $645,000 for professional plan review services. Expenditures are partially offset by revenue collected for plan review services paid by developers)

RECOMMENDED COUNCIL ACTION:

1) Approve a budget appropriation of $395,000 for building plan review services;
2) Authorize City Manager to execute a Third Amendment to the Professional Services Agreement with MRH Structural Engineers, in a form approved by the City Attorney to increase the amount in the agreement and purchase order by $195,000 for plan review services;
3) Authorize City Manager to execute a Professional Service Agreement with J Lee Engineering, in a form approved by the City Attorney for an amount and purchase order of $200,000 for plan review services; and/or
4) Alternatively, discuss and take other action related to this item

BACKGROUND & DISCUSSION:

Under an existing 3-year professional service agreement with the City, MRH Structural Engineers provides plan review services for the department to ensure construction documents conform to the adopted California Building Standards Code. The budgeted amount is $645,000 for Fiscal Year 2007-2008. Planning and Building Safety staff originally requested $250,000 budget appropriation on September 18, 2007. Since then the funds have been used to provide for plan check services.

ATTACHED SUPPORTING DOCUMENTS:

Proposal from J Lee Engineering Inc. for Plan Check Services

FISCAL IMPACT: $395,000

Operating Budget: $645,000
Amount Requested: $395,000
Account Number: 001-400-2403-6214
Appropriation Required: X Yes __No

ORIGINATED: Date: March 4, 2008

Gary Chicots, Director, Planning and Building Safety Department

REVIEWS BY: Date: 2/27/08

Jeff Stewart, City Manager
The total amount of money requested for appropriation is $395,000. This money will be split between two consultants. In order to continue providing plan check services through MRH, it is necessary to increase the amount of the amendment and purchase order by $195,000. The remaining $200,000 is being requested to be used to enter into a new agreement with J Lee Engineering Inc. for plan check services. The addition of this firm will provide for greater departmental plan check flexibility and alternatives that will help to improve customer service as it pertains to the overall plan check process.

The requested $395,000, combined with the previously approved $250,000 makes up the total $645,000 budgeted for the 2007/2008 fiscal year.

On a related issue, staff is preceding with a Cost Allocation and Fee Study for Planning, Building Safety, and Public Works fees in order to evaluate and up-date the development fees charged by the City for services. Staff has prepared a Request for Proposal (RFP) and circulated the RFP to several qualified consulting firms that have experience in the preparation of fee studies. It is anticipated that the City will receive responses from qualified consultants by March, 13, 2008. Staff will then review the RFP's and recommend the approval of the most qualified firm to the City Council by April 15, 2008.
Consideration and possible action regarding approval to sell and dispose of City property (computer equipment, office furniture, etc.) that has been designated as surplus and or unsuitable for continued City use. (Fiscal Impact: Revenue)

RECOMMENDED COUNCIL ACTION:

(1) Recommend that City Council declare City property identified in staff report as surplus and authorize the Purchasing Agent to sell items at auction; (2) Alternatively discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

The City has limited amount of storage space and therefore needs to periodically dispose of obsolete equipment and supplies. This includes out of warranty, outdated unsupportable technology items such as printers, monitors, cpu towers, keyboards, mouses, speakers, scanners, battery back-ups, modems, furniture items such as tables, stands, chairs, credenza, miscellaneous, including consumables, that were purchased with city funds and previously donated used furniture to the city from private businesses. The attached itemized list of items to be sold is property deemed surplus and or unsuitable to City needs. The property listed is not re-assignable to other City departments due to age of item or physical condition. Staff is recommending the items listed on Master Surplus Schedule be declared surplus property and sold at public auction. The City receives revenue from the sale of such property through Ken Porter Auctions located in Gardena, CA. The auctions are held twice monthly on the first and third Saturdays. The last request for disposal of surplus items was approved by City Council on March 20, 2007. Upon Council approval, Purchasing Agent will initiate prompt pick-up of auction surplus.

