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, APRIL 21, 2009 – 6:00 P.M.

6:00 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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -1- 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): - 0- matters

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

SPECIAL MATTERS: - 0- matter
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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, APRIL 21, 2009 - 7:00 P.M.

Next Resolution # 4596
Next Ordinance # 1429

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Pastor Brandon Cash, Oceanside Christian Fellowship

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Eric Busch
PRESENTATIONS

a. Proclamation declaring the second week of April as National Public Safety Telecommunications Week.
b. Presentation from Beach Cities Transit Update, Line 109 – Fiona Diaz, Beach Cities Transit Representative

ROLL CALL

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A. PROCEDURAL MOTIONS

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

Recommendation – Approval.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action to conduct a Public Hearing regarding the adoption of a resolution increasing the civil penalties for parking violations regulated by Title 8 of the El Segundo Municipal Code by $5.00 due to changes in the Government Code. (Fiscal Impact: $55,630.00)

Recommendation – (1) Open Public Hearing to consider increasing the parking violation penalties; (2) Adopt Resolution approving the $5.00 increase related to parking in accordance with the Government Code; (3) Alternatively discuss and take other 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 2571064 to 2571295 on Register No. 13 in the total amount of $1,116,149.07 and Wire Transfers from 03/27/2009 through 04/09/2009 in the total amount of $1,401,297.12.

Recommendation – Approve Warrant Demand Register and authorize staff to release. Ratify: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments and wire transfers.

3. Regular City Council Meeting Minutes of April 7, 2009.

Recommendation – Approval.

4. Consideration and possible action regarding the Adoption of Plans and Specifications and Authorization to advertise for bid the construction of a retaining wall at the Softball Field in Recreation Park at 339 Sheldon Street – Project No. PW 09-03. (Fiscal Impact: $226,119.00)

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.

5. Consideration and possible action regarding the approval of a Contract Change Order to the Standard Public Works Contract with HP Builders, Inc. and the approval of an amendment to the Professional Services Agreement with BOA Architects, Inc. in conjunction with the City Hall Human Resources Department Remodel project. (Fiscal Impact: $31,314.79)

Recommendation – (1) Authorize the Director of Public Works to execute Change Order No. 1 to the existing Standard Public Works Contract with HP Builder's, Inc. in the total amount of $26,514.79; (2) Authorize the City Manager to execute an amendment to the existing Professional Services Agreement with BOA Architects in the amount of $4,800.00 in conjunction with the City Hall Improvements - HR Remodel Project PW 08-13; (3) Alternatively discuss and take other action related to this item.

6. 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 450 Main Street (Main Street Café), EA No. 816 and AUP No. 08-06. Applicant: Ariel Garcia (Fiscal Impact: None)

Recommendation – (1) Receive and file this report without objecting to a new Type 41 ABC license at 450 Main Street; (2) Alternatively, discuss and take other possible 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 827-829 N. Douglas Street (Zpizza), EA No. 815 and AUP No. 08-05. Applicant: Saro Enterprises, Inc./Zpizza (Fiscal Impact: None)

Recommendation – (1) Receive and file this report without objecting to a new Type 41 ABC license at 827-829 North Douglas Street; (2) Alternatively, discuss and take other possible action related to this item.

8. Consideration and possible action regarding a request from Mattel, Inc. to allow two 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)

Recommendation – (1) Approve Mattel’s request to maintain two temporary oversized five hundred four (504) square-foot banners classified as “Special Event Signs” for a period of two [2] months beginning April 22, 2009 and ending June 22, 2009; (2) Alternatively, discuss and take other possible action related to this item.

9. Consideration and possible action regarding Adoption of Plans and Specifications for Replacement of Water Main on Lairport Street from Mariposa Avenue to Maple Avenue. Project No.: PW 09-04 (Fiscal Impact: $225,000)

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.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

10. Consideration and possible action to introduce an Ordinance amending Title 10; Chapter 2 of the El Segundo Municipal Code, Water Conservation in Landscaping, to incorporate Metropolitan Water District’s Conservation Requirements, Water Use Regulations and Restrictions. (Fiscal Impact: None)

Recommendation – (1) First reading by title only and introduction of an Ordinance amending Title 10; Chapter 2 of the El Segundo Municipal Code, Water Conservation to incorporate Metropolitan Water District’s Conservation Program, Water Use Regulations and Restrictions; (2) Alternatively, discuss and take other action related to this item.
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

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REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:

DATE: April 15, 2009

TIME: 2:30 p.m.

