REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, OCTOBER 7, 2008 - 5:00 P.M.

Next Resolution # 4572
Next Ordinance # 1425

5:00 P.M. SESSION

CALL TO ORDER

ROLL CALL

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

None

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)) – 1 - matter

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): 0 - 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 - matter

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): 4 - matters
City Negotiators: City Manager Jack Wayt; Human Resources Director Bob Hyland; Finance Director Deborah Cullen; Richard Kreisler. Employee Organizations: (1) Unrepresented management/confidential employees (City employees who are not members of bargaining units); (2) El Segundo Police Officers’ Association; (3) El Segundo Firefighter’s Association; (4) the El Segundo Police Management Association.

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

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, OCTOBER 7, 2008 - 7:00 P.M.

Next Resolution # 4572
Next Ordinance # 1425

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Pastor SeHee Han, United Methodist Church of El Segundo

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Eric Busch
PRESENTATIONS

a. Proclamation announcing week of October 4 through 11, 2008 as “No Drugs Down The Drain”.

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 (PUBLIC HEARING)

1. Consideration and possible action (Public Hearing) regarding the proposed revision to the City of El Segundo’s 2008-2009 Community Development Block Grant (CDBG) Program to cancel Project D96660-08, Juvenile Diversion and reallocate CDBG funds totaling $13,039 to an alternate CDBG project. (Fiscal Impact: $13,039)

Recommendation – (1) Open public hearing and take testimony; (2) Close public hearing and discuss item; (3) Cancel CDBG Project D96660-08, Juvenile Diversion, and reallocate CDBG funds totaling $13,039 to an alternate CDBG Project; (4) Authorize the City Manager to execute amendments and or contracts with the Los Angeles County Community Development Commission; (5) Alternatively, discuss and take other possible action related to this item.

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

E. CONSENT AGENDA

All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.
2. Warrant Numbers 2567815 to 2568132 on Register No. 24 in the total amount of $2,495,584.63 and Wire Transfers from 9/04/2008 through 9/25/2008 in the total amount of $2,553,367.90.
Recommendation – Approve Warrant Demand Registers 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.

3. Regular City Council Meeting Minutes of September 16, 2008 and Special City Council Meeting Minutes of September 25, 2008.
Recommendation – Approval.

4. Consideration and possible action regarding the second reading and adoption of Ordinance No. 1424 to amend Title 4, Chapter 11 in its entirety to regulate motion picture, radio, and television production within the City of El Segundo. (Fiscal Impact: None)
Recommendation – (1) Waive second reading and adopt Ordinance No. 1424; (2) Alternatively, discuss and take other action related to this item.

5. Consideration and possible action regarding Adoption of Plans and Specifications for trenchless rehabilitation of sanitary sewer main on Imperial Highway from east to west City limits. Project No.: PW 08-10 (Fiscal Impact: $835,000)
Recommendation – (1) Adopt Plans and Specifications; (2) Authorize staff to advertise the project for receipt of construction bids; (3) Alternatively, discuss and take other action related to this item.

6. Consideration and possible action regarding adoption of a resolution authorizing the annual destruction of identified records in accordance with the provisions of Section 34090 of the Government Code of the State of California. (Fiscal Impact: Not to exceed $1,000)
Recommendation – (1) Adopt Resolution authorizing the destruction of certain records; (2) Alternatively, discuss and take other action related to this item.

7. Consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and on-site consumption of alcohol (Type 41 - On-Sale Beer and Wine) at an existing restaurant located at 409 East Grand Avenue, EA No. 793 and AUP No. 08-03. Applicant: Scot F. Nicol (Fiscal Impact: None)
Recommendation – (1) Receive and file a determination that the City Council does not object to a new Type 41 ABC license at 409 East Grand Avenue; (2) Alternatively, discuss and take other possible action related to this item.
8. Consideration and possible action regarding a request from Mattel, Inc. to install two new temporary five hundred four (504) square-foot “Special Event Signs” on the north side of the parking structure located at 333 Continental Boulevard. Applicant: Mattel, Inc. (Fiscal Impact: None)
Recommendation – (1) Pursuant to ESMC § 15-18-8(H, I), approve Mattel's request to install two temporary oversized five hundred four (504) square-foot banners classified as “Special Event Signs” for a period of three (3) months from October 13, 2008 and ending January 13, 2009; (2) Alternatively, discuss and take other possible action related to this item.

9. Consideration and possible action authorizing the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 42 homes related to the City's Residential Sound Insulation Program Group 21 (Project No. RSI 07-03). (Final Contract Amount: $889,184.03)
Recommendation – (1) Authorize the City Clerk to file the City's Planning and Building Safety Director's Notice of Completion in the County Recorder's Office; (2) Authorize the City Manager, or designee, to close out Project No. RSI 07-03; (3) Alternatively, discuss and take other action related to this item.

10. Consideration and possible action authorizing the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 17 homes related to the City’s Residential Sound Insulation Program Group 22 (Project No. RSI 07-05). (Final Contract Amount: $870,940.07)
Recommendation – (1) Authorize the City Clerk to file the City’s Planning and Building Safety Director’s Notice of Completion in the County Recorder’s Office; (2) Authorize the City Manager, or designee, to close out Project No. RSI 07-05; (3) 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 Brann –

Council Member Fisher –

Council Member Jacobson –

Mayor Pro Tem Busch –

Mayor McDowell –

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MEMORIALS –

CLOSED SESSION

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

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

POSTED:

DATE: 10-01-2008
TIME: 3:20 P.M.
NAME: S. M. J.
Proclamation
City of El Segundo, California

WHEREAS, the United States Geological Survey conducted a study in 2002 sampling 139 streams across 30 states and found that 80 percent had measurable concentrations of prescription and nonprescription drugs, steroids, and reproductive hormones; and

WHEREAS, the disposal of pharmaceutical medications down household drains has a potentially negative impact on California’s water quality, the health of its people and environment;

WHEREAS, a coalition of federal, state and local agencies and private organizations are organizing a statewide public education campaign from October 4 to October 11, 2008, to encourage the public not to flush unwanted drugs down the drain; and

WHEREAS, during No Drugs Down the Drain Week, the public will be educated about the environmental problems caused by flushing unwanted drugs down the drain and encouraged to use proper disposal methods currently available to safely dispose of unwanted drugs.

NOW, THEREFORE, the Mayor and Members of the City Council of the City of El Segundo, California, hereby proclaim the week of October 4 through October 11, 2008, as “No Drugs Down the Drain Week” in El Segundo.

[Signature]
Mayor Kelly McDowell

[Signatures]
Mayor Pro Tem Eric K. Busch
Council Member Carl Jacobson
Council Member Bill Fisher
Council Member Dan Brown
AGENDA DESCRIPTION:
Consideration and possible action (Public Hearing) regarding the proposed revision to the City of El Segundo's 2008-2009 Community Development Block Grant (CDBG) Program to cancel Project D96660-08, Juvenile Diversion and reallocate CDBG funds totaling $13,039 to an alternate CDBG project. (Fiscal Impact: $13,039).

RECOMMENDED COUNCIL ACTION:
1. Open public hearing and take testimony;

2. Close public hearing and discuss item;

3. Cancel CDBG Project D96660-08, Juvenile Diversion, and reallocate CDBG funds totaling $13,039 to an alternate CDBG Project;

4. Authorize the City Manager to execute amendments and or contracts with the Los Angeles County Community Development Commission; and/or,

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

ATTACHED SUPPORTING DOCUMENTS:
None

FISCAL IMPACT: Included in Adopted Budget

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ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Sam Lee, Interim Director of Planning and Building Safety
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
On December 18, 2007 the El Segundo City Council approved the FY 2008-2009 Community Development Block Grant projects and budget. Juvenile Diversion was among the approved FY 2008-2009 Community Development Block Grant (CDBG) projects.

On August 19, 2008 the El Segundo City Council approved the use of General Funds to support the Juvenile Diversion project instead of CDBG funds. Since CDBG funds will no longer fund Juvenile Diversion, it is recommended that CDBG funds be reallocated to an alternate CDBG project.
Under the federal Community Development Block Grant (CDBG) Program, the U.S. Department of Housing and Urban Development (HUD) requires that any CDBG project described in the federal Consolidated Plan submitted by the County of Los Angeles on behalf of participating cities that substantially changes the CDBG Program must be publicly noticed and a public hearing conducted. A substantial change occurs if a CDBG project previously included in the Consolidated Plan is cancelled. Canceling CDBG Project D96660-08, Juvenile Diversion, is considered a substantial change.
# CITY OF EL SEGUNDO
## PAYMENTS BY WIRE TRANSFER
### 9/04/2008 THROUGH 9/25/2008

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**DATE OF RATIFICATION: 10/07/08**
**TOTAL PAYMENTS BY WIRE:** 2,553,367.90

Certified as to the accuracy of the wire transfers by:

- **Deputy Treasurer**
  - Mary M. Kobus
  - Date: 9/25/08

- **Director of Finance**
  - Deborah Bell
  - Date: 9/24/08

- **City Manager**
  - Date: 9/25/08

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
5:00 P.M. SESSION

CALL TO ORDER – Mayor Pro Tem Busch at 5:00 p.m.

ROLL CALL

Mayor McDowell - Present – arrived at 5:05 p.m.
Mayor Pro Tem Busch - Present
Council Member Brann - Present
Council Member Fisher - Present
Council Member Jacobson - Present

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SPECIAL ORDER OF BUSINESS:

None

The City Attorney Mark Hensley stated that Council would be meeting in closed session pursuant to items identified on the agenda and Government Code §54956.9(b) items were the Coleman Claim No. 07-62 and DTS/BKK Landfill.

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

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

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- matter

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): - 4- matters
City Negotiators: City Manager Jack Wayt; Human Resources Director Bob Hyland; Finance Director Deborah Cullen; Richard Kreisler. Employee Organizations: (1) Unrepresented management/confidential employees (City employees who are not members of bargaining units); (2) the El Segundo Police Officers' Association; (3) El Segundo Firefighter's Association; and (4) the El Segundo Police Manager's Association.

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, SEPTEMBER 16, 2008 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Justin Beck, Calvary Chapel

PLEDGE OF ALLEGIANCE – Council Member Carl Jacobson

PRESENTATIONS

a. Council Member Brann presented a Proclamation announcing the week of September 17th through 23rd, 2008 Constitution Week.

b. Council Member Fisher presented a Proclamation to City Treasurer and Kiwanis Member Ralph Lanphere announcing the 32nd Annual Richmond Street Fair, to be held on September 27, 2008.

c. Mayor McDowell presented a Proclamation to Fire Chief Kevin Smith to announce the week of October 5th through 11th, 2008 Fire Prevention Week.

ROLL CALL

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

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Dan Tron, resident and President of Oneway Paint & Design, offered to paint and restore the “Church Directory” sign in the median at Grand Avenue and Main Street.

Vincent Parcel, resident and businessman, spoke regarding upcoming chiropractor fundraising raffle.
A.  PROCEDURAL MOTIONS

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

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

B.  SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1.  Consideration and possible action (Continued Public Hearing) regarding the Fiscal Year 2008-2009 Budget (including all City Revenues and Expenditures), Five-Year Capital Improvement Plan and Adoption of Resolutions approving Appropriation Limit, Preliminary Budget as amended, and Capital Improvement Plan as amended. (Copies of the Fiscal Year 2008-2009 Preliminary Budget can be found in the Library, City Clerk’s Office, and on the City’s website.) (Fiscal Impact $109,801,250 in total appropriations; $103,200,200 in total estimated revenues and prior year designations of $6,601,050.)

Mayor McDowell stated this is the time and place hereto fixed for a continued public hearing regarding the Fiscal Year 2008-2009 Budget (including all City Revenues and Expenditures), Five-Year Capital Improvement Plan and Adoption of Resolutions approving Appropriation Limit, Preliminary Budget as amended, and Capital Improvement Plan as amended. Clerk Domann stated that proper notice was completed and no written communication had been received by City Clerk’s Office.

Deborah Cullen, Finance Director, gave a presentation.

Steve Shevlin, El Segundo High School Athletic Director and resident, spoke in support of construction of an additional aquatics facility.

Geoff Yantz, El Segundo High School Superintendent, spoke in support of a new aquatics facility. Also spoke regarding the City and School District Joint Use Agreement and thanked the Council for their support.

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Jacobson to close the Public Hearing.  MOTION PASSED BY UNANIMOUS VOICE VOTE.  5/0

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4565


MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Fisher to adopt Resolution No. 4565 adopting the 2008-2009 Final Operating Budget for the City of El Segundo and Adopting
the 2008-2009 Capital Improvement Budget. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4566

A RESOLUTION OF THE EL SEGUNDO CITY COUNCIL SETTING ITS APPROPRIATIONS LIMIT FOR FISCAL YEAR 2008-2009 IN ACCORDANCE WITH ARTICLE XIIIIB OF THE CALIFORNIA CONSTITUTION.

MOTION by Council Member Fisher, SECONDED by Council Member Jacobson to adopt Resolution No. 4566 setting its Appropriations Limit for Fiscal Year 2008-2009 in accordance with Article XIIIIB of the California Constitution. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Busch to Incorporate “Exhibit A Fiscal Year 2008-2009 Change List of Budget Revisions in all Funds” into the Adopted Budget and deposit any fiscal year 2008-2009 General Fund savings into the Economic Uncertainty Fund in fiscal year 2008-2009 once the fiscal year 2007-2008 audit is complete; Approve $165,000 for lighting project at George Brett Field; Approve $150,000 in additional funding for El Segundo Unified School District; Approve $100,000 to assume the responsibilities from ESUSD to provide Crossing Guards services for local schools; Approve and adopt recommended fee increases resulting in additional revenues of $1,014,875. (New fees are scheduled for consideration and adoption on October 21, 2008. Approve $630,000 for City Hall Improvements (staff directed to move forward with Human Resources improvements and to send all other improvements back to CIPAC to be added to prioritization list); Approve transfer of $1,214,800 from Workers’ Compensation Fund to General Fund; Approve to undesignate $900,000 in the Economic Uncertainty Fund for liability claims. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. UNFINISHED BUSINESS

2. Consideration and possible action to introduce and waive first reading of an Ordinance amending the El Segundo Municipal Code’s regulation of filming within the City of El Segundo. (Fiscal Impact: None)

Mayor Pro Tem Busch left the dais and did not participate in this item due to a potential conflict regarding his employment.