ATTACHED SUPPORTING DOCUMENTS:

Master Surplus Schedule dated February 28, 2008

FISCAL IMPACT:

Operating Budget: N/A
Amount Requested: N/A
Account Number: 001-300-0000-3901 (Revenue Account)
Project Phase:
Appropriation Required: Yes X No

ORIGINATED BY:            DATE:

[Signature]
Deborah Cullen, Finance Director

REVIEWED BY:           DATE:

[Signature]
Jeff Stewart, City Manager
<table>
<thead>
<tr>
<th>City Tag No.</th>
<th>Item Description (Including Model No.)</th>
<th>Serial No.</th>
<th>In Svc Date</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Unknown</td>
<td>Behind Apparatus Floor</td>
</tr>
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<td>Fabric Office Chair</td>
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<td>(1) Slide Projector</td>
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<td>(11) Flat Panel Displays</td>
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<td>(15) Keyboards</td>
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<tr>
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<td>(2) Key Boards</td>
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<td>(8) gray dispatch chairs</td>
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<td>2 Drawer File Cabinet (2)</td>
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<td>2 Metal Paper Files</td>
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<td>Station 2 Pump Hse</td>
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<td>None</td>
<td>Cell Phone Plug and Holders</td>
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2008-02-28 Master List of Equipment to be surpersed.xls
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<td>Lateral file 6-drawer beige</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Latitude C/Dock II (docking station)</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Markel Heataire (Electric Heater)</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Metal Bookcase</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Metal Table</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Metal typewriter table</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Mixed Parts (Station 1)</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Mixed Parts (Station 2)</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Monitor</td>
<td>Various</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Monitor Phillips</td>
<td>22664120</td>
<td>6/1/2001</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Monitor/TV</td>
<td>PA1722FJ</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Motorola- CarKit Adapter/Pusne</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>2245</td>
<td>Okidata Printer</td>
<td>307A0012320</td>
<td>Unknown</td>
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<tr>
<td>None</td>
<td>Okidata Printer OL600E</td>
<td>604A1092029</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>One Diviner</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>One Plastic File Holder</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>One plastic floor mat</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>One Spray Box</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>One Wood File cabinet</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Pendaflex Frame (3)</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Phone (Rotary)</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>2226</td>
<td>Probe computer</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>2230</td>
<td>Probe computer</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
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<tr>
<td>2238</td>
<td>Probe computer</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
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<tr>
<td>2255</td>
<td>Probe computer system</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Round wood/plastic laminate table</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Rubber Mat w/red tag (Air Leak)</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Rubbermaid Shed</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Speakers computer</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Table</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Task chair (black fabric)</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Three Metal Shelves</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>TV/VCR Combo Sony</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Two Cell Phone Chargers</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Two Desk Lamps</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Two Wood Desks</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>4120</td>
<td>Typewriter table</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Typewriter table</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Typewriter table (wood)</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>VCR</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>4125</td>
<td>Vertical file 2-drawer beige</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Vertical file 2-drawer beige</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>0025</td>
<td>Vertical file cabinet 3+2 drawers beige</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>0368</td>
<td>Vertical file cabinet 4 drawers green</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Wood Shelf</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
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<tr>
<td>None</td>
<td>Wood Table</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Wood Two-Drawer Lateral File</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Wooden Desk</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
<tr>
<td>None</td>
<td>Wooden Printer Cart</td>
<td>None</td>
<td>Unknown</td>
<td>Station 2 Pump Hse</td>
</tr>
</tbody>
</table>
AGENDA DESCRIPTION:

Consideration and possible action regarding an update on staffing and workload issues in the Planning and Building Safety Department. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1) Receive and file;
2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:

The City Council, at its February 19, 2008 Council meeting, requested that the Planning and Building Safety Department provide a report to update the Council regarding the Department’s progress in eliminating the backlog of plan checks and planning projects.

Summaries of both the active Planning Projects and their status and the current plan check activity are attached to this report.

Planning Applications

Currently, there are 36 active planning applications in the Planning Division along with 4 substantial projects that are anticipated for submittal to the City in the near term. The 36 active planning applications include 29 development projects and 7 long range planning activities.