NAME: [Signature]
WHEREAS, emergencies can occur at anytime requiring police, fire or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of law enforcement, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the El Segundo Public Safety Communications Center; and

WHEREAS, public safety telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS, public safety telecommunicators are the single vital link for our law enforcement and fire personnel by monitoring their activities by radio, providing them information and ensuring their safety; and

WHEREAS, public telecommunicators of the El Segundo Public Safety Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, each public safety telecommunicators has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW, THEREFORE, on this 21st day of April, 2009, the Mayor and Members of the City Council of the City of El Segundo, California, hereby proclaim second full week in April as National Public Safety Telecommunicators Week to recognize the critical importance that our public safety telecommunicators add to the safety and quality of life each and every day.

[Signature]

Mayor Kelly McDowell

[Signature]

Mayor Pro Tem Eric H. Bush

[Signature]

Council Member Bill Fisher

[Signature]

Council Member Carl Jacobson

[Signature]

Council Member Don Braun
Beach Cities Transit

Line 109 Re-Alignment
LINE 109 RE-ALIGNMENT

Beach Cities Transit (BCT) has completed the following due diligence analysis:

IMPACTS

Determined that Re-Alignment of Line 109 to include Plaza El Segundo would generate the following impacts:

Discontinuance of service will affect 3 bus stops; (1) Vista Del Mar Boulevard and 45th St. and (2) Vista Del Mar Blvd and Grand Avenue (3) Grand and Virginia

There were no recorded boardings and alightings registered at the 3 bus stops along (1) Vista Del Mar Blvd. and 45th St. and (2) Vista Del Mar Blvd and Grand Avenue (3) Grand and Virginia between July 2007 and June 2008.
METRO CANCELATIONS
June, 2009

Metro Line 124- impacts the segment west of El Segundo Green Line Station
Metro Line 125- impacts the segment west of Douglas Green Line Station

BCT will take over Metro Line 124 and Metro Line 125 to preserve bus service to
El Segundo by absorbing the two Metro Lines into a re-aligned BCT Line 109.

Metro Line 124 travels eastbound and westbound along Grand Avenue. BCT will
take over 7 existing bus stops eastbound and 7 existing westbound. An average
weekday ridership of 148 is expected as a result of the take-over of Metro Line
124.

Metro Line 125 travels eastbound and westbound along Rosecrans Avenue. BCT
will take over 7 existing bus stops eastbound and 7 existing westbound. An
average weekday ridership of 450 is expected as a result of the take-over of Metro
Line 125.

BCT will add 2 stops within Plaza El Segundo both eastbound and westbound. All
transfer points are to be located along Sepulveda Boulevard.

NEXT STEPS
Receive City Council approval from City of Redondo Beach (April, 2009)
Disseminate marketing materials (April, 2009)
New Bus Service Roll out (May- June 2009)
Line 109 Route through El Segundo Northbound

- Travelling northbound From Highland Avenue go east on Rosecrans, then north to Sepulveda
- Enter Plaza El Segundo northbound at Park Place. Line 109 will stop at existing bus stop located near 1st stop light. **Stops are highlighted as stars on map.** Then follow road through Allied Way, then west to Hughes Way returning to Sepulveda.
- Travel north on Sepulveda then west on Grand Avenue.
- Continue north on Grand Avenue, then north to Main Street. Continue through original line.
- Use similar route travelling Southbound
Line 109 Ridership  
(Based on 2007-2008)

Total Annual Ridership  
176,998

El Segundo Ridership Share  
34% = 60,179
Consideration and possible action to conduct a Public Hearing regarding the adoption of a resolution increasing the civil penalties for parking violations regulated by Title 8 of the El Segundo Municipal Code by $5.00 due to changes in the Government Code. (Fiscal Impact: $55,630.00)