Mark Hensley, City Attorney, gave a report.

Council received report from the Filming Ad Hoc Subcommittee.

Mark Hensley, City Attorney, read the following changes into the record:

4-11-2 DEFINITIONS:
“Filming” includes all activities attendant to staging or shooting commercial motion pictures, video shows, programs, or commercials and commercially prepared radio broadcasts."

4-11-17 MAXIMUM NUMBER OF FILMING DAYS ALLOWED:

“No permit shall be issued if it will result in any address being located within an impact zone for more than 20 days in the preceding 12 month period. The administrator may increase this 20 day maximum to up to 24 days if consent is received from 100% of the property owners that have been within an impact zone for more than 20 days in the preceding 12 month period.”

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1424

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE CHAPTER 4-11 IN ITS ENTIRETY TO REGULATE MOTION PICTURE, RADIO AND TELEVISION PRODUCTION WITHIN THE CITY OF EL SEGUNDO.

Council Member Fisher introduced the ordinance with changes.

Second reading and adoption of the Ordinance scheduled for October 7, 2008.

Mayor Pro Tem Busch returned to the dais.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

3. Consideration and possible action regarding the Parking In-Lieu Subcommittee's status report and recommendations for developing an integrated approach to downtown parking usage and management in order to maximize current and future downtown parking resources to better meet the needs of businesses, shoppers, workers and residents. (Fiscal Impact: $20,000)

Council Member Jacobson left the dais due to a potential conflict regarding real property on sub-items 1 – Receive a progress report from the Parking In-Lieu Subcommittee and 2 – Direct staff to prepare the necessary resolutions and ordinances to allow for (a) payment plan(s) for parking in-lieu fees; (b) businesses to establish temporary structures/uses (for example, outdoor dining) and lease parking spaces for purposes of meeting parking requirements for such temporary structures/uses; and (c) unrestricted parking in the downtown parking structure from 7:00 a.m. to 5:00 p.m. with a 2 hour parking restriction for all other times.

Mark Hensley, City Attorney, gave a report.

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Fisher to prepare the necessary resolutions and ordinances to allow for (a) payment plan(s) for parking in-lieu fees; (b) businesses to establish temporary structure/uses (for example, outdoor dining) and lease parking spaces for purposes of meeting parking requirements for such temporary structures/uses; and (c) unrestricted parking in the downtown parking structure from 7:00 a.m. to 5:00 p.m. with a 2 hour
parking restriction for all other times. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. COUNCIL MEMBER JACOBSON NOT PARTICIPATING DUE TO HIS INTEREST IN REAL PROPERTY.

Council Member Jacobson returned to the dais.

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Fisher to increase enforcement of downtown parking restrictions. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Fisher to study the feasibility of leasing the City-owned parking lot at the northeast corner of Franklin/Richmond Street to a private developer (so long as the current public parking spaces are maintained on the property) and report back to the Council. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MAYOR MCDOWELL, MAYOR PRO TEM BUSCH, COUNCIL MEMBERS BRANN AND FISER; NOES: COUNCIL MEMBER JACOBSON. 4/1

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 2567584 to 2567814 on Register No. 23 in the total amount of $1,930,292.18 and Wire Transfers from 08/21/2008 through 9/04/2008 in the total amount of $624,551.47. 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 September 2, 2008.

6. Second reading and adoption of Ordinance No. 1421 to amend, in its entirety, El Segundo Municipal Code ("ESMC") Chapter 1-7 regulating purchasing procedures; Second reading and adoption of Ordinance No. 1422 to add a new Chapter 1-7A to the ESMC establishing procedures for executing contracts; Second reading and adoption of Ordinance No. 1423 to add a new Chapter 1-7B to the ESMC regulating the disposition of surplus property.

7. Authorized the City Manager to extend ongoing service agreements with Baker & Taylor Information Services, for supplying books and other library materials and issuance of blanket purchase order, not to exceed $88,200; Authorized the City Manager to extend ongoing service agreements with OCLC Inc., for online cataloging services and issuance of blanket purchase order, not to exceed $15,000; Authorized the City Manager to extend ongoing service agreements with EBSCO Subscription Services, for supplying periodical materials and issuance of blanket purchase order, not to exceed $15,000; Authorized the City Manager to amend/extend contract #2235J to Innovative Interfaces, Inc., for library computer system maintenance and issuance of blanket purchase order, not to exceed $27,000.
8. Authorized the City Manager to execute a one-year contract with the West Covina Service Group for Computer Aided Dispatching/Records Management System, Mobile Data Computer maintenance and operations, not to exceed $76,000; Authorize the City Manager to execute a one-year contract with Motorola for two way radio repair and maintenance of the Communication Center's radio assets and infrastructure, not to exceed $75,000; Authorized the City Manager to execute a one-year contract with the Prevention of Cruelty to Animals Los Angeles for animal sheltering services, not to exceed $27,000; Authorized the City Manager to execute a one-year contract with Enforcement Technology Inc. for processing of parking citations/collections, not to exceed $77,000.

9. Authorized the issuance of a purchase order (year 4 of 5) to Studio Printing for publication of the quarterly "Inside El Segundo/Recreation and Parks Brochure" for an amount not to exceed $39,700; Authorized the issuance of a blanket purchase order to Lane Donovan Partners, LLC (Contract #3399) for contract management services of The Lakes at El Segundo municipal golf course, for an amount not to exceed $108,000; Authorized the City Manager to enter into a contract for professional services with the South Bay Children's Health Center Association for the South Bay Youth Project for on-site counseling services at El Segundo School District facilities for an amount not to exceed $33,018; (4) Authorized the issuance of a blanket purchase order to Great Scott Tree Service (Contract #3476) for tree trimming services in the City of El Segundo, for an amount not to exceed $100,000; Authorized the issuance of a blanket purchase order to Bell Custodial Services (Contract #3413) for custodial services provided at several Recreation Park Department facilities for an amount not to exceed $78,400; Authorized the issuance of a blanket purchase order to Tru-Green (Contract #3421) for landscaping services provided throughout the City for an amount not to exceed $214,000.

10. Authorized the issuance of a purchase order for the purchase of an Océ color plotting and wide format scanning system from Source Graphics for use by all department. (Fiscal Impact: $27,230)

11. Authorized the City Manager to execute a contract and/or purchase order with Tyler Technologies for maintenance of the existing Eden finance system, as approved to form by the City Attorney, not to exceed $27,100; Authorized the City Manager to execute a contract and/or purchase order with Decision Management Company (DMC) for maintenance of the existing Questys document imaging system, as approved to form by the City Attorney, not to exceed $11,700; Authorized the City Manager to execute a contract and/or purchase order with Active.com for software licensing, maintenance/updates, and training, as approved to form by the City Attorney, not to exceed $13,500; Authorized the City Manager to execute a contract and/or purchase order with Progressive Solutions for Business License System maintenance, as approved to form by the City Attorney, not to exceed $20,000; Authorized the City Manager to execute a contract and/or purchase order with Granicus for providing streaming video services for Council meetings, as approved to form by the City Attorney, not to exceed $16,500; Authorized the City Manager to execute a contract and/or purchase order with Shannon David, Inc. for professional services with the City's business recruitment and marketing, program, as approved to form by the City Attorney, not to exceed $150,000.
12. Authorized the City Manager to execute a standard Professional Services Agreement approved as to form by the City Attorney, with U.S. HealthWorks Medical Group, for pre-employment physical examinations and related medical testing and protocols and issuance of a blanket purchase order (not to exceed $30,000), with a combined total not to exceed $45,000; Authorized the City Manager to execute a standard Professional Services Agreement, as approved to form by the City Attorney, with Westchester Medical Group/Center for Heart and Health for employees Fitness for Duty examinations (not to exceed $60,000) and Executive Physical examinations (not to exceed $10,000), with the combined total not to exceed $70,000; Authorized the City Manager to amend/extend contract #3416, for ongoing service agreements, as approved by the City Attorney with Dr. Maureen Sassoon for providing Occupational and Environmental Health and Safety Consulting Services and issuance of a blanket purchase order, not to exceed $25,000.

13. Adopted Resolution No. 4567 establishing Basic Monthly Salary Ranges for the job classifications of Application Specialist, Assistant Fire Marshal, Deputy Fire Chief, Emergency Management Coordinator, Fire Prevention Specialist, Human Resources Specialist, Principal Civil Engineer, Principal Environmental Specialist, Project Specialist, Public Works Inspector, Records Technician, Recreation Coordinator, and Wellness Coordinator; Adopted Resolution No. 4568 establishing new Hourly Pay Rates for the City’s unrepresented, Part-time, Temporary job classifications; Approved the proposed Class Specifications for the job classification of Application Specialist, Assistant Fire Marshal, Battalion Chief, Deputy Fire Chief, Emergency Management Coordinator, Fire Prevention Specialist, Principal Civil Engineer, Principal Environmental Specialist, Project Specialist, Public Works Inspector, Records Technician, Recreation Coordinator and Wellness Coordinator; Approved the Examination Plans for the Application Specialist, Assistant Fire Marshal, Deputy Fire Chief, Principal Environmental Specialist, Project Specialist, Public Works Inspector and Wellness Coordinator.

14. Authorized the El Segundo Fire Department to waive the bidding process per El Segundo Municipal Code §1-7-10 to purchase medical and pharmaceutical supplies, and piggyback on the City of Burbank’s Bound Tree Medical, Inc. (“Bound Tree”) Bid #PA1665 and #PA1698, and authorized issuance of a blanket purchase order to Bound Tree for FY 2008-2009 for medical and pharmaceutical supplies; Authorized the issuance of a blanket purchase order for FY 08-09 to UCLA Center for Pre-Hospital Care for continuing education, defibrillation training and AED program oversight.

15. Authorized the recording of the Notice of Completion and authorized the City Manager to accept completion of work for 23 homes related to the City’s Residential Sound Insulation Program Group 12 (Project No. RSI 06-12). Preliminary Contract Amount: $1,246,534.35 Authorized the City Clerk to file the City’s Planning and Building Safety Director’s Notice of Completion in the County Recorder’s Office. Authorized the City Manager, or designee, to close out Project No. RSI 06-12 as to any remaining invoices or claims.

16. Authorized the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 24 homes related to the City’s Residential Sound Insulation Program Group 13 (Project No. RSI 06-13). Preliminary Contract Amount: $1,147,352.66 Authorized the City Clerk to file the City’s Planning and Building Safety Director’s Notices of
Completion in the County Recorder’s Office. Authorized the City Manager, or designee, to close out Project No. RSI 06-13 as to any remaining invoices or claims.

17. Approved Second Amendment No. 3707 to a Professional Services Agreement with John L. Hunter and Associates, Inc. for $50,000 to provide storm water plan check services and implementation support of the City’s Standard Urban Water Mitigation Plan (SUSWMP) Ordinance No. 1329 for the Planning and Building Safety Department and to extend the term through September 30, 2009 for Fiscal Year 2008-2009. (Fiscal Impact: $50,000) Authorized the City Manager to execute the Second Amendment to a Professional Services Agreement.

18. Approved the Fourth Amendment to a Professional Services Agreement No. 3688 with JAS Pacific, Inc. to provide building inspection and plan check consulting services for the Planning and Building Safety Department through September 30, 2009 for Fiscal Year 2008-2009. (Fiscal Impact: $150,000) Authorized the City Manager to execute the Fourth Amendment to the Professional Services Agreement, in a form approved by the City Attorney, to increase the amount in the agreement and purchase order by $150,000 and to extend the term to expire on September 30, 2009.

19. Approved the First Amendment to a Professional Services Agreement No. 3790 with J Lee Engineering Inc. to provide building plan check consulting services for the Planning and Building Safety Department through September 30, 2009 for Fiscal Year 2008-2009. (Fiscal Impact: $250,000) Authorized the City Manager to execute the First Amendment to the Professional Services Agreement, in a form approved by the City Attorney, to increase the amount in the agreement and purchase order by $250,000 and to extend the term to expire on September 30, 2009 for plan check consulting services.

20. Approved the Fourth Amendment to a Professional Services Agreement No. 3637 with MRH Structural Engineers, Inc. to provide building plan check consulting services for the Planning and Building Safety Department through September 30, 2009 for Fiscal Year 2008-2009. (Fiscal Impact: $100,000) Authorized the City Manager to execute the Fourth Amendment to the Professional Services Agreement, in a form approved by the City Attorney, to increase the amount in the agreement and purchase order by $100,000 and to extend the term to expire on September 30, 2009 for plan check consulting services.

21. Approved the First Amendment to Professional Services Agreement Number 3769 to implement the Senior In-Home Care Project between the City of El Segundo and Always Right Home Care, Inc., for an amount not to exceed $16,000. Contract period: October 1, 2008 through September 30, 2009 with an option to extend the Professional Services Agreement through September 30, 2010. (Fiscal Impact: $16,000) Authorized the City Manager to execute a First Amendment to a Professional Services Agreement with Always Right Home Care, Inc., in a form approved by the City Attorney.

22. Approved the First Amendment to Professional Services Agreement No. 3768, to implement the Home Delivered Meals Project between the City of El Segundo and St. Vincent’s Meals on Wheels for an amount not to exceed $26,000. Contract period: October 1, 2008 through September 30, 2009 with an option to extend the Professional Services Agreement through
September 30, 2010. (Fiscal Impact: $26,000) Authorized the City Manager to execute said First Amendment to the Professional Services Agreement with St. Vincent’s Meals on Wheels in a form approved by the City Attorney.