The two contract staff members that have been hired and who are now working for the City are

ATTACHED SUPPORTING DOCUMENTS:

1. Planning Projects Summary

FISCAL IMPACT: None

Operating Budget: N/A
Amount Requested: N/A
Account Number: N/A
Project Phase: N/A
Appropriation Required: Yes ✗ No

ORIGINATED BY: Gary Chicots, Director, Planning and Building Safety Department

REVIEWED BY: Jeff Stewart, City Manager
assisting the Division by processing several of the major development projects along with some of the smaller more routine planning applications and plan checks. Both of the Principal Planners that have been hired will arrive in mid March. Staff expects that the current backlog of 29 development projects will have completed initial project review by March 31st.

In addition to development applications, the Department is completing a Housing Element Update and an updated fee study. These projects are the Division’s priority as the Housing Element is due to the State Department of Housing and Community Development on July 1, 2008. A portion of the Fee Study relating to Planning, Building Safety and Public Works fees, which includes an update of Accelerated Plan Check fees, is underway and will be before the Council by July 2008. The remainder of the study, which includes fire, police and library mitigation fees will be addressed afterward.

Among the major development projects, the Planning Division is placing the highest priority on 5 projects that include the following:

1. Plaza El Segundo Phase 1B Project
2. Military Entrance Processing Station Project
3. Aloft Hotel Project
4. Aerospace/Los Angeles Air Force Base Pedestrian Bridge Project
5. Equinix Data Center Project

Initial review on the remaining 24 applications will be completed within 30 days. In addition, there are signs that the number of applications received by the Department are beginning to diminish. Accordingly, it is expected that staff’s ability to handle the workload will reach an acceptable equilibrium within the next couple of months. Staff will keep a watchful eye on the contract planners currently in place to ensure that staffing capacity does not begin to exceed the workload. Currently, however, that is not the situation.

**Building Safety Plan Check Backlog**

Building plan check is the process through which City staff review architectural and structural plans and calculations to assure compliance with, to name a few: life safety requirements, structural design standards, State energy and disabled access provisions. There are wide range of types and levels of complexity of projects that are reviewed by the Building Safety division.

Currently, roughly 10% of all plan checks are completed “over-the-counter”. Since the hiring of a new Building Manager, staff has been able to provide additional assistance at the counter. However, there is an effort underway to increase the percentage of “over-the-counter” plan checks to improve customer service.

The more complicated projects are taken in for “backroom” plan check. On average, plan check staff complete their review within 4 weeks. Upon completion of the initial plan review, staff contacts the applicant to pick up the plans along with a list of corrections prepared by the City’s plan check staff. At that point, the speed of permit issuance is predominantly up to the
applicant and his/her team of professionals as to how quickly their plans and calculations are corrected. As soon as the revised plans have been verified that all corrections have been incorporated, plans are ready to issue.

Below is a timeline of a typical plan review project.

- Phase A – Plans have been submitted to the City and is waiting for initial plan check by City staff.

- Phase B – Initial plan check has been completed and for various different reasons beyond City's control, permits have not been issued.

![Timeline Diagram]

Applicant's team (architect, engineers (civil, geotechnical, structural) and contractor) are revising the plans to reflect list of corrections prepared by City staff.

Initial Plan Check Completed

Permit is issued when all correction have been completed

Table below indicates the number of plans and average waiting time that are in either phase A or B of the plan review process:

<table>
<thead>
<tr>
<th>PHASE</th>
<th>Description</th>
<th>Number/Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Number of Projects Waiting for Initial Plan Review</td>
<td>55 Plans</td>
</tr>
<tr>
<td>A</td>
<td>Average Time From Plan Submittal</td>
<td>2.4 Weeks</td>
</tr>
<tr>
<td>B</td>
<td>Number of Projects Waiting for Applicant to Complete Corrections to Issue Permit</td>
<td>918 Plans</td>
</tr>
<tr>
<td>B</td>
<td>Average Time From Plan Submittal</td>
<td>26 Weeks</td>
</tr>
</tbody>
</table>

Given the current plan check workload, staff anticipates that the current backlog will complete initial plan check within two weeks.