RECOMMENDED COUNCIL ACTION:

(1) Open Public Hearing to consider increasing the parking violation penalties; (2) Adopt Resolution approving the $5.00 increase related to parking in accordance with the Government Code; (3) Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Resolution- Exhibit A

FISCAL IMPACT: Potential

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

ORIGINATED BY: Bob Turnbull, Captain
REVIEWED BY: David Cummings, Chief of Police
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

An amendment in 2008 to Government Code section 70372(b) increased the parking penalty surcharge due to the State of California from El Segundo to $4.50. As of January 1, 2009, the City must remit $9.50 to the County of Los Angeles for disbursement to the County and the State for every parking citation written in El Segundo. Parking penalties must be rounded to whole dollar amounts to communicate citation hold records to the California Department of Motor Vehicles. It is the recommendation that City Council adopts a $5.00 increase to all parking penalties.

Government Codes 76000(b), 76100, 76101 and 70372(b) and Vehicle Code 40203.5 regulate parking penalties and surcharges that are assessed by the County of Los Angeles and the State of California on all parking tickets written in El Segundo. In 2008, Senate Bill 1407, Chapter 311 of the Statutes of 2008, amended subdivision (b) of Government Code 70372 to increase the parking penalty surcharge assessed by the State in cities, districts, or other issuing agencies
which elect to accept parking penalties. This increased the parking penalty surcharge paid to the State from $1.50 to $4.50 for the State Court Construction penalty fund as of January 1, 2009.

Like many other cities in California, El Segundo was not aware of the increase to the parking penalty surcharges imposed by the State until late December 2008. The Police Department contacted the California Public Parking Association and the Los Angeles Superior Court to determine the actual required increases and the division of funds. The City received a letter from the Los Angeles Superior Court dated February 17, 2009. See the attachment to this report, Parking Fines, Fees and Penalties. The letter itemized the amount and distribution of revenue for each parking citation written in the City of El Segundo. The following table identifies the distribution of surcharges:

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
<th>CODE SECTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>County/State Courthouse Construction Fund</td>
<td>$2.50</td>
<td>G.C. 76100, G.C. 76000(b)</td>
</tr>
<tr>
<td>County/State Criminal Justice Facilities Construction Fund</td>
<td>$2.50</td>
<td>G.C. 76101, G.C. 76000(b)</td>
</tr>
<tr>
<td>State Court Facilities Construction Fund (SB 1407)</td>
<td>$1.50</td>
<td>G.C. 70372(b)</td>
</tr>
<tr>
<td>State Critical Needs Facilities Construction Fund (SB 1407)</td>
<td>$3.00</td>
<td>G.C. 70372(b)</td>
</tr>
<tr>
<td>Total</td>
<td>$9.50</td>
<td></td>
</tr>
</tbody>
</table>

The County of Los Angeles and State of California will receive $9.50 from every citation issued in El Segundo. The County of Los Angeles currently receives and will continue to receive $5.00 from every citation. The County Courthouse Construction Fund receives $2.50 per Government Code (GC) 76100, GC 76000(b) and the County Criminal Justice Facilities Construction Fund receives $2.50 per GC 76101, GC 76000(b). The recently amended Government Code section 70372(b) increases the parking penalty surcharge due to the State to $4.50. The State Court Facilities Construction Fund will receive $1.50 per GC 70372(b), and the State Immediate and Critical Needs Facilities Construction Fund will receive $3.00.

The California Public Parking Association advised its members that parking penalty amounts communicated to the California Department of Motor Vehicles must be rounded to a whole dollar amount to process hold records and collections. The parking penalty collected for El Segundo citations is $25 for vehicles obstructing crosswalks, driveways and sidewalks. Expired registration tab violations are $65; disabled space parking violations is $330; and most other parking penalties are $35. Each of these costs already includes the five dollar parking penalty surcharge imposed by the County. The handicapped parking violations are subject to an additional surcharge of two dollars for every ten dollars collected. The Police Department recommends a $5.00 increase to each parking penalty amount to provide for the $4.50 increase and to allow the recovery of fines by the DMV during the vehicle registration process by rounding to the whole dollar amount.
FISCAL IMPACT