23. Approved the Third Amendment to Professional Services Agreement No. 3602 to implement the Community Development Block Grant (CDBG) General Administration Project between the City of El Segundo and Tina Gall, for an amount not to exceed $19,000 for the contract period from October 1, 2008 through September 30, 2009. (Fiscal Impact: $19,000) Authorized the City Manager to execute a Third Amendment to Professional Services Agreement No. 3602 with Tina Gall in a form approved by the City Attorney.

24. Approved the First Amendment to a Professional Services Agreement No. 3780 with Tierra West Advisors for providing planning consulting services for a contract staff position for the Planning and Building Safety Department for Fiscal Year 2008-2009 and issuance of a purchase order in excess of $25,000 for Fiscal Year 2008-2009. (Fiscal Impact: $197,600) Authorized the City Manager to execute the First Amendment to the Professional Services Agreement, in a form approved by the City Attorney, to increase the amount in the agreement and purchase order by $197,600 and to extend the term to expire on September 30, 2009 for planning consulting services.

25. Approved the Fifth Amendment to a Professional Services Agreement No. 3571 with Willdan for providing planning consulting services for a contract staff position for the Planning and Building Safety Department for Fiscal Year 2008-2009 and issuance of a purchase order in excess of $25,000 for Fiscal Year 2008-2009. (Fiscal Impact: $197,600) Authorized the City Manager to execute the Fifth Amendment to the Professional Services Agreement, in a form approved by the City Attorney, to increase the amount in the agreement and purchase order by $197,600 and to extend the term to expire on September 30, 2009 for planning consulting services.

26. Awarded a standard Public Works Contract No. 3856 to Doug Martin Contracting Company, Inc. for the slurry sealing of the streets in the area bounded by Mariposa Avenue, Sheldon Street, Imperial Avenue and the west City limit. Project No.: PW 08-09. (Fiscal Impact: $225,209.20) Approved a transfer of $76,000 from undesignated Traffic Safety Fund. Authorized the City Manager to execute a Standard Public Works Contract in a form as approved by the City Attorney.

27. Accepted the work as complete for the project for the City Hall Roof at 350 Main Street. PW 08-02 (Fiscal Impact: None) Authorized the City Clerk to file a Notice of Completion in the County Recorder’s Office.

28. Adopted Resolution No. 4569 adjusting the income threshold required to qualify for lifeline assistance for City water and sewer services. (Fiscal Impact: $6,000.00)

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Brann to approve Consent Agenda Items 4, 5, 6, 7, 8, 9, 10, 1, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.
CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

G. REPORTS – CITY MANAGER – Introduced Dana Greenwood, new Public Works Director.

H. REPORTS – CITY ATTORNEY – Regarding the Coleman Claim, in closed session Council by 5/0 vote agreed to under a reservation of rights, accept the tender from the County of Los Angeles for defense and indemnity with respect to that claim pursuant to the 2005 General Services Agreement between the City of El Segundo and the County of Los Angeles.

I. REPORTS – CITY CLERK - NONE

J. REPORTS – CITY TREASURER - NONE

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann – NONE

Council Member Fisher – Announced the Richmond Street Fair September 27th,

Council Member Jacobson – NONE

Mayor Pro Tem Busch – Announced California Coastal Clean-up Day.

Mayor McDowell – Announced Saturday, September 20th, Community Shred Day at 15001 San Pedro Street, Gardena. Announced Saturday, October 11th, No Drugs Down the Drain Day. Also announced the South Bay Environmental Leadership Award given to South Bay Environmental Solutions Center.

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.

Suzanne Fuentes, resident, thanked Council for their effort on the Film Permit Sub-Committee.

Dora Polk, resident, spoke regarding section 4-11-2 of the proposed Filming Ordinance and how the 300 foot radius was determined.

MEMORIALS – Ruth LeBlanc

CLOSED SESSION - NONE
ADJOURNMENT at 8:55 p.m.

Cathy Domann, Deputy Clerk
SPECIAL MEETING OF THE EL SEGUNDO CITY COUNCIL
Thursday September 25, 2008 – 3:00 P.M.

City Hall-West Conference Room
350 Main Street, El Segundo, CA 90245

CALL TO ORDER – Mayor McDowell at 3:00 p.m.

ROLL CALL

Mayor McDowell                - Present
Mayor Pro Tem Busch            - Present
Council Member Brann           - Absent
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.

A. PROCEDURAL MOTIONS

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

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Jacobson to read all ordinances and resolutions on the Agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. COUNCIL MEMBER BRANN ABSENT.

B. SPECIAL ORDERS OF BUSINESS -

1. COST ALLOCATION AND FEE STUDY WORKSHOP

Consideration and possible action regarding the City commissioned Cost Allocation and Fee Study for fees charged to the public for services rendered by various City Departments that was performed by Revenue Cost Specialist, LLC.

Sam Lee, Interim Planning and Building Safety Manager, gave a report.

Council consensus to receive and file information related to the analysis that has been performed by staff.
C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

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

2. Adopted Resolution No. 4570 providing for an increase in the basic monthly salary range for the At-Will Job Classification of Director of Planning and Building Safety. (Fiscal Impact $4,700)

3. Adopted Resolution No. 4571 finding that an emergency exists and waiving bidding requirements pursuant to Public Contracts Code §§ 20168 and 22050 and authorizing the City Manager to execute Contract No. 3859 in a form approved by the City Attorney with Amtech Elevator Services to repair and retrofit the rear elevator of Park Vista Apartments without the need for bidding in accordance with Public Contracts Code § 22050. (Fiscal Impact: $59,817)

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Fisher to approve Consent Agenda Items 2 and 3. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. COUNCIL MEMBER BRANN ABSENT.

Council Moved to closed session at 3:45 p.m.

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.

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): - 4- matters 1. City Negotiators: Interim City Manager Jack Wayt; Human Resources Director Bob Hyland; Finance Director Deborah Cullen; Richard Kreisler. Employee Organizations: (a) Unrepresented management/confidential employees (City employees who are not members of bargaining units); (b) El Segundo Police Officers’ Association; (c) El Segundo Firefighter’s Association; and (d) El Segundo Police Management Association.

REPORT OF ACTION TAKEN IN CLOSED SESSION - NONE
ADJOURNMENT at 4:30 p.m.

Cathy Domann, Deputy City Clerk
AGENDA DESCRIPTION:
Consideration and possible action regarding the second reading and adoption of Ordinance No. 1424 to amend Title 4, Chapter 11 in its entirety to regulate motion picture, radio, and television production within the City of El Segundo. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Waive second reading and adopt Ordinance No. 1424
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Ordinance No. 1424 amending Title 4, section 11 in its entirety.

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

ORIGINATED BY: Steve Jones, Business Services Manager
REVIEWED BY: Deborah Cullen, Director of Finance
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

On October 17, 2006, the City Council appointed Mayor McDowell and Councilmember Fisher to an ad hoc subcommittee to discuss the City’s film permit processing and current ordinance. The subcommittee was formed in response to filming concerns reported by residents including street closures and parking. The Film Permit Subcommittee met several times during 2007 and made numerous proposed changes to the existing regulations based upon public input. Those changes are reflected in the attached draft ordinance.

(Background and Discussion continued on the next page)
Major Subcommittee Changes

- Creating an "impact zone" within a 300 foot radius around a filming site. The impact zone is presumed to be affected by filming and activities ancillary to filming. A completed application must be filed at least three (3) business days before the filming date for low impact filming (limited use of public right of way in a non-residential area, or little or no vehicle traffic, or does not include lighting, noise, or special effects), five (5) business days before for filming involving stunts or traffic control, or ten (10) business days before for filming involving closure of public streets or rights-of-way.

- Setting a maximum number of days allowed at the same filming site of twenty (20) days within the preceding twelve (12) month period. This number can be increased to twenty four (24) days if the permittee obtains 100% neighbor consent.

- Surrounding neighbors may protest a film permit. The protests are calculated based upon one protest per address within an impact zone(s), and must be received at least two (2) business days before filming. Various scenarios are described stating why a film permit cannot be issued. The proposed ordinance assumes 100% neighbor approval if there are no protests. Protests can be filed for all filming within an impact zone and expire at the end of each calendar year.

- Regulations are proposed to restrict the following: filming cannot commence before 7:00 a.m. unless it is outside an impact zone(s); the permit must be in possession of the permittee at all times while filming; permittee must conduct operation in an orderly fashion and area must be clean before leaving filming site; vehicle parking must be in accordance with city administrator’s directions; all camera cars must have a police escort; all filming and ancillary activities must cease by 10:00 p.m., unless the filming has no impact; permittees must protect any neighbors within an impact zone from glare caused by lighting; and production companies must have written consent to place equipment or vehicles on private property.

There are additional changes that were added to the draft Ordinance to make it conform with existing legal requirements and to facilitate the administration of film permits.
ORDINANCE NO. 1424

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE
CHAPTER 4-11 IN ITS ENTIRETY TO REGULATE MOTION
PICTURE, RADIO AND TELEVISION PRODUCTION WITHIN THE
CITY OF EL SEGUNDO.

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

SECTION 1: El Segundo Municipal Code ("ESMC") Chapter 4-11 is amended in
its entirety to read as follows:

"CHAPTER 11
MOTION PICTURE, RADIO AND TELEVISION PRODUCTION REGULATIONS

4-11-1: PURPOSE
4-11-2: DEFINITIONS
4-11-3: PERMIT REQUIRED; EXEMPTIONS
4-11-4: ADDITIONAL AGREEMENTS
4-11-5: ADMINISTRATION
4-11-6: APPLICATION FOR PERMIT; CONTENTS; ISSUANCE
4-11-7: APPLICATION AND PERMIT FEES
4-11-8: DIRECT OVERHEAD EXPENSES
4-11-9: CASH DEPOSIT FOR FEES AND SECURITY DEPOSIT
REQURED
4-11-10: SECURITY DEPOSIT RETENTION; APPEAL
4-11-11: REVIEW BY CITY OFFICERS
4-11-12: TIME REQUIREMENTS
4-11-13: ACTION ON PERMIT APPLICATION – PERMIT ISSUANCE
4-11-14: ACTION ON PERMIT APPLICATION – PERMIT DENIAL
4-11-15: ALTERNATIVE TIME, PLACE, OR MANNER
4-11-16: ADMINISTRATIVE POLICIES AND PROCEDURES
4-11-17: MAXIMUM NUMBER OF FILMING DAYS ALLOWED
4-11-18: INDEMNIFICATION AGREEMENT
4-11-19: GENERAL PERMIT CONDITIONS – LIABILITY INSURANCE
4-11-20: NOTICE TO RESIDENCES AND BUSINESSES – GENERALLY
4-11-21: IMPACT ZONE PROTESTS
4-11-22: GENERAL PERMIT CONDITIONS – SPECIAL EFFECTS; FIRE
PERMIT
4-11-23: GENERAL PERMIT CONDITIONS – ADDITIONAL
REQUIREMENTS
4-11-24: SUBSEQUENT CONDITIONS
4-11-25: EMERGENCY SUSPENSION OF FILMING
4-11-26: LAND USE AND PARKING REGULATIONS INAPPLICABLE
4-11-27: CORDONING OFF THE ROUTE OR FILMING SITE
4-11-28: PUBLIC CONDUCT DURING FILMING
4-11-29: PROHIBITIONS
4-11-30: MISREPRESENTATION
4-11-31: PERMIT MODIFICATION
4-11-32: PROCEDURE FOR REVOCATION OR SUSPENSION OF PERMIT
4-11-33: APPEALS TO THE CITY COUNCIL
4-11-34: EXPEDITED REVIEW

4-11-1: PURPOSE:

This Chapter is adopted pursuant to the City’s police powers for the purpose of establishing a permit system to regulate motion picture and television production in the City of El Segundo. Application of this Chapter is intended to protect community health, safety, welfare, and property rights by ensuring that motion picture and television production within the City has minimal impact upon businesses and residents.

4-11-2: DEFINITIONS:

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of words and phrases used in this chapter:

“Administrator” means the city manager or designee.

“Applicant” means a person seeking a filming permit pursuant to this chapter.

“Current news” means regularly scheduled news programs (excluding documentary programs) and special news programs which are not preplanned and are broadcast within seventy-two (72) hours after filming.

“Filming” includes all activity attendant to staging or shooting commercial motion pictures, video shows, programs, or commercials, and commercially prepared radio broadcasts. Filming also includes any noncommercial filming that obstructs, delays, disrupts, or otherwise interferes with the ordinary use of city streets, parking facilities, sidewalks or other public rights-of-way, including, without limitation, on-street parking and vehicle traffic within neighborhoods.

“Filming site” means the location designated by a valid permit issued pursuant to this chapter for filming and all ancillary uses including, without limitation, catering, storage, and parking.

“Impact zone” means the area within a 300 foot radius surrounding a filming site which is presumed to be affected by filming and activities ancillary to filming.
“Low Impact Filming” means filming where (a) the filming site involves limited use of the public right of way, is in non-residential areas, or experiences little or no vehicle traffic; or (b) the filming does not include lighting, noise, or special effects.

“Neighbors” means persons residing at residential dwelling units, including all residents in multi-tenant buildings, or operating at business addresses within an impact zone.

“No impact filming” means filming that occurs pursuant to the terms of a valid permit where light, sound, smell, or vibrations resulting from the filming, or activities ancillary to filming, does not interfere with neighbors’ comfortable enjoyment of life or property.

“Permittee” means any natural person, entity, or combinations thereof possessing a film permit issued by the city pursuant to this chapter.

“Still Photography” means and includes all activity attendant to staging or shooting commercial still photographs.

4-11-3: PERMIT REQUIRED; EXEMPTIONS:

B. Except as otherwise provided, it is unlawful for any person to engage in, conduct, or carry on filming or commercial still photography on any public or private property, facility, or residence without a valid permit issued pursuant to this chapter.

C. A permit is not deemed issued until the administrator receives the applicant’s written acceptance in accordance with this chapter.

D. Exemptions:

1. Current News: This chapter does not apply to or affect reporters, photographers, or cameramen in the employ of a newspaper, news service, radio broadcasting station, or similar entity engaged in broadcasting current news concerning those persons, scenes, or occurrences which are in the news and of general public interest.