**Allocation of Funding**

At the February 6th Council meeting the City Council reviewed the goals and objectives and approved a staffing program for the Planning and Building Safety Department that included a fiscal impact of up to $350,000. Subsequently at the February 19th meeting, the Council approved the addition of a second Principal Planner position and consultant services for code...
enforcement. The proposed allocation of funding includes the cost of the Principal Planner position and the consultant services for code enforcement. The proposed allocation of funding (remainder of fiscal year 2007/2008) is as follows:

1. Principal Planner                   $73,000
2. Code Enforcement Services         $35,000
3. Planning Contract Staff           $93,500
4. Building Safety Contract Staff    $25,000
   (Inspection-JAS)
5. Building Safety Contract Staff    $67,500
   (Plan Checking Services-JAS)
6. Computers, Phones                  $10,000
Total:                                  $304,000

The cost does not include any recovery of funds from existing or future reimbursement agreements that would recover some of the cost for planning and plan check services for specific projects.
### Planning Projects
(As of February 25, 2008)

**DEVELOPMENT PROJECTS (29 Projects)**

<table>
<thead>
<tr>
<th>Project Type &amp; Location</th>
<th>Project Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Plaza El Segundo</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. 850 S. Sepulveda Blvd. (see Note #2)</td>
<td>Plaza El Segundo (Phase 1B)</td>
<td>Council Hearing on 3/4/08 (Ordinance Adoption); Plans in Plan Check Process</td>
</tr>
<tr>
<td>2. 850 S. Sepulveda Blvd.</td>
<td>Plaza El Segundo (Phase II)</td>
<td>Pending Project Initiation</td>
</tr>
<tr>
<td><strong>Hotel Projects</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. 101 Continental Blvd.</td>
<td>6-Story 167 room hotel (Aloft)</td>
<td>Consultant Preparing Environmental Review Documents (Time Estimate: Draft Mitigated Negative Declaration (MND) for Staff Review Mid to late March; draft MND out for Public Comment mid April to mid May; Planning Commission hearing expected late May)</td>
</tr>
<tr>
<td>4. 525 N. Sepulveda Blvd. (see note #2)</td>
<td>Hotel Parking Structure (Hacienda Hotel-Includes Height &amp; Setback Variance)</td>
<td>Incomplete Application; Awaiting Resubmittal By Applicant</td>
</tr>
<tr>
<td><strong>Data Center Projects</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. 445 N. Douglas St. (see Note #2)</td>
<td>Equinix Data Center</td>
<td>Finalizing Scope of Work, Budget &amp; Contract With Environmental Consultant (Time Estimate of Project Initiation: within 1 Week; draft MND for staff review anticipated in approx. 2 ½ months)</td>
</tr>
<tr>
<td>6. 444 Nash St.</td>
<td>Base Partners Data Center</td>
<td>Staff Reviewing for Completeness (see note #1)</td>
</tr>
</tbody>
</table>
Aerospace/LAAFB Pedestrian Bridge
7. 2350 E. El Segundo Bl.
   (see Note #2)  Pedestrian Bridge Across El
   El Segundo Blvd. (Includes
   Setback Variance)  Consultant Preparing
   Environmental Review
   Documents (Time
   Estimate: draft MND for
   staff review anticipated
   in approx. 2 ½ months)

Military Entrance Processing Station
8. 1700 E. Grand Ave.
    (see Note #2)  32,980 sq. ft. Office/Medical Office
    Building for a Military Entrance
    Processing Station  Consultant Preparing
    Environmental Review
    Documents (draft initial
    study anticipated in 1
    month)

Commercial Condominium Projects
9. 215 California St.  12-Unit Commercial/Industrial
                     Condominium Development  Staff Reviewing for
                     Completeness (see note #1)

10. 222 Kansas/431 E.  31-Unit Commercial/Industrial
    Grand Avenue  Condominium Development  Staff Reviewing for
                 Completeness (see note #1)

Residential Condominium Projects
11. 1700 E Mariposa Ave.  11-Unit Residential Condominium
                          Development  Incomplete Application;
                          Awaiting Resubmittal By
                          Applicant

12. 616-620 W. Imperial Ave. 12-Unit Residential Condominium
                          Development  Scheduled for Planning
                          Commission Hearing on
                          3/27/08

13. 301-305 Palm Ave.  7-Unit Residential Condominium
                      Development  Incomplete Application;
                      Awaiting Resubmittal By
                      Applicant