If the City Council does not approve this resolution, the City will absorb the increased $4.50 State surcharge per citation. In calendar year 2008, the Police Department wrote 11,126 parking citations. See the attachment to this report, City of El Segundo Parking Violation Summary Report. Using this number of citations as a hypothetical base amount, the city’s potential revenue loss would be $55,630 (if all violators paid the citations). By rounding the $4.50 surcharge to the whole dollar amount of $5.00 and collecting it, there would be a potential revenue increase of $5,563 (if all violators paid the citations).
RESOLUTION NO. _____

A RESOLUTION ADOPTING A FINE SCHEDULE PURSUANT TO CALIFORNIA VEHICLE CODE § 40203.5.

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

**SECTION 1:** This Resolution is adopted pursuant to Vehicle Code §§ 22507.6 (street sweeping), 40000.1 (violations as infraction), 40000.28 (misdemeanor upon three or more convictions), 40200 (parking violations subject to civil penalty), and 40203.5 (establishing penalty amounts). The fine amounts (collectively, “fines”) attached as Exhibit “A” to this Resolution are adopted as the City’s fine schedule for purposes of imposing fines pursuant to Title 8 of the ESMC.

**SECTION 2:** To the extent any provision of this Resolution is incompatible with or at variance with any prior adopted resolution, the provisions of this Resolution take precedence, and all previous resolutions will be interpreted to harmonize with and not change the provisions of this Resolution.

**SECTION 3:** This Resolution is effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of _________, 2009.

______________________________   Kelly McDowell, Mayor

ATTEST:

______________________________   Cindy Mortesen, City Clerk

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

By: ____________________________   Karl H. Berger, Assistant City Attorney
ATTACHMENT A

Schedule of Civil Penalties for Parking Violations

CALIFORNIA VEHICLE CODE VIOLATIONS

<table>
<thead>
<tr>
<th>SECTION CITED</th>
<th>AMOUNT OF PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>21113(a)</td>
<td>VEHICLE ON PUBLIC GROUNDS</td>
</tr>
<tr>
<td>22500 A-K</td>
<td>PROHIBITED STOPPING, STANDING OR PARKING</td>
</tr>
<tr>
<td>22500.1</td>
<td>FIRE LANE</td>
</tr>
<tr>
<td>22502 A-E</td>
<td>CURB PARKING</td>
</tr>
<tr>
<td>22505</td>
<td>PARKING ON STATE HIGHWAY</td>
</tr>
<tr>
<td>22507.8(a)(b)</td>
<td>HANDICAPPED ZONE</td>
</tr>
<tr>
<td>22514</td>
<td>BY FIRE HYDRANT – NO OPERATION</td>
</tr>
<tr>
<td>22515</td>
<td>UNATTENDED VEHICLE</td>
</tr>
<tr>
<td>22521</td>
<td>PARKING NEAR RAILROAD TRACK</td>
</tr>
<tr>
<td>22522</td>
<td>PARKING WITHIN 3' OF HANDICAP RAMP</td>
</tr>
<tr>
<td>27155</td>
<td>NO VEHICLE GAS CAP</td>
</tr>
<tr>
<td>5200</td>
<td>NO FRONT/REAR LICENSE PLATE</td>
</tr>
<tr>
<td>5204(a)</td>
<td>NO CURRENT LICENSE TAB</td>
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</tbody>
</table>