2. Studios: This chapter does not apply to or affect a motion picture, television, or radio broadcasting studio operating within its physical confines at an established or fixed place of business in the city.

3. Charitable Purposes: A permit fee is not required for any permit issued for filming when the administrator
determines, based upon reasonable evidence, that filming is conducted or carried on wholly for a charitable or nonprofit purpose either directly or indirectly, by any individual.

4. Educational Purposes: A permit fee is not required for any permit issued for filming when the administrator determines, based upon reasonable evidence, that filming is conducted or carried on wholly for student and class photographs, sports pictures, Independent Student Media Film Class activities, Photography Class activities and student cable filming.

4-11-4: ADDITIONAL AGREEMENTS: In addition to, or in lieu of, a permit required by this chapter, use of any public facility within the City may require a rental or use agreement.

4-11-5: ADMINISTRATION: The administrator is authorized to receive applications, issue and revoke permits, and otherwise implement this chapter.

4-11-6: APPLICATION FOR PERMIT; CONTENTS; ISSUANCE:

A. Information Required: The following information must be included in the application:

1. The name, mailing address, and daytime telephone number of the person who will be present during, and responsible for, the filming

2. The address or place at which the activity is to be conducted;

3. The specific location(s) at such address or place;

4. The inclusive times and dates such activity will transpire;

5. A general statement of the character or nature of the proposed activity;

6. The number of personnel to be involved;

7. Anticipated use of any animals, pyrotechnics, fire, or explosives;

8. The food servicing arrangements;

9. Requests for special assistance at the location, including,
without limitation, street closure, traffic control, and emergency services;

10. Whether the activity to be filmed includes vehicle chases or other activities dangerous to the participants or to the public, with a description of the activity to be filmed;

11. The amount and type of equipment to be involved including without limitation, the number and size of vehicles, location of all vehicles and ancillary equipment, and the name of the person responsible for keeping the filming site clear and clean.

12. A declaration regarding notification of residences and businesses within the impact zone as required by this chapter; and

13. Such other information as the administrator deems appropriate.

B. In addition to the provisions of this Chapter, any applicant engaging in activity that requires compliance with federal, state, or local regulations, including additional licenses or permits, must present evidence of satisfactory compliance with those requirements.

4-11-7: APPLICATION AND PERMIT FEES:

A. Motion Picture, Radio, Or Television Productions:

1. A nonrefundable application fee for motion picture, radio or television productions as set by resolution of the city council must be paid.

2. A permit fee set by city council resolution must be paid whenever the permittee uses any portion of any public street, road, right of way or building, other than a building located in a public park, owned or controlled by the city.

3. The use of public parks and buildings located in public parks to the exclusion of the general public is discouraged; however, when such permit is granted, the permit fee will be fixed by city council resolution.

B. Still Photography:

1. A nonrefundable application fee for still photography
commercial advertising as set by resolution of the city
council must be paid.

2.  A permit fee set by city council resolution must be
paid whenever the permittee uses any portion of any public
street, road, right of way or building, other than a building
located in a public park, owned or controlled by the city.

3.  The use of public parks and buildings located in public
parks to the exclusion of the general public is discouraged;
however, when such permit is granted, the permit fee will be
fixed by city council resolution.

4-11-8:  DIRECT OVERHEAD EXPENSES:

In addition to the fees and charges established, the permittee must pay all
costs and direct overhead of the city for supervising, controlling, and
managing permittee's operation. This includes, without limitation, all
personnel costs, all material and supply costs, and all other direct costs and
expenses of the city. These costs and expenses will be computed at the
conclusion of the project and be deducted from the deposit required.

4-11-9:  CASH DEPOSIT FOR FEES AND SECURITY DEPOSIT
REQUIRED:

A.  Cash Deposit: After the application fee is paid and the application
approved and before any permit is issued, permittee must deposit with the
city a cash deposit computed as follows: Twice the amount determined by
the city to be the total cost to the city plus a sum equal to all permit and
license fees.

B.  Conditions For Refund Of Security Deposit: At the conclusion of the
project, the total of the deposit will be applied to the city's permit and
license fees and to the city's costs and direct overhead of administering
and supervising the permit; and the balance, if any, will be deemed a
security deposit. The security deposit must be refunded by the city to the
permittee if the permittee has fully complied with all of the conditions of the
permit and all requirements of law. If the permittee has not complied with
all conditions of the permit and all requirements of law, the security
deposit will be retained by the city.

4-11-10:  SECURITY DEPOSIT RETENTION; APPEAL:

Any person aggrieved by the administrator's determination concerning the
amount of the deposit or the amount of any refund may file a written appeal
as provided by this chapter.
4-11-11: REVIEW BY CITY OFFICERS:

A. After a film permit application is filed, the administrator must forward the application to directors, or designees (collectively “reviewing officers”), whose departments are affected by the proposed event for their recommendations. The reviewing officers may include, without limitation:

1. The fire chief;
2. The police chief;
3. The recreation and parks director; and/or
4. The public works director.
5. The El Segundo Unified School District superintendent when filming will occur along a route or at a location adjacent to a school or classroom.

B. Upon receiving an application, the reviewing officers must consider the application, conduct any necessary investigation, and provide the administrator with written recommendations regarding:

1. Any special conditions for a permit;
2. Whether, based on the scope of the proposed filming, a pre-filming operational meeting is required. Should such a meeting be necessary, the administrator will notify the applicant of the time and place of the meeting within a reasonable time before filming; and
3. Any additional recommendations.

C. The reviewing officers must complete their review before the administrator can make a decision on the application.

4-11-12: TIME REQUIREMENTS:

A. Except as provided in this Chapter, completed applications for a film permit must be filed in the administrator’s office at least:

1. Three (3) business days before the filming date for a permit that does not require City services and is low impact filming; or
2. Five (5) business days before the filming date for filming involving stunts or traffic control; or

3. Ten (10) business days before the filming date for filming involving closure of public streets or rights-of-way, or use of pyrotechnics, fire, or explosives for special effects, except that an application may be filed pursuant to subsection A(1) if special effects are limited to the use of "squibs" as defined in Title 19, Section 980 of the California Code of Regulations, or any successor regulation, and the fire department determined the pyrotechnic operator's license to be in good standing within the previous twelve (12) months.

B. Except as provided in this Chapter, completed applications for a film permit must be denied, approved, or conditionally approved by the administrator within the applicable time periods established by Subsections A(1-3). Following his/her decision, the administrator will promptly attempt to notify the applicant orally and in writing.

C. Unless otherwise provided, the applicant's acceptance of the approval or conditional approval must be received by the administrator before the filming date. Failure to accept the decision or failure to file a request for appeal constitutes a withdrawal of the application.

4-11-13: ACTION ON PERMIT APPLICATION – PERMIT ISSUANCE:

A. The administrator must issue a permit if

1. The application was complete in accordance with this Chapter;

2. There are no grounds for denying the permit; and

3. Applicant accepts the permit approval or conditional approval in writing.

B. Use of any permit issued pursuant to this Chapter must conform to the general permit conditions of this Chapter and, if applicable, special permit conditions reasonably deemed necessary by the administrator to protect public safety and/or welfare. Such special conditions may include, without limitation, conditions for controlling pedestrian and/or vehicle traffic, for protecting public and/or private property, and/or for protecting public health and safety.

4-11-14: ACTION ON PERMIT APPLICATION – PERMIT DENIAL:
A. A permit may be denied for the following reasons:

1. The application is incomplete;

2. The applicant failed to provide reasonable supplemental application information requested by the administrator;

3. Information submitted by the applicant is materially false;

4. Applicant seeks approval for filming that is so close in time and location to another event scheduled for the same date as to cause unreasonable traffic congestion and/or to overextend public safety and/or emergency services;

5. Filming time and/or methodology will unreasonably interrupt the safe and orderly movement of traffic contiguous to the filming site;

6. The concentration of persons, animals, and/or vehicles at the filming prevents public safety and/or emergency services from reaching areas at or contiguous to the event;

7. The concentration of persons, animals, and/or vehicles at the filming on or adjacent to public institutions or schools prevents normal egress and ingress into the facility;

8. The size of filming will overextend public safety and/or emergency services to the extent that the safety of filming participants, attendees, and/or the remainder of the City will be seriously jeopardized; provided, however, that nothing authorizes denial of a permit because of the need to protect participants from the conduct of others if reasonable permit conditions can be imposed;

9. The filming location will substantially interfere with construction or maintenance work previously scheduled to take place on or along the City street, parking facility, sidewalk or other public right-of-way to be occupied by the event;

10. The filming will occur along a route or location adjacent to a hospital or extended care facility, and the noise
created by the filming would substantially disrupt the operation of the hospital or extended care facility or disturb the patients within;

11. The filming will occur at a location adjacent to a library and the noise created by the filming will substantially disrupt the library's operation or disturb a library's patrons;

12. The application is not timely submitted and there is insufficient time to investigate and process the application pursuant to the timelines in this Chapter;

13. The application fails to include a declaration regarding notification of residences and businesses within the impact zone as required by this chapter.

B. The administrator must consult with the city attorney before denying a filming permit.

4-11-15: ALTERNATIVE TIME, PLACE, OR MANNER:

If the administrator denies a film permit that would be acceptable by changing filming time, place, or manner, then the administrator may inform the applicant of such alternatives. Should the applicant accept the alternative time, place, or manner then the administrator will issue a permit in accordance with this Chapter.

4-11-16: ADMINISTRATIVE POLICIES AND PROCEDURES:

The city manager is authorized and directed to promulgate administrative policies and procedures governing the form, time, and location within the city to implement this chapter. The rules and regulations can be based upon the following criteria:

A. Traffic congestion at particular locations within the city;

B. The written consent of all property owners or occupants in possession of property within the impact zone, as determined by the administrator and in accordance with this chapter;

C. The safety and convenience of all persons;

D. The disruption of normal activities of all persons at particular locations within the city;

E. The safety of property within the city.
4-11-17: MAXIMUM NUMBER OF FILMING DAYS ALLOWED:

No permit can be issued if it will result in any address being located within an impact zone for more than twenty (20) days in the preceding twelve (12) month period. The administrator may increase this twenty (20) day maximum to up to twenty-four (24) days if consent is received from 100% of addresses that have been within an impact zone for more than twenty (20) days in the preceding twelve (12) month period.

4-11-18: INDEMNIFICATION AGREEMENT:

Permittees must enter into a hold harmless agreement with the City which, in part, indemnifies City, its officers, employees, and agents, from any liability arising from permittees' filming in a form approved by the city attorney.

4-11-19: GENERAL PERMIT CONDITIONS – LIABILITY INSURANCE:

A. Insurance Requirements. Permittee must obtain public liability insurance from an insurance company licensed to do business in the state of California and having a financial rating in Best’s Insurance Guide of not less than “A VII.” Such insurance must provide “occurrence” coverage against liabilities for death, personal injury, or property damage arising out of or in any way connected with filming. Such insurance shall be based upon the size and nature of filming, the risks foreseeably involved, and must be in the amount of at least one million dollars ($1,000,000), combined single limit, and name the City and the City’s officers, employees, agents, and volunteers as additional insureds under the coverage afforded. The city’s risk manager may increase this minimum limit depending on the risk involved with the proposed filming. In addition, such insurance must be primary and noncontributing with respect to any other insurance available to the City and include a severability of interest (cross-liability) clause. If alcoholic beverages are sold or served during filming, the policy must also include an endorsement for liquor liability in an amount not less than one million dollars ($1,000,000).

B. Certificates of Insurance. A copy of the policy or a certificate of insurance along with all necessary endorsements, in a form approved by the City’s risk manager, must be filed with the administrator not less than five (5) business days, except as otherwise provided in this Chapter, before filming unless the administrator for good cause waives the filing deadline.

C. Bonds. A bond/cash deposit may be required for purposes of repairing any damage and restoring City facilities to original condition. The amount will be determined by the administrator. In the event of such
damage, City will provide written notice to the permittee specifying the damage to be repaired and/or City facilities to be restored. If, after providing permittee with such written notice, the requested repairs and/or restoration of City facilities have not been commenced and/or completed within seven (7) days, City may draw upon the bond/cash deposit to effect said repairs and/or restoration of City facilities. In the event of damage requiring emergency repairs and/or restoration of City facilities by the City, the permittee is required to reimburse the City in full for all costs incurred within thirty (30) days receipt of invoice from City.

4-11-20: NOTICE TO RESIDENCES AND BUSINESSES - GENERALLY:

Before the administrator issues a filming permit, an applicant must notify neighbors within an impact zone as follows:

A. The applicant must make every reasonable effort to notify neighbors within the impact zones, by any reasonable means specified by the administrator, regarding the filming's nature, date, and time.

B. Notifications must include applicant's name, address, telephone number, date(s), and time(s) of filming.

C. The applicant must submit a declaration, signed under penalty of perjury, with a permit application stating that reasonable notice was provided to every neighbor within the impact zone.

D. The administrator may, at the applicant's cost, prepare documentation showing the neighbors within an impact zone.

4-11-21: IMPACT ZONE PROTESTS:

A. The neighbors within the impact zone are entitled to one protest per address. All protests must be received by the administrator at least two (2) business days before the filming date;

B. The administrator cannot issue a filming permit if:

1. More than fifty percent (50%) of neighbors within the impact zone submit protests against Low Impact Filming. The administrator may, but is not required to, require a lower percentage of protests based upon the time, place, or manner of the proposed filming and its consequent impact on surrounding businesses or residences;

2. If the administrator receives at least one (1) protest from a neighbor within the impact zone for filming that
requires street closures; or

3. More than ten percent (10%) of neighbors within the impact zone for all other filming sites submit protests.

C. A rebuttable presumption of one hundred percent (100%) approval from neighbors within an impact zone is established if the administrator does not receive any protests from within an impact zone.

D. Neighbors may submit protests for all filming located within 300 feet of their property with the administrator. The administrator will keep a record of such protests until the end of each calendar year and apply such protests when determining the protest percentages established by this section. Protests must be resubmitted at the beginning of each calendar year to be effective.