14. 530 Sheldon St.  ZTA to allow condominium
                     subdivisions in the R-2 Zone  On Hold By Applicant

Wireless Facility Projects
15. 1601 E. Mariposa Ave.  New utility mounted wireless
                           communications facility in
                           Edison ROW  Incomplete Application;
                           Awaiting Resubmittal By
                           Applicant

16. 2151 E. Grand Ave.  New Major Wireless Facility  Incomplete Application;
                         Awaiting Resubmittal By
                         Applicant
<table>
<thead>
<tr>
<th>No.</th>
<th>Address</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>1440 E. Imperial Blvd.</td>
<td>New roof mounted wireless communication facility</td>
<td>Staff Reviewing for Completeness (see note #1) &amp; Preparing Documents For Planning Commission Hearing Hearing Tentatively Anticipated on 3/27/08</td>
</tr>
<tr>
<td>18</td>
<td>2250 E. Imperial Hwy.</td>
<td>New major roof mounted wireless communication facility</td>
<td>Incomplete Application; Awaiting Resubmittal By Application</td>
</tr>
<tr>
<td>19</td>
<td>Storage Facility Project</td>
<td>Self-Storage Facility</td>
<td>On Hold By Applicant</td>
</tr>
<tr>
<td></td>
<td>19. SCE right-of-way N/S</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Corner of Hughes Way</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Conditional Use Permits</td>
<td>Modification to existing CUP for Animal Kennel &amp; Boarding</td>
<td>Staff Reviewing for Completeness (see note #1)</td>
</tr>
<tr>
<td>21</td>
<td>202 Illinois St.</td>
<td>CUP Modification/Variance Request (Auto Driving Museum)</td>
<td>Staff Reviewing for Completeness (see note #1)</td>
</tr>
<tr>
<td>22</td>
<td>Variances</td>
<td>Building Addition-Sideyard Setback Encroachment</td>
<td>Staff Reviewing for Completeness (see note #1)</td>
</tr>
<tr>
<td>23</td>
<td>750 S. Douglas St.</td>
<td>Outdoor dining patio-front/sideyard setback encroachment (Hacienda Hotel)</td>
<td>Incomplete; On Hold By Applicant</td>
</tr>
<tr>
<td>24</td>
<td>Lot Line Adjustments</td>
<td>Merge 4 Parcels Into 2 Parcels</td>
<td>Staff Reviewing for Completeness (see note #1)/Preparing Documents</td>
</tr>
<tr>
<td>25</td>
<td>Administrative Use Permits</td>
<td>AUP For Site Signage To Allow Ground Signs Up To 20 Feet In Height</td>
<td>Staff Reviewing for Completeness (see note #1) Preparing Staff Report for Director Review</td>
</tr>
<tr>
<td>26</td>
<td>Amplified Sound Permits</td>
<td>Outdoor Amplified Sound &amp; Type 41 Alcohol License (Main Street Café)</td>
<td>On Hold By Applicant</td>
</tr>
<tr>
<td></td>
<td>26. 450 Main Street</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Fence Height Adjustments

27. 1445 E. Maple Avenue
   Wall Height Adjustment Request For 8’ High Property Line Wall
   Director’s Decision Issued/On Planning Commission Consent Calendar 2/28/08

28. 432 Hillcrest Street
   Wall Height Adjustment Request For 8’ High Property Line Wall
   Application Incomplete; Awaiting Resubmittal By Applicant

Subdivision Violation/Parking Covenant

29. 701&711 S. Aviation Bl.
   Subdivision Violation-Certificate of Compliance & Off-Site Parking Covenants
   Planning Commission Hearing Held 12/11/07; Continued Hearing to 2/28/08; Off-Site Parking Covenants Approved 12/11/07

DEVELOPMENT PROJECTS ANTICIPATED TO BE SUBMITTED (4 Projects)