ELSEGUNDO MUNICIPAL CODE PARKING VIOLATIONS

<table>
<thead>
<tr>
<th>SECTION CITED</th>
<th>AMOUNT OF PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-5-3G</td>
<td>NO. PKG – STREET SWEEPING</td>
</tr>
<tr>
<td>8-5-3C</td>
<td>NO PKG – SPECIFIED TIME</td>
</tr>
<tr>
<td>8-5b-7</td>
<td>COMM. VEHICLES 5 HOUR LIMIT</td>
</tr>
<tr>
<td>13-10-2</td>
<td>FIRE LANE</td>
</tr>
<tr>
<td></td>
<td>ALL OTHER MUNICIPAL CODE VIOLATIONS PER OFFENSE</td>
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<tr>
<td>Code</td>
<td>Fund Description</td>
</tr>
<tr>
<td>------</td>
<td>------------------------------------------------</td>
</tr>
<tr>
<td>001</td>
<td>General Fund</td>
</tr>
<tr>
<td>104</td>
<td>Traffic Safety Fund</td>
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<tr>
<td>106</td>
<td>State Gas Tax Fund</td>
</tr>
<tr>
<td>108</td>
<td>Associated Recreation Activities Fund</td>
</tr>
<tr>
<td>109</td>
<td>Asset Forfeiture Fund</td>
</tr>
<tr>
<td>111</td>
<td>Comm. Devel. Block Grant</td>
</tr>
<tr>
<td>112</td>
<td>Prop &quot;A&quot; Transportation</td>
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<tr>
<td>114</td>
<td>Prop &quot;C&quot; Transportation</td>
</tr>
<tr>
<td>115</td>
<td>Air Quality Investment Program</td>
</tr>
<tr>
<td>116</td>
<td>Home Sound Installation Fund</td>
</tr>
<tr>
<td>117</td>
<td>Hyporion Mitigation Fund</td>
</tr>
<tr>
<td>118</td>
<td>TDA Article 3 - SB 821 Bikeway Fund</td>
</tr>
<tr>
<td>119</td>
<td>MTA Grant</td>
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<tr>
<td>121</td>
<td>FEMA</td>
</tr>
<tr>
<td>120</td>
<td>C.O.P.S. Fund</td>
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<td>122</td>
<td>L.A.W.A. Fund</td>
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<tr>
<td>202</td>
<td>Assessment District #73</td>
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<tr>
<td>301</td>
<td>Capital Improvement Fund</td>
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<tr>
<td>302</td>
<td>Infrastructure Replacement Fund</td>
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<tr>
<td>405</td>
<td>Facilities Maintenance</td>
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<td>501</td>
<td>Water Utility Fund</td>
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<td>502</td>
<td>Wastewater Fund</td>
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<td>503</td>
<td>Golf Course Fund</td>
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<tr>
<td>601</td>
<td>Equipment Replacement</td>
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<tr>
<td>602</td>
<td>Liability Insurance</td>
</tr>
<tr>
<td>603</td>
<td>Workers Comp. Reserve/Insurance</td>
</tr>
<tr>
<td>701</td>
<td>Retired Emp. Insurance</td>
</tr>
<tr>
<td>702</td>
<td>Expendable Trust Fund - Developer Fees</td>
</tr>
<tr>
<td>703</td>
<td>Expendable Trust Fund - Other</td>
</tr>
<tr>
<td>708</td>
<td>Outside Services Trust</td>
</tr>
</tbody>
</table>

**Total Warrants:** $1,116,149.07

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**State of California**
**County of Los Angeles**

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

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

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

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

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

**Finance Director:**
**Date:** 1/13/09

**City Manager:**
**Date:** 1/13/09

**Void Checks Due to Alignment:**
**N/A**

**Void Checks Due to Incorrect Check Date:**

**Void Checks Due to Computer Software Error:**

**Notes:**

---

**N**
CITY OF EL SEGUNDO
PAYMENTS BY WIRE TRANSFER
03/27/09 THROUGH 04/09/09

<table>
<thead>
<tr>
<th>Date</th>
<th>Payee</th>
<th>Amount</th>
<th>Description</th>
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<tr>
<td>2/9/2009</td>
<td>Federal Reserve</td>
<td>100.00</td>
<td>Employee Savings Bond Correct 2/20 Memo</td>
</tr>
<tr>
<td>2/9/2009</td>
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<tr>
<td>1/8/2009</td>
<td>Employment Development</td>
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<td>State Taxes Correct 1/23 Memo</td>
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<td>IRS</td>
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<td>1/22/2009</td>
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<td>(24,778.73)</td>
<td>Federal Taxes Correct 1/23 Memo</td>
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<td>1/22/2009</td>
<td>IRS</td>
<td>249,778.73</td>
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<td>4/2/2009</td>
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<td>UBOC</td>
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<td>4/6/2009</td>
<td>UNUM</td>
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<td>CalPERS</td>
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<td>CalPERS</td>
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<td>4/8/2009</td>
<td>Lane Donovan Golf P1r</td>
<td>21,340.07</td>
<td>Payroll Transfer</td>
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<td>3/27-4/09/09</td>
<td>Workers Comp Activity</td>
<td>34,979.75</td>
<td>SCRMA checks issued</td>
</tr>
</tbody>
</table>