4-11-22: GENERAL PERMIT CONDITIONS – SPECIAL EFFECTS; FIRE PERMIT:

An applicant must obtain a permit from the City fire department for filming that includes pyrotechnics, fires, or explosives. During filming the permittee must, at its own expense, use City fire personnel deemed necessary by the City fire department. All City fire permits must be obtained at least seventy-two (72) hours before filming.

4-11-23: GENERAL PERMIT CONDITIONS – ADDITIONAL REQUIREMENTS:

A. Filming cannot commence before 7:00 a.m.- unless it is -no impact filming allowed by a valid permit.

B. The permit, in its entirety, must be in the possession of the permittee at all times while filming.

C. A permittee must conduct operations in an orderly fashion. The area used must be cleaned of trash and debris upon completion and before leaving the filming site(s). A deposit to assure that a permittee removes all trash and debris from the filming site(s) may be required. This requirement and the amount may be determined by the administrator.

D. Vehicle parking for all filming related activities must be in accordance with the administrator's directions.

E. All camera cars must have a police escort. The administrator may determine how many police officers will be required to escort camera cars.
F. All filming and ancillary activities must cease not later than 10:00 p.m. unless it is no impact filming allowed by a valid permit. Such ancillary activities include, without limitation, striking sets, loading equipment, and vehicle traffic.

G. Permittees must protect any neighbors within an impact zone from glare caused by lighting used for filming after sunset.

H. Production companies cannot place equipment or vehicles on private property without the private property resident's written consent.

4-11-24: SUBSEQUENT CONDITIONS:

A. Grounds for Subsequent Conditions. The administrator may condition previously issued permits upon learning or discovering facts not previously disclosed or reasonably discoverable.

B. Notice of Subsequent Conditions. Should subsequent conditions be required, the administrator will serve written notice on the permittee of this decision. When acting upon information obtained twenty-four (24) hours before filming, the administrator may orally inform the permittee, and City personnel overseeing filming, of the new conditions.

4-11-25: EMERGENCY SUSPENSION OF FILMING:

The city manager, administrator, and/or any sworn public safety officer may temporarily suspend filming whenever there is an emergency that requires such action to protect public safety. Should this occur, the permittee and filming participants must immediately comply with the suspending officer's instructions. The administrator will immediately attempt to notify the applicant orally and notify the applicant in writing, within twenty-four (24) hours after the suspension, citing with particularity the facts and the reasons for the suspension.

4-11-26: LAND USE AND PARKING REGULATIONS INAPPLICABLE:

Except as otherwise provided by this Chapter or the terms and conditions of a permit issued under this Chapter, those provisions of this Code regulating land use and parking do not apply to a permittee. All other provisions of this Code are applicable to the permittee's conduct except as specifically provided in the permit.

4-11-27: CORDONING OFF THE ROUTE OR FILMING SITE:

The administrator, or designee, is authorized and directed to establish traffic and/or crowd control devices on or within the City's streets, parking facilities,
sidewalks, or other public rights-of-way, and to undertake other actions necessary to cordon off the filming site. In addition, the administrator, can, when appropriate, cause the filming site to be posted as a no-parking zone for the duration of filming and sufficiently in advance thereof as may be necessary to prevent vehicles from parking along the route or at the filming location.

4-11-28: PUBLIC CONDUCT DURING FILMING:

A. Interference with Filming. It is unlawful for any person to physically obstruct, impede, hamper or otherwise interfere with any filming authorized by a permit or with any person, animal or vehicle participating or used in filming.

B. Driving Through the Filming Site. It is unlawful for any person to drive a vehicle between vehicles or persons authorized by a film permit when such vehicles or persons are in motion.

C. Prohibited Parking. It is unlawful for any person to park along or within any portion of the route or filming site, when the filming site is designated as a no-parking zone by the administrator in the manner authorized by this Chapter.

4-11-29: PROHIBITIONS:

It is unlawful for any person to engage in filming that would constitute a hazard to public safety or interfere with or endanger the public peace or rights of residents and other occupants of property to the quiet, peaceful, unmolested enjoyment of their property.

4-11-30: MISREPRESENTATION:

It is unlawful for any person to knowingly or intentionally misrepresent to any officer or employee of the city any material fact in procuring the permit provided for in this chapter.

4-11-31: PERMIT MODIFICATION:

A. If, due to inclement weather or other, similar, unforeseen circumstances, it is necessary to change the filming date and/or time, the administrator may, upon permittee's request, issue a film permit addendum authorizing filming at the same location for new times and dates. Permittee must comply with all applicable provisions of this Chapter, including notification, and pay any reasonable administrative fee that permit reissuance may cost.
B. If there is any substantial change in the filming from that described in the permit application, an applicant must pay the permit application fee and obtain an amended permit before the filming date.

4-11-32: PROCEDURE FOR REVOCATION OR SUSPENSION OF PERMIT:

A. The administrator can revoke a film permit upon learning or discovering facts requiring permit denial not previously disclosed or reasonably discoverable.

B. The administrator may revoke a film permit when the permittee and/or filming violates the permit’s terms and conditions, or when filming participants violate applicable laws or regulations; provided, however, that this subsection does not authorize revoking a permit because of the need to protect participants from the conduct of others; and, provided further, that the administrator cannot revoke a permit without warning the permittee and allowing him/her to correct the violation(s) within a reasonable time.

C. If the administrator revokes a permit before the filming date, the administrator must immediately serve written notice of revocation on the permittee and provide copies of the notice to all City personnel charged with carrying out any responsibility under this Chapter. If the administrator revokes a permit on the day of filming after learning of facts justifying revocation less than twenty-four (24) hours before the filming commenced, the administrator must announce such action to the filming participants, City officers and employees monitoring or controlling traffic during the filming, and the person in charge of the filming, if such person can be located at the filming location. Written notice must be delivered after such action to the permittee.

D. An applicant is entitled to an administrative hearing before a hearing officer designated by the city manager provided

1. The applicant appeals the administrator’s decision within twenty-four (24) hours of receiving notice of such conditions;

2. Filming is scheduled at least forty-eight (48) hours after the hearing time;

3. The hearing will be at the administrator’s office at 4:00 P.M. the day after the hearing is requested, unless otherwise agreed upon. The hearing officer will issue a decision orally at the conclusion of the hearing and also notify the applicant,
the administrator in writing of the hearing officer's decision;

4. Any notification of action, whether oral or written, must describe with particularity the facts and the reasons for the decision;

E. The administrator must consult with the city attorney before revoking a filming permit.

F. Appeals To Council: Any person aggrieved by the decision of the administrator may appeal to the council in the manner provided by this chapter.

G. Failure To Appeal: In the event no appeal is taken by the permittee, the decision of the administrator revoking or suspending such permit becomes final and conclusive on the expiration of the time fixed for the appeal as set forth in this chapter.

4-11-33: APPEALS TO THE CITY COUNCIL:

A. Procedures: Any person aggrieved by any decision of the administrator or of any other officer of the city made pursuant to the provisions of this chapter may appeal to the council within fifteen (15) days after notice thereof by filing with the city clerk a written notice of appeal, briefly stating in such notice the grounds relied upon for appeal. If such appeal is made within the time prescribed, the city clerk will schedule a hearing before the council within thirty (30) days after the date of the receipt of such notice of appeal, giving the appellant not less than ten (10) days' notice in writing of the time and place of the hearing. The findings and determinations of the council at such hearing are final and conclusive and within three (3) days after such findings and determinations are made, the city clerk will give notice thereof to the appellant.

B. Council Determination: For appeals relating to the suspension or revocation of permits issued pursuant to this chapter, the council's determination become effective on the second day after the city clerk gives notice thereof to the appellant, unless otherwise provided by the council.

4-11-34: EXPEDITED REVIEW:

Pursuant to California Code of Civil Procedure § 1094.8(c), and any successor statute or regulation, the permits under this chapter are designated for expedited judicial review pursuant to the procedure set forth in California Code of Civil Procedure § 1094.8, or any successor statute or regulation."
SECTION 2: This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures to permit operation of existing facilities; minor temporary use of land; ensure maintenance, restoration and protection of the environment; and regulate normal operations of facilities for public gatherings. This Ordinance, therefore, is categorically exempt from further CEQA review under Cal. Code Regs. Title 14, §§ 15301, 15304(e), 15308, and 15323.

SECTION 3: 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 4: Repeal of any provision of the El Segundo Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5: 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 6: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this ___ day of __________, 2008.

________________________________________
Kelly McDowell, Mayor
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. _________ 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

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

By: _______________________
   Karl H. Berger, Assistant City Attorney
EL SEGUNDO CITY COUNCIL
AGENDA STATEMENT

MEETING DATE: October 7, 2008
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:
Consideration and possible action regarding Adoption of Plans and Specifications for trenchless rehabilitation of sanitary sewer main on Imperial Highway from east to west City limits.
Project No.: PW 08-10
(Fiscal Impact: $835,000)

RECOMMENDED COUNCIL ACTION:
1. Adopt Plans and Specifications.
2. Authorize staff to advertise the project for receipt of construction bids.
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Location Map

FISCAL IMPACT: Included in Adopted Budget
Amount Requested: $835,000.00
Additional Appropriation: No
Account Number(s): 502-400-8204-8647

ORIGINATED BY: Maryam M. Jonas, Principal Civil Engineer
REVIEWED BY: Dana Greenwood, Public Works Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
There is an existing 5001 linear feet of 15” diameter sewer main on Imperial Highway west of Center Street to the west City limit. The existing sewer main on the east side of Center Street is 8” in diameter and is 1,928 linear feet long. These sections of piping were identified by the Sewer Master Plans as having some of the most severe structural problems. Rehabilitation is determined by the evaluation of television inspection tapes of sewer mains in year 2000.

Rehabilitation will be accomplished by slip lining method which involves installation of a lining inside the existing sewer main or excavation and reconstruction of damaged mains if needed.

All work to install the lining material will be done from the public street and with this method there is no need to excavate.

Funding for the rehabilitation of the sewer mains on Imperial Highway is available through the recently established sewer enterprise fund. There is $835,000 available for the annual sewer main repair in the adopted 2007-2008 budget.
AGENDA DESCRIPTION:
Consideration and possible action regarding adoption of a resolution authorizing the annual destruction of identified records in accordance with the provisions of Section 34090 of the Government Code of the State of California. (Fiscal Impact: Not to exceed $1,000)

RECOMMENDED COUNCIL ACTION:
1. Adopt Resolution authorizing the destruction of certain records;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Resolution with Attachments

FISCAL IMPACT: Included in Adopted Budget

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ORIGINATED BY: Cathy Domann, Deputy City Clerk
РЕVIEWED BY: Cindy Mortensen, City Clerk
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
Each year various Departments need to transition older documents to storage or destruction and make space for the new year’s records. By reviewing the older records and inventorying the current ones, available storage space is used more efficiently.

Documents from the City Clerk’s Office (unsuccessful bids and requests for proposals, Fair Political Practices Commission filings, election material, miscellaneous administrative and duplicate records, and Council meeting VHS video tapes which have been converted to DVD) are proposed to be destroyed. In addition, documents from the Finance Department (warrant registers), Fire Department (emergency medical service reports, copies of invoices and purchase orders), Police Department (parking and traffic citations, subpoenas, records checks, expired restraining orders, miscellaneous correspondence, and personnel background files for unsuccessful candidates) are proposed to be destroyed in accordance with Government Code Section 34090.

All listed records meet the required retention schedule adopted by City Council Resolution No. 4471 and the City Attorney has given written approval for the destruction of these records.
RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE DESTRUCTION OF PUBLIC RECORDS IN ACCORDANCE WITH THE CALIFORNIA GOVERNMENT CODE.

BE IT RESOLVED by the Council of the City of El Segundo as follows:

SECTION 1: The City Council finds as follows:

A. Certain documents from the Finance Department, City Clerk’s Office, Fire Department, and Police Department are proposed to be destroyed in accord with Government Code § 34090;

B. The City Attorney has giving written approval for the destruction of these records pursuant to Government Code § 34090;

C. Based upon the documents presented to it for destruction, it does not appear to the City Council that these records need be retained and are occupying valuable storage space.

SECTION 2: Pursuant to Government Code § 34090, the City Council approves the destruction of the records referred to in attached Exhibit “A,” which is incorporated by reference, and authorizes the City Clerk to dispose of the records in any lawful manner.

SECTION 3: Upon destroying these documents, the City Clerk is directed to complete a certificate verifying the destruction of these records and file the certificate with the City’s official records.

SECTION 4: The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the City’s original resolutions; and make a minute of the adoption of the Resolution in the City Council’s records and the minutes of this meeting.

SECTION 5: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 7th day of October 2008.