<table>
<thead>
<tr>
<th>Project Types</th>
<th>Project Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 888 N. Sepulveda Blvd.</td>
<td>New 9-Story Hotel (Trammel Crow)</td>
<td>Submittal Anticipated In 2 to 4 weeks</td>
</tr>
<tr>
<td>2. Corporate Campus Site</td>
<td>Hotel Project (Thomas Property Group)</td>
<td>Submittal Anticipated In 60 Days</td>
</tr>
<tr>
<td>3. 1950-1960 E. Grand Ave.</td>
<td>Hotel project (Tishman Speyer)</td>
<td>Submittal Anticipated in 60 Days</td>
</tr>
<tr>
<td>4. 390 N. Sepulveda Blvd.</td>
<td>Retail Center-11,500 sq. ft. (Gateway Center)</td>
<td>Submittal Anticipated In 6 to 8 weeks</td>
</tr>
</tbody>
</table>

LONG RANGE PLANNING PROJECTS (7 Projects)

<table>
<thead>
<tr>
<th>Project Type &amp; Location</th>
<th>Project Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Plan Update</td>
<td>Housing Element</td>
<td>Staff Review of Administrative Draft Housing Element &amp; Negative Declaration</td>
</tr>
<tr>
<td>1. Citywide</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Mitigation Fee Studies        | Planning, Building Safety & Public Works Fees | RFP Out To Bid; Proposals Due By 3/13/08 |
| 2. Citywide                   |                                              |                                 |
3. Citywide  | Police, Fire & Library Fees  | Draft in Review

**El Segundo Power Plant**
4. 301 Vista Del Mar Bl.  | Rezoning-Local Coastal Program Update, Zone Change, Zone Text Amendment & General Plan Amendment to Allow Commercial Development  | On Hold Until PUC Decision Is Issued Regarding Modifying The Existing Agreement

**Zone Text Amendments**
5. Citywide  | Off-Street Parking & Loading Standards  | On Hold Until Additional Staff Is Available; Draft In Progress

6. Citywide  | Assisted Living Facilities  | On Hold Until Additional Staff Is Available; Draft In Progress

**Smoky Hollow Study**
7. Smoky Hollow Specific Plan Area  | Smoky Hollow Study Of Zoning Regulations, Urban Design & Infrastructure Issues  | On Hold Until Additional Staff Is Available

**TOTAL NUMBER OF PLANNING PROJECTS: 40 Projects**

**Notes:**
1. Deeming for Completeness occurs within 30 days or less
2. Projects that have submitted concurrently for plan check with “at risk” letter that no project entitlements have been granted for the required planning and environmental review processes.
3. Projects in bold are priority projects
AGENDA ITEM STATEMENT

AGENDA DESCRIPTION:
Consideration and possible action to hold the first El Segundo Environmental Fair on Thursday, July 3, 2008 (Fiscal Impact: $3,000).

RECOMMENDED COUNCIL ACTION:
(1) Approve the El Segundo Environmental Fair to be held in conjunction with the Farmers Market on Thursday, July 3, 2008, (2) Alternatively, discuss and take other action related to this item.

BACKGROUND & DISCUSSION:
The City Council Environmental Subcommittee has concluded that holding an El Segundo Environmental Fair would be an effective tool for building and sustaining support for community-based environmental action. Staff has secured a commitment from the South Bay Energy Savings Center to serve as the lead exhibitor and to assist in coordinating the event planning.

The fair would be scheduled for Thursday, July 3, 2008 at the same time and location as the weekly Farmers Market; The Environmental Fair would adjoin the Farmers Market, running south along Main Street from Holly Street up to the Fire Station. The South Bay Energy Savings Center, working as the lead exhibitor, would bring key vendors to the event, such as Southern California Edison, the Gas Company, West Basin Municipal Water District, and many others. The event would be publicized on the city’s website, as well as the South Bay Energy Savings Center website, e-Newsletter, and Green Task Force. Event preparation and staging costs can be charged against the community promotions account, with reimbursement likely from a water conservation grant by the Metropolitan Water District.

ATTACHED SUPPORTING DOCUMENTS:
None

FISCAL IMPACT: $3,000.00
Operating Budget: $3,000.00
Amount Requested: $3,000.00
Account Number: 001-400-2901-6401
Project Phase: N/A
Appropriation Required: X Yes  No

ORIGINATED BY:

DATE:

Eric Busch, Mayor Pro Tem

REVIEWED BY:

DATE:

Jeff Stewart, City Manager