____________________________________
Kelly McDowell,
Mayor
STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES ) SS
CITY OF EL SEGUNDO )

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, hereby certify that the whole number of members of the City Council of the City is five; that the foregoing Resolution No. ________ was duly passed and adopted by said City Council, approved and signed by the Mayor of said City, and attested to by the City Clerk of said City, all at a regular meeting of said Council held on the 7th day of October 2008, and the same was so passed and adopted by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

__________________________________
Cindy Mortesen,
City Clerk

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

By: _______________________________________
   Karl H. Berger
   Assistant City Attorney
EXHIBIT A
CITY OF EL SEGUNDO

RECORDS DESTRUCTION FORM

The records listed below are scheduled to be destroyed, as indicated on the Retention Schedule adopted by the City Council (Resolution 4291 adopted 12/17/02, Amended 06/07/06 by Resolution 4471):

<table>
<thead>
<tr>
<th>Records Description</th>
<th>Start Date</th>
<th>End Date</th>
<th>Box #</th>
<th>Retention Period</th>
<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unsuccessful Bids and RFPs (SEE ATTACHED LIST)</td>
<td>1998</td>
<td>1999</td>
<td>1-4</td>
<td>Bid Opening + 2 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>City Council Agenda Packets – Documents archived in document imaging system.</td>
<td>1997</td>
<td>1997</td>
<td>5-7</td>
<td>5 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Back-up at off-site storage. (SEE ATTACHED LIST)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Statements of Economic Interest (SEE ATTACHED LIST)</td>
<td>1999</td>
<td>1999</td>
<td>8</td>
<td>7 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Miscellaneous Correspondence Files</td>
<td>2004</td>
<td>2004</td>
<td>9</td>
<td>2 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Public Records Requests</td>
<td>2004</td>
<td>2004</td>
<td>9</td>
<td>2 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Unsuccessful Request for Proposals (SEE ATTACHED LIST)</td>
<td>2003</td>
<td>1/2004</td>
<td>10-11</td>
<td>Bid Opening + 2 Years</td>
<td>City Clerk</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

[Signature]

Department Head

[Signature]

City Attorney

I HEREBY CERTIFY that the items listed above are approved for destruction on
in accordance with City policies and procedures:

Cindy Mortesen, City Clerk

Date

057
### BOX 1

**BIDS AND RFP'S**

<table>
<thead>
<tr>
<th>Document</th>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>PD-98-11</td>
<td>12-15-98</td>
<td>Cardio Vascular Gym Equip</td>
</tr>
<tr>
<td>PD-98-10</td>
<td>12-15-98</td>
<td>Strength Training Gym Equip</td>
</tr>
<tr>
<td>RP-98-09-RFP</td>
<td>12-02-98</td>
<td>Master Tree Program</td>
</tr>
<tr>
<td>FR-98-04</td>
<td>11-08-98</td>
<td>Architectural Services – Fire Stn. 2</td>
</tr>
<tr>
<td>PD-98-03-RFP</td>
<td>04-20-98</td>
<td>Architectural Services Com Ctr.</td>
</tr>
<tr>
<td>CC-98-01A-RFP</td>
<td>03-05-98</td>
<td>Codification of Municipal Code</td>
</tr>
</tbody>
</table>

### BOX 2

**BIDS AND RFP'S**

<table>
<thead>
<tr>
<th>Document</th>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>PBS-99-11</td>
<td></td>
<td>RFP - Acoustical Engrg Services</td>
</tr>
<tr>
<td>FN-99-09</td>
<td>09-16-99</td>
<td>Bus. License System RFP</td>
</tr>
<tr>
<td>FD-99-08</td>
<td></td>
<td>Fire Pumper</td>
</tr>
<tr>
<td>PD-99-07</td>
<td>06-15-99</td>
<td>RFP ICBO Cert Resident Inspector</td>
</tr>
<tr>
<td>PD-99-06</td>
<td>06-01-99</td>
<td>RFP ICBO Cert Resident Inspector –</td>
</tr>
<tr>
<td>HR-99-05</td>
<td>04-22-99</td>
<td>Classification/Comp Study</td>
</tr>
<tr>
<td>FD-99-04</td>
<td>03-23-99</td>
<td>Fire Hose Replacement</td>
</tr>
<tr>
<td>RP-99-03</td>
<td>04-13-99</td>
<td>Refurbish HS Auditorium</td>
</tr>
</tbody>
</table>

### BOX 3

**BIDS AND RFP'S**

<table>
<thead>
<tr>
<th>Document</th>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HR 99-14</td>
<td></td>
<td>Administrator Workers' Comp</td>
</tr>
<tr>
<td>PA 99-13</td>
<td>12-14-99</td>
<td>Library Study Chairs</td>
</tr>
<tr>
<td>PD 99-12</td>
<td>10-26-99</td>
<td>RFP Communications Center 911</td>
</tr>
</tbody>
</table>

### BOX 4

**Continued**

<table>
<thead>
<tr>
<th>Document</th>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>PD 99-12</td>
<td>10-26-99</td>
<td>RFP Communications Center 911</td>
</tr>
</tbody>
</table>
City Council Agenda Packets

12-16-97
12-02-97
11-18-97
11-04-97
10-21-97
10-07-97
09-13-97
09-13-97
09-02-97
08-19-97
08-05-97
09-16-97

City Council Agenda Packets

08-04-97
07-15-97
07-02-97
07-01-97
06-17-97
06-10-97
06-03-97
05-20-97
05-06-97
04-28-97
05-19-97
04-15-97
04-01-97
03-25-97
03-22-97
03-18-97
City Council Agenda Packets

03-04-97
02-18-97
02-04-97
01-22-97
01-21-97
01-10-97
01-07-97
1999 Statements of Economic Interest

<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Misc Correspondence Linda Lidster</td>
<td>Roger Groman</td>
<td>Nick Gerenday</td>
</tr>
<tr>
<td>Mike Gordon (copy) Jamie Taylor</td>
<td>Greg Johnson</td>
<td>Margie Randall</td>
</tr>
<tr>
<td>Sandra Jacobs (copy) Loran Hammond</td>
<td>Judy Andoe</td>
<td>Bill McCavity</td>
</tr>
<tr>
<td>Nancy Wernick (copy) Harvey Holden</td>
<td>Richard Williams</td>
<td>Debbie Bundy</td>
</tr>
<tr>
<td>John Gaines (copy) Enrique Huerta</td>
<td>Pat Hart</td>
<td>Colleen Glynn-Rich</td>
</tr>
<tr>
<td>Kelly McDowell (copy) Bret Plumlee</td>
<td>Nancy Pheifer</td>
<td>Thomas Killinger</td>
</tr>
<tr>
<td>Mary Strenn (copy) Gavin Curran</td>
<td>Joseph Pinchuk</td>
<td>Peter Freedman</td>
</tr>
<tr>
<td>Mark Hensley (copy) Steve Jones</td>
<td>David Reeves</td>
<td>Carol Wingate</td>
</tr>
<tr>
<td>Bill Bue (copy) Richard Hogate</td>
<td>Michael Dugan</td>
<td>Edna Freeman</td>
</tr>
<tr>
<td>Gary Wycoff (copy) Jim Walker</td>
<td>A.J. Paz</td>
<td>Louis McCann</td>
</tr>
<tr>
<td>James Boulgarides (copy) Lee Robinson</td>
<td>John Van Hook</td>
<td>Keith</td>
</tr>
<tr>
<td>Covington</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brian Crowley (copy) Craig Pedego</td>
<td>Mike Rotolo</td>
<td>Sandra Gutt</td>
</tr>
<tr>
<td>Michael Kretzmer (copy) Karl Nessel</td>
<td>Robin Funk</td>
<td>Paula Rotolo</td>
</tr>
<tr>
<td>Philip Mahler (copy) David Sharp</td>
<td>Karen Ackland</td>
<td>Donald McLlroy</td>
</tr>
<tr>
<td>Ralph Lanphere (copy) John Gilbert</td>
<td>David Gaulton</td>
<td></td>
</tr>
<tr>
<td>Cheryl Frick (copy) Eric Moore</td>
<td>William Mason</td>
<td></td>
</tr>
<tr>
<td>Gregory Rickard (copy) Steve Tsumara</td>
<td>Carl Jacobson</td>
<td></td>
</tr>
<tr>
<td>Cindy Mortesen (copy) James Carver</td>
<td>Willard Krick</td>
<td></td>
</tr>
<tr>
<td>Cathy Domann (copy) Debra Brighton</td>
<td>Richard Lundquist</td>
<td></td>
</tr>
<tr>
<td>Mary Kobus (copy) Ericka Condon</td>
<td>Brian Polkinghome</td>
<td></td>
</tr>
<tr>
<td>Jeffrey Stewart (copy) Caroline Rowan</td>
<td>Gerry Chong</td>
<td></td>
</tr>
<tr>
<td>Jim Hansen (copy) Dina Cramer</td>
<td>Bill Goodglick</td>
<td></td>
</tr>
<tr>
<td>Chris Ketz (copy) Tim Grimmond</td>
<td>Dan Reeder</td>
<td></td>
</tr>
<tr>
<td>Seimone Jurjis (copy) Jack Wayt</td>
<td>Kirk Walske</td>
<td></td>
</tr>
<tr>
<td>Sandra Lane (copy) Ron Green</td>
<td>Leigh Engibous</td>
<td></td>
</tr>
<tr>
<td>Laurie Jester (copy) Andres Santamaria</td>
<td>Bernice Whitcomb</td>
<td></td>
</tr>
<tr>
<td>Paul Garry (copy) Bellur Devaraj</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ron Darville (copy) Bobby Green</td>
<td>Don Carter</td>
<td></td>
</tr>
<tr>
<td>Suresh Tyagi (copy) Gary Morris</td>
<td>Thomas Coonan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jane Conley</td>
<td></td>
</tr>
</tbody>
</table>
# CITY OF EL SEGUNDO

## RECORDS DESTRUCTION FORM

The records listed below are scheduled to be destroyed, as indicated on the Retention Schedule adopted by the City Council (Resolution 4291 adopted 12/17/02, Amended 06/07/06 by Resolution 4471):

<table>
<thead>
<tr>
<th>Records Description</th>
<th>Start Date</th>
<th>End Date</th>
<th>Box #</th>
<th>Retention Period</th>
<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Council Meeting VHS Video Tapes. Have been converted to DVD format. Backup at off-site storage.</td>
<td>Various</td>
<td>8/2006</td>
<td>1-6</td>
<td>Upon receipt and certification of DVD</td>
<td>City Clerk</td>
</tr>
<tr>
<td>City Council Meeting Audio Tapes. Now archived on DVD and Streaming Video. Backup at off-site storage.</td>
<td>Various</td>
<td>Various</td>
<td>#2</td>
<td>Upon receipt and certification of DVD</td>
<td>City Clerk</td>
</tr>
</tbody>
</table>

## APPROVED FOR DESTRUCTION:

<table>
<thead>
<tr>
<th>Department Head</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## APPROVED FOR DESTRUCTION:

<table>
<thead>
<tr>
<th>City Attorney</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6/26/06</td>
</tr>
</tbody>
</table>

I HEREBY CERTIFY that the items listed above are approved for destruction on ________________ in accordance with City policies and procedures:

<table>
<thead>
<tr>
<th>Cindy Mortesen, City Clerk</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
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</table>
CITY OF EL SEGUNDO

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<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duplicate Records - Council Minutes (Recordack Film Media) Original documents kept by the City Clerk. Electronic copies in Questys Document Imaging Database. Backup at off-site storage.</td>
<td>1950</td>
<td>1960</td>
<td>#1-#2</td>
<td>N/A – Duplicate Records</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Duplicate Records - Ordinances, Resolutions, Deeds (Recordack Film Media) Original documents kept by the City Clerk. Electronic copies in Questys Document Imaging Database. Backup at off-site storage.</td>
<td>Various</td>
<td>Various</td>
<td></td>
<td>N/A – Duplicate Records</td>
<td>City Clerk</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

_________________________  __________________________
Department Head                      Date

APPROVED FOR DESTRUCTION:

_________________________  __________________________
City Attorney                      Date

I HEREBY CERTIFY that the items listed above are approved for destruction on ______________________ in accordance with City policies and procedures:

_________________________  __________________________
Cindy Mortesen, City Clerk            Date
CITY OF EL SEGUNDO

RECORDS DESTRUCTION FORM

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<th>End Date</th>
<th>Box #</th>
<th>Retention Period</th>
<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Clerk Budget Worksheets</td>
<td>2002</td>
<td>2004</td>
<td>12</td>
<td>2 Years</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Nov. 2004 County General Election Information</td>
<td>2004</td>
<td>2004</td>
<td>12</td>
<td>2 Years</td>
<td>City Clerk</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

_____________________________
Department Head

_____________________________
City Attorney

I HEREBY CERTIFY that the items listed above are approved for destruction on _______________ in accordance with City policies and procedures:

_____________________________
Cindy Mortesen, City Clerk

_____________________________
Date
CITY OF EL SEGUNDO

RECORDS DESTRUCTION FORM

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<th>End Date</th>
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<th>Retention Period</th>
<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warrant Registers</td>
<td>1953</td>
<td>1961</td>
<td>#1-#2</td>
<td>Audit + 2 years</td>
<td>Finance</td>
</tr>
<tr>
<td>(Recordack Film Media)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

[Signature]
Department Head

3/18/09
Date

APPROVED FOR DESTRUCTION:

[Signature]
City Attorney

3/21/08
Date

I HEREBY CERTIFY that the items listed above are approved for destruction on
_______________________ in accordance with City policies and procedures:

Cindy Mortesen, City Clerk

Date
CITY OF EL SEGUNDO

RECORDS DESTRUCTION FORM

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<th>Start Date</th>
<th>End Date</th>
<th>Box #</th>
<th>Retention Period</th>
<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dispatch Printouts</td>
<td>Jan 2001</td>
<td>April 2001</td>
<td>11</td>
<td>Current + 6 yrs (Minors 18+1)</td>
<td>Fire</td>
</tr>
<tr>
<td>EMS Reports</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dispatch Summaries</td>
<td>Jan 2001</td>
<td>June 2001</td>
<td>12</td>
<td>Current + 6 yrs (Minors 18+1)</td>
<td>Fire</td>
</tr>
<tr>
<td>Dispatch Printouts</td>
<td>May 2001</td>
<td>July 2001</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EMS Reports</td>
<td>May 2001</td>
<td>July 2001</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dispatch Summaries</td>
<td>July 2001</td>
<td>Dec 2001</td>
<td>13</td>
<td>Current + 6 yrs (Minors 18+1)</td>
<td>Fire</td>
</tr>
<tr>
<td>Dispatch Printouts</td>
<td>Aug 2001</td>
<td>Sept 2001</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EMS Reports</td>
<td>Aug 2001</td>
<td>Sept 2001</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dispatch Printouts</td>
<td>Oct 2001</td>
<td>Dec 2001</td>
<td>14</td>
<td>Current + 6 yrs (Minors 18+1)</td>
<td>Fire</td>
</tr>
<tr>
<td>EMS Reports</td>
<td>Oct 2001</td>
<td>Dec 2001</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Invoices and PO copies</td>
<td>2000</td>
<td>2001</td>
<td>15</td>
<td>2 years</td>
<td>Fire</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

[Signature]
Department Head

2-26-08
Date

APPROVED FOR DESTRUCTION:

[Signature]
City Attorney

3/12/2008
Date

I HEREBY CERTIFY that the items listed above are approved for destruction on
________________________________________________________________________
in accordance with City policies and procedures:

Cindy Mortesen, City Clerk

[Signature]
Date

66
CITY OF EL SEGUNDO

RECORDS DESTRUCTION FORM

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<th>Box #</th>
<th>Retention Period</th>
<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
<td>PARKING CITATIONS</td>
<td>2000</td>
<td>2000</td>
<td>1</td>
<td>2</td>
<td>POLICE</td>
</tr>
<tr>
<td>TRAFFIC CITATIONS</td>
<td>2003</td>
<td>2003</td>
<td>1</td>
<td>2</td>
<td>POLICE</td>
</tr>
<tr>
<td>1996 FILE LABELS</td>
<td>N/A</td>
<td>N/A</td>
<td>6 BOXES</td>
<td>N/A</td>
<td>POLICE</td>
</tr>
<tr>
<td>SUBPOENAS</td>
<td>2005</td>
<td>2006</td>
<td>1</td>
<td>2</td>
<td>POLICE</td>
</tr>
<tr>
<td>RECORDS CHECKS</td>
<td>2005</td>
<td>2006</td>
<td>1</td>
<td>2</td>
<td>POLICE</td>
</tr>
<tr>
<td>EXPIRED RESTRAINING ORDERS</td>
<td>1998</td>
<td>2000</td>
<td>1</td>
<td>5</td>
<td>POLICE</td>
</tr>
<tr>
<td>MISCELLANEOUS CORRESPONDENCE</td>
<td>1998</td>
<td>2001</td>
<td>1</td>
<td>2</td>
<td>POLICE</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

[Signature]

Department Head

Date: 7-15-08

APPROVED FOR DESTRUCTION:

[Signature]

City Attorney

Date: 7/25/08

I HEREBY CERTIFY that the items listed above are approved for destruction on ___________ in accordance with City policies and procedures:

Cindy Mortesen, City Clerk

Date
CITY OF EL SEGUNDO

RECORDS DESTRUCTION FORM

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<th>Retention Period</th>
<th>Dept</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel background files for candidates not selected, withdrew, or were disqualified</td>
<td>1996</td>
<td>2000</td>
<td>4-5</td>
<td>8 years</td>
<td>Police</td>
</tr>
</tbody>
</table>

APPROVED FOR DESTRUCTION:

[Signature]

Department Head

9.2.08

Date

APPROVED FOR DESTRUCTION:

[Signature]

City Attorney

9/10/08

Date

I HEREBY CERTIFY that the items listed above are approved for destruction on _____________ in accordance with City policies and procedures:

Cindy Mortesen, City Clerk

Date
AGENDA DESCRIPTION:
Consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and on-site consumption of alcohol (Type 41 - On-Sale Beer and Wine) at an existing restaurant located at 409 East Grand Avenue, EA No. 793 and AUP No. 08-03. Applicant: Scot F. Nicol (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:
1. Receive and file a determination that the City Council does not object to a new Type 41 ABC license at 409 East Grand Avenue; and/or,
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Crime and Arrest Statistics by Reporting Districts (RD)
2. Police Reporting Districts Map
4. Approval Letter to Applicant dated September 17, 2008

FISCAL IMPACT: None

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<thead>
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<th>Amount Budgeted:</th>
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<td>Account Number(s):</td>
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ORIGINATED BY: Paul Samaras, Principal Planner
REVIEWED BY: Kimberly Christensen, AICP, Planning Manager
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

I. Background

At its April 4, 1995 meeting, the City Council directed staff to bring all future ABC licenses to it for review. ABC regulations require a 30-day review and comment period, for alcohol sales at restaurants, after notification of the local police and planning departments. The grounds of a protest should relate to public health, safety or welfare concerns. Restaurants with Type 41 licenses are specifically excluded from the ABC regulations, which require the City to make findings of public convenience and necessity in areas of "undue concentration" for off-site sale licenses. Based upon previous Council direction, staff is providing background information regarding this application.
II. **Analysis**

According to the most recent Crime and Arrest statistics report (January 2008 – June 2008, Exhibit 1) prepared by the Police Department, the proposed restaurant is located in Reporting District (RD) 110. Based on 2008 reported data prepared by the Police Department, the district had a total of 3 Part I crimes (criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson) and no felony and misdemeanor arrests. The Police Department and the Planning and Building Safety Department have no concerns regarding the issuance of a new ABC license for the existing restaurant.

The approval of this license request would be for the convenience of serving alcoholic beverages to the customers to complement the food service at an existing restaurant currently being remodeled. A request for a new license is required, since the applicant does not currently hold a Type 41 license, and there was no previous license issued for this address location. The restaurant is under new ownership. The applicant’s proposed hours of alcohol sale are expected to be during the hours the restaurant is open. The restaurant's hours of operation will be limited to: 10:00 a.m. to 10:00 p.m. seven days a week. The outdoor patio would be open the same hours as the restaurant and there are no residential uses adjacent to the subject property.

On September 17, 2008, the Director of Planning and Building Safety approved an Administrative Use Permit application (EA No. 793, AUP No. 08-03) for 409 East Grand Avenue. The Director's decision was forwarded to the Planning Commission on September 25, 2008. On September 25, 2008, the Planning Commission chose to Receive and File the item with the conditions of approval.

The ABC license review is a separate application from the City’s AUP process, which requires mandatory findings that are regulated by the Department of Alcoholic Beverage Control. The Department of Alcoholic Beverage Control (ABC) in addition to reviewing the City’s AUP approval is responsible for running a complete background check on all alcohol license applicants, as well as conducting site inspections, before the issuance of any type of license.

III. **Conclusion**

Planning staff recommends that the Council receive and file the determination and not object to the issuance of a new Type 41 ABC license at 409 East Grand Avenue as granted by Environmental Assessment No. 793 and Administrative Use Permit AUP 08-03.
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</table>

**Totals: 342 92 434**

**Number of Reporting Districts = 51**
**Average # of Part I Crimes per Reporting District = 7**
**Average # of Felony/Misdemeanor Part I Crime Arrests per Reporting District = 2**
**Average # of Crimes and Arrests per Reporting District = 9**

*(Results from 01/01/2008 through 06/30/2008)*

**FORMULA:** Add (Part I crimes + Felony/Misd Arrest) then subtract from the Average # of Crimes and Arrest per Rd, divided by the Average # of Crimes and Arrests per RD and multiply by 100.

**Sample:** $11+6=17/9=8.9=0.88*100=88\%$
CITY OF EL SEGUNDO

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: September 25, 2008

SUBJECT: Environmental Assessment No. EA-793
Administrative Use Permit No. 08-03

APPLICANT: Scot F. Nicol

PROPERTY OWNER: Willow Vista Rentals, LLC - David Wehrly

REQUEST: A Request for an Administrative Use Permit to allow the sale and consumption of alcohol at an existing Restaurant with a (Type 41 Alcoholic Beverage Control License)

PROPERTY INVOLVED: 409 East Grand Avenue

I. INTRODUCTION

The Planning and Building Safety Department received the above referenced application for an Administrative Use Permit to allow the sale and consumption of alcohol at an existing restaurant currently being remodeled at 409 East Grand Avenue in the Neighborhood Commercial (C-2) Zone. The proposed project for permitting the sale and consumption of alcoholic beverages is consistent with uses allowed in the C-2 Zone. The applicant is requesting a Type 41 license for the on-site sale and on-site consumption of beer and wine in the restaurant from the California Department of Alcoholic Beverage Control. The restaurant will consist of an indoor dining area and 200 square-foot outdoor patio. The restaurant will be approximately 1,100 square feet in area. The restaurant will contain 23 seats in the general dining area and 5 seats at the bar for a total of 28 seats inside the restaurant. The 200 square-foot outdoor dining area is proposed directly in front of the building with direct access from the interior of the restaurant and will contain 20 additional seats. The restaurant will contain a combined total of 48 seats. The Director made the necessary findings to grant an Administrative Use Permit for the on-site sale and consumption of alcohol and approved the Administrative Use Permit on September 16, 2008 (see exhibit A).
II. ANALYSIS

The following chart describes the proposed dining and seating areas as revised:

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<tr>
<th>PROPOSED RESTAURANT</th>
<th>PROPOSED SQUARE FOOTAGE</th>
<th>NUMBER OF SEATS</th>
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</thead>
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<tr>
<td>Indoor Dining</td>
<td>1,100 SF</td>
<td>28 seats</td>
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<tr>
<td>Outdoor Patio (west)</td>
<td>200 SF</td>
<td>20 seats</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,300 gross SF</strong></td>
<td><strong>48 seats</strong></td>
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The Administrative Use Permit is required for the restaurant since there is no current alcohol service or license at this location. Restaurants are a permitted use in this Zoning District in accordance with the Neighborhood Commercial (C-2) Zone. The proposed use (on-site sale and consumption of beer and wine) requires an Administrative Use Permit (AUP) in accordance with El Segundo Municipal Code § 15-5B-4(B).

The following chart is the parking analysis for the proposed uses:

<table>
<thead>
<tr>
<th>PROPOSED RESTAURANT</th>
<th>PROPOSED SQUARE FOOTAGE - REQUIRED PARKING RATIO</th>
<th>REQUIRED PARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor Dining and Bar</td>
<td>1,100 SF – 1 Space/75 SF</td>
<td>15 Parking Spaces</td>
</tr>
<tr>
<td>Outdoor Patio (west)</td>
<td>200 SF – 1 Space/75 SF</td>
<td>None required</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,300 net SF</strong></td>
<td><strong>15 Parking Spaces</strong></td>
</tr>
</tbody>
</table>

(8 Parking Spaces provided – existing legal nonconforming)


The proposed indoor dining area and food preparation area is 1,100 square feet which requires 15 parking spaces. The proposed outdoor patio is less than 200 total square feet and therefore will require no additional parking spaces. The total required parking for the proposed restaurant is 15 parking spaces. The existing parking for the restaurant (8 spaces) is legal nonconforming. No new floor area is
proposed for the restaurant and therefore no additional parking is required.

The restaurant dining hours of operation are proposed to be limited to: Monday through Sunday from 10:00 a.m. to 10:00 p.m. The outdoor patio will be open the same hours as the restaurant. Any change to the hours of operation is subject to review and approval by the Director of Planning and Building Safety. No live entertainment is proposed.

Planning staff reviewed the application and the Director made the necessary findings to grant an Administrative Use Permit. The attached letter specifies all of the required findings for the permit.

III. INTER-DEPARTMENTAL COMMENTS

The project applications and plans were circulated to all the relevant City Departments and are attached to this report.

IV. RECOMMENDATION

Receive and File.

V. EXHIBITS

A. Administrative Use Permit Approval Letter, dated September 15, 2008
B. Interdepartmental Comments
C. Administrative Use Permit application
D. Site Plan

Prepared by: Paul Samaras, Principal Planner

Kimberly Christensen, AICP, Planning Manager
Department of Planning & Building Safety

Gary Chicots, Director
Department of Planning & Building Safety

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City of El Segundo
Planning & Building Safety Department

September 17, 2008

Scot F. Nicol
307 A Kansas Street
El Segundo, CA 90245

RE: Environmental Assessment No. EA-793 and Administrative Use Permit (AUP) No. 08-03
On-Site Sale and Consumption of Beer and Wine at an Existing Restaurant (Type 41 State of California Alcoholic Beverage Control License)
Address: 409 East Grand Avenue

Dear Mr. Nicol:

I am pleased to inform you that, in accordance with El Segundo Municipal Code ("ESMC") Chapter 15-22, the Planning Division reviewed your application for the above-referenced project and the Director of Planning and Building Safety Department APPROVED Environmental Assessment No. EA-793 and Administrative Use Permit No. 08-03 for the on-site sale and consumption of beer and wine at 409 East Grand Avenue. The following are the findings and facts in support of each finding for this decision:

FINDINGS AND FACTS IN SUPPORT OF FINDINGS:

Environmental Assessment No. 793

Finding 1

- The proposed project is categorically exempt from additional environmental review pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15301, since the project involves the continued use of an existing restaurant space with the addition of beer and wine service and minor interior and exterior alterations.

Facts in Support of Finding 1

1. The applicant proposes to provide for the sale of beer and wine for on-site consumption at an existing 1,100 square-foot restaurant with a 200

350 Main Street, El Segundo, California 90245-3813
Phone (310) 524-2380 FAX (310) 322-4167
square-foot outdoor dining patio. No expansion of the existing building is proposed. The property is in an urbanized area where it has adequate access and all public services and facilities are available. The site is currently developed and is not in an area that is environmentally sensitive. Therefore the project is not anticipated to have any significant impacts with regard to traffic, noise, air quality or water quality.

Administrative Use Permit 08-03

Finding 1

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

Facts in Support of Finding 1

1. The applicant proposes to provide on-site sale and consumption of beer and wine in an existing restaurant. The 1,100 square-foot restaurant with a 200 square-foot outdoor dining area is located in the Neighborhood Commercial (C-2) Zone at 409 East Grand Avenue. The restaurant will include an indoor seating area with 23 seats and a bar area with five seats for a total of 28 seats. Additionally, the outdoor patio will provide 20 seats for a combined total of 48 seats.

2. The minimum number of required parking spaces for the restaurant and patio is eight (existing nonconforming) spaces in the parking lot onsite. No additional parking is required in that the restaurant use will remain and the proposed outdoor patio is limited to 200 square feet.

3. The proposed restaurant will be compatible with the surrounding land uses which include commercial retail, restaurant, office uses and a park.

4. The General Plan land use designation for the site is Neighborhood Commercial.

5. The zoning for the site is Neighborhood Commercial Center (C-2). Restaurants are a permitted use in this Zoning District in accordance with ESMC § 15-5B-2(F). The proposed use (on-site sale and consumption of beer, wine and distilled spirits at a restaurant) requires an Administrative Use Permit in accordance with ESMC § 15-5B-4(B).

6. The restaurant must obtain a State of California Alcohol and Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 41).
7. On September 25, 2008, the El Segundo Planning Commission is scheduled to Receive and File the Administrative Use Permit request.

Finding 2

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

Facts in Support of Finding 2

1. The General Plan land use designation for the site is Neighborhood Commercial.

2. The zoning for the site is Neighborhood Commercial (C-2). Restaurants are a permitted use in this Zoning District in accordance with ESMC § 15-5B-2(F). The proposed use (on-site sale and consumption of beer, wine and distilled spirits at a restaurant) requires an Administrative Use Permit in accordance with ESMC § 15-5B-4(B).

3. The purpose of the Neighborhood Commercial (C-2) Zone is intended to promote, preserve, enhance and service the neighborhood commercial needs of adjacent residential areas. The proposed use is consistent with this purpose of the zone in that the restaurants are an allowed use.

4. The proposed use is consistent with the General Plan Land Use Element in that the Neighborhood Commercial Land Use Category is intended to provide integrated neighborhood-serving commercial areas adjacent to the residential neighborhoods.

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

6. The proposed use is consistent with Economic Development Element Goal ED1 to create a strong, healthy economic community in which all diverse stakeholders may benefit.

7. The surrounding land uses include: commercial retail, office, and park uses. The proposed restaurant will be compatible with the surrounding uses.
Finding 3

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

Facts in Support of Finding 3

1. The restaurant and alcohol service will be located on the first floor of an existing two-story building and in a 200 square-foot outdoor dining patio. Parking will be provided on-site in the parking lot behind the building.

2. The surrounding land uses include commercial retail, office and park uses. The proposed restaurant includes a small bar area (five seats) and outdoor patio (20 seats).

3. The restaurant dining hours of operation are limited from 10:00 a.m. to 10:00 p.m. seven days a week (Monday through Sunday). The bar area and patio hours would be open the same hours. Food service would be available in the bar and patio during the dining hours. No live entertainment is proposed.

Finding 4

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

Facts in Support of Finding 4

1. The sale of alcohol will not create any new impacts that would not be normally associated with the operation of a restaurant with an indoor dining area and outdoor patio area.

2. The proposed hours of operation for alcohol sales and the location of the proposed restaurant, which is located in a commercial zone with residential uses in the vicinity, but not located on adjoining properties, will help to minimize impacts on surrounding uses.

3. The proposed restaurant dining hours of operation are limited from 10:00 a.m. to 10:00 p.m. seven days a week (Monday through Sunday). The bar and patio hours would be open the same hours as the restaurant hours. No residential uses are directly adjacent to the subject property. In addition, ample parking is being provided on the subject site and it is accessible to pedestrians from the surrounding area and the downtown.
4. In addition to complying with the requirements of the City of El Segundo and the State of California Department of Alcoholic Beverage Control the restaurant is subject to County Health Department regulations that address and monitor impacts of fumes and odors.

Finding 5

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

Facts in Support of Finding 5

1. The applicant must obtain a license from the State of California Department of Alcoholic Beverage Control (Type No. 41).

DIRECTOR OF PLANNING AND BUILDING SAFETY DEPARTMENT ACTION

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

1. The restaurant dining hours of operation are limited from 10:00 a.m. to 10:00 p.m. seven days a week (Monday through Sunday). The bar and patio hours must be limited to the same hours as the restaurant. Food service must be available in the bar and patio during the dining hours. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety.

2. The seating within the restaurant must be limited to 23 seats in the dining area, 5 seats in the bar, and 20 seats in the outdoor patio for a combined total of 48 seats.

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

4. Any subsequent changes to the floor plan and areas where alcohol will be served must be reviewed and approved to the satisfaction of the Director of Planning and Building Safety Department.

5. The applicant must obtain and maintain all licenses required by the Alcoholic Beverage Control Act (Business & Professions Code §§ 23300 et seq.). The applicant must obtain and maintain a Type 41 license.
6. The restaurant operations must comply with ESMC §§ 7-2-1, et seq. regulating noise and vibration.

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

8. The applicant must comply with all regulations of the Alcoholic Beverage Control Act and the regulations promulgated by the Alcoholic Beverage Control Board including, without limitation, the regulations set forth in 4 Cal. Code ofRegs. §§ 55 et seq.

9. The applicant must post a sign in a clear and conspicuous location listing a phone number at which a responsible party may be contacted during all open hours of the establishment to address any concerns of the community regarding noise in the restaurant, patio and parking lot. Said contact’s name and phone number must also be available through the restaurant staff at all times.

10. The applicant must, at all times, display a Designated Driver sign of at least ten inches by ten inches (10” X 10”) in the bar and restaurant dining areas at eye level. The sign must be worded in a way that reminds patrons who are consuming alcohol to designate a non-drinking driver.

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

12. All employees serving alcoholic beverages to patrons must enroll in and complete a certified training program approved by the State Department of Alcoholic Beverages Control (ABC) for the responsible sales of alcohol. The training must be offered to new employees on not less than a quarterly basis.

13. Any and all employees hired to sell alcoholic beverages must provide evidence that they have either:

   a. Completed training from the State of California Department of Alcoholic Beverage Control (ABC), Inglewood District Office administered Leadership and Education in Alcohol and Drugs (LEAD) Program in the form of an ABC-issued certificate; or,

   b. Completed an accepted equivalent by the ABC, Inglewood District Office to ensure proper distribution of beer, wine and distilled spirits to
adults of legal age. If any prospective employee designated to sell alcoholic beverages does not currently have such training, then;

c. The ABC-licensed proprietors must have confirmed with the Planning and Building Safety Department within fifteen (15) days of the Director's decision, or by final project approval, that a date certain has been scheduled within the local ABC Office to complete the LEAD course.

d. Within thirty (30) days of taking said course, the employees, or responsible employer must deliver each required certificate showing completion to the Police Department.

14. The licensee must have readily identifiable personnel to monitor and control the behavior of customers inside the building premises. Staff must monitor activity outside in the parking lot and any adjacent property under the establishment's control to ensure the areas are generally free of people and are cleared of patrons and their vehicles one-half hour after closing.

15. If complaints are received regarding excessive noise, parking availability, lighting, building access, and the like associated with the restaurant, patio and bar areas, the city may, in its discretion, take action to review the Administrative Use Permit, including without limitation, adding conditions or revoking the permit.

16. The outdoor dining/seating areas must comply with ESMC § 15-2-16.

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

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

19. The Applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. 793 and Administrative Use Permit No. 08-03. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of EA-793 or AUP 08-03, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.
PLANNING COMMISSION

Please be advised that this does not conclude the review process. This determination will be transmitted to the Planning Commission at its September 25, 2008 meeting with the recommendation that the Planning Commission Receive and File the determination. The City Council will determine whether or not to protest the issuance of the ABC License (Type 41) at its meeting on October 7, 2008.

If you have any questions regarding this project, please contact Paul Samaras, Principal Planner, at (310) 524-2312.

Sincerely,

[Signature]

Gary Chicots, Director
Department of Planning and Building Safety
AGENDA DESCRIPTION:
Consideration and possible action regarding a request from Mattel, Inc. to install two new temporary five hundred four (504) square-foot “Special Event Signs” on the south side of the parking structure located at 333 Continental Boulevard. Applicant: Mattel, Inc. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
(1) Pursuant to ESMC § 15-18-8(H, I), approve Mattel’s request to install two temporary oversized five hundred four (504) square-foot banners classified as “Special Event Signs” for a period of three (3) months from October 13, 2008 and ending January 13, 2009; and/or
2) Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
2. Proposed Sign Elevation
3. Site Plan

FISCAL IMPACT: None

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

ORIGINATED BY: Maria Baldenegro, Assistant Planner
REVIEWED BY: Kimberly Christensen, AICP, Planning Manager
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

I. Background

The corporate office building and parking structure for Mattel is located at 333 Continental Boulevard. Mattel is requesting approval for two temporary five hundred four (504) square-foot banners that are classified as “Special Event Signs” for Mattel’s “World Wide Fall Toy Fair Event” that will occur during the week of October 13, 2008. They are requesting to install the signs on October 13, 2008 for a period of three (3) months. The proposed new signs when combined total 1,008 square feet in area, which is 9% of the building face and pursuant to ESMC §15-18-8(H) large signs greater than 500 square feet in area require city council approval.
9/30/2008

To whom it may concern,

Mattel, inc. is seeking to mount (2) Temporary Special Event Signs to hang on the south side of the parking structure that services 333 Continental Blvd, our corporate headquarters.

The proposed banners (504 sq ft each or 14'-0" x 36'-0") would be rigged to an engineered mounting system (15'-0" x 40'-0).

These banners would be installed for our Fall Toy Fair Event, as the content of the banners directly reinforces the major message to the International participants of the show. This would mean that installation would be scheduled for the week of October 13, 2008, for a requested period of 90 days.

Regards,

Charlie Anderson
Mattel, Inc.
Manager, World Wide Trade Show Services
310.252.3917
The surrounding land uses are commercial as follows:

<table>
<thead>
<tr>
<th>Land Uses</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>North: Parking Lot and Commercial office</td>
<td>CO</td>
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<tr>
<td>South: Hotel</td>
<td>CO</td>
</tr>
<tr>
<td>East: Commercial office</td>
<td>CO</td>
</tr>
<tr>
<td>West: Commercial office</td>
<td>CO</td>
</tr>
</tbody>
</table>

II. Analysis

ESMC §15-18-8 (I)(1) allows temporary “Special Event Signs” up to one hundred (100) square feet in area and for a maximum period of 120 days. The applicant is requesting the approval of two temporary five hundred four (504) square-foot banners classified as Special Event signs on a parking structure at the northwest corner of Grand Avenue and Continental Boulevard for a period of three (3) months. The two signs will be located on the south side of the parking structure facing Grand Avenue. The signs will be mounted 22 feet from the ground. Each sign will measure 14'-0" in width and 36'-0" in height. The two signs will be printed on fire resistant Valmex mesh with grommets every 24 inches apart and will be installed using the existing steel cable rig. The cable rig will be anchored to the exterior face of the concrete wall with screws. The signs will display the image of a Barbie doll face and a Ken doll face. Each sign copy also contains text that advertises Barbie. The proposed “Barbie” lettering on the two signs is thirty six (36) square feet in area.

ESMC §15-18-8(B) allows temporary or permanent “Freestanding Building Signs” that do not exceed 5% of each building face. The parking structure is 76'-0" high and 146'-0" wide totaling 11,096 square feet in area. Based on the dimensions provided, the maximum signage area permitted for the south elevation of the freestanding parking structure would be 554.8 square feet of area. The combined total area proposed for the two new Special Event signs exceeds the maximum permitted area that can be approved administratively by code. Although the second sign could be placed on another façade of the parking structure to remain below the maximum permitted 5% area limit, this façade is the main entry to the parking structure and is the only façade visible from any street frontage. The east façade of the parking structure facing Continental Boulevard is not visible from the street, as it is blocked by the main corporate office building for Mattel.

Permanent signs which exceed standards set forth in ESMC Chapter 15-18 require the approval of a Sign Adjustment. Mattel, Inc. is considering retaining the proposed two signs on a permanent basis at the site in which case they will file a request for a Sign Adjustment.

III. Environmental Review

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Categorical Exemption Section 15301(g), Class 1, as a new copy on existing on-premise sign. The project consists of two temporary five hundred four (504) square-foot banner signs on an existing parking structure. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality.
AGENDA DESCRIPTION:
Consideration and possible action authorizing the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 42 homes related to the City's Residential Sound Insulation Program Group 21 (Project No. RSI 07-03).
(Final Contract Amount: $889,184.03)

RECOMMENDED COUNCIL ACTION:
1. Authorize the City Clerk to file the City's Planning and Building Safety Director's Notice of Completion in the County Recorder's Office;
2. Authorize the City Manager, or designee, to close out Project No. RSI 07-03; and/or
3. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
List of homes included in Group 21

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $923,120
Additional Appropriation: N/A
Account Number(s): 116-400-0000-8960

ORIGINATED BY: James S. O'Neill, Program Manager
REVIEWED BY: Sam Lee, Interim Director of Planning and Building Safety
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
The project is part of the City's Residential Sound Insulation (RSI) Program financed by federal grants from the Federal Aviation Administration (FAA) and the settlement agreement with Los Angeles World Airports (LAWA). The RSI Program offers modifications to owners of qualifying residential property in the City of El Segundo that reduce interior sound levels of noise generated by air traffic from neighboring Los Angeles International Airport (LAX). At its meeting on July 17, 2007 the City Council awarded a construction contract to S&L Specialty Contracting, Inc. (S&L) for construction related on 42 homes, commonly referred to as Group 21 of the RSI Program. The final contract amount based on measured quantities is $889,184.03.
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AGENDA DESCRIPTION:

Consideration and possible action authorizing the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 17 homes related to the City's Residential Sound Insulation Program Group 22 (Project No. RSI 07-05).
(Final Contract Amount: $870,940.07)

RECOMMENDED COUNCIL ACTION:

1. Authorize the City Clerk to file the City's Planning and Building Safety Director's Notice of Completion in the County Recorder's Office;
2. Authorize the City Manager, or designee, to close out Project No. RSI 07-05; and/or
3. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

List of homes included in Group 22

FISCAL IMPACT: Included in Adopted Budget

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<td>Account Number(s):</td>
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ORIGINATED BY: James S. O'Neill, Program Manager
REVIEWED BY: Sam Lee, Interim Director of Planning and Building Safety
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

The project is part of the City's Residential Sound Insulation (RSI) Program financed by federal grants from the Federal Aviation Administration (FAA) and the settlement agreement with Los Angeles World Airports (LAWA). The RSI Program offers modifications to owners of qualifying residential property in the City of El Segundo that reduce interior sound levels of noise generated by air traffic from neighboring Los Angeles International Airport (LAX). At its meeting on July 17, 2007 the City Council awarded a construction contract to S&L Specialty Contracting, Inc. (S&L) for construction related on 17 homes, commonly referred to as Group 22 of the RSI Program. The final contract amount based on measured quantities is $870,940.07.
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