**DATE OF RATIFICATION: 4/21/09**

TOTAL PAYMENTS BY WIRE: 1,401,297.12

Certified as to the accuracy of the wire transfers by:

Deputy City Treasurer
Date 4/9/09

Director of Finance
Date 4/13/09

City Manager
Date 4/13/09

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, APRIL 7, 2009 - 5:00 P.M.

5:00 P.M. SESSION CANCELLED – NO ITEMS OF BUSINESS
(REGULAR MEETING TO BE ADJOURNED TO 7:00 P.M.)

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, APRIL 7, 2009 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Bishop Craig Layne, Church of Jesus Christ of Latter Day Saints

PLEDGE OF ALLEGIANCE – Council Member Carl Jacobson

PRESENTATIONS

a. Council Member Jacobson presented a proclamation proclaiming Sunday, March 29, 2009 Donate Life Day in El Segundo and encourage all Californians to check “YES!” when applying for or renewing their driver’s license or I.D. card, or by signing up at www.donateLIFECalifornia.org or www.doneVIDACalifornia.org.

b. Council Member presented a Proclamation to Debra Brighton, Library Director, declaring the week of April 12th through 19th as National Library Week.

c. Mayor McDowell presented a proclamation declaring April 20, 2009 as El Segundo International Lacrosse Day and welcome the players of North London Collegiate School and their coaches and organizers.

d. Council Member Busch presented a Proclamation declaring April 22, 2009 as Denim Day in recognition of April 2009 being Sexual Assault Awareness Month.

e. Steven Bradford, Southern California Edison, recognized the City’s effort in “Turning Green” on water and power savings. Larry Sutton awarded the City the Flex your Power Award for Excellence in Water Efficiency

ROLL CALL

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

Gail Church, Tree Musketeers, thanked the Council for their support of Arbor Day. As a resident, she spoke regarding the Mills Act discussion.

William Ewald, represented PACTLA, an organization working with 9-15 year old children by making a positive alternative choice available to them. He requested that the City reconsider the current curfew of 6pm and allow them to solicit subscriptions until 8 pm in the evening allowing them to earn money.

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Jacobson, SECONDED by Council Member Brann to read all ordinances and resolutions on the Agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE 4/0 WITH COUNCIL MEMBER FISHER ABSENT.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

1. Consideration and possible action regarding recommendations from the Environmental Committee on options for sustainable and green building standards in the City of El Segundo. (Fiscal Impact: None)

Eric Alegria, Environmental Committee, gave a brief presentation. Environmental Committee to revisit a possible incentives program for LEED Certification after the State finalizes its standards.
Council consensus to receive and file report and approve the recommendations for implementation of: Option C, which delays implementation of green building standards until 2010; Option D, which all City projects strive to be LEED certified at the Silver level or better; and Option E, which requires Staff to plan, develop, and hold quarterly environmental workshops for residents and developers. The workshops to provide ongoing, cutting-edge environmental information and technologies. MOTION PASSED BY UNANIMOUS VOICE VOTE 4/0 WITH COUNCIL MEMBER FISHER ABSENT.

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. Approved Warrant Numbers 2570727 to 2571063 on Register No. 12 in the total amount of $1,053,112.77 and Wire Transfers from 3/07/09 to 3/26/09 in the total amount of $2,106,787.44. 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.


4. Adopted Resolution No. 4595 supporting SB 696 (Wright), a bill stating the Legislature's intent to enact legislation to ensure availability of sufficient credits for the South Coast Air Quality Management District (SCAQMD) to issue permits for essential public services and new clean efficient power plants. (Fiscal Impact: None) Authorized legislative advocacy efforts to promote passage of the bill.

5. Adopted Ordinance No. 1428 to approve an amendment to the contract between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the El Segundo City Council providing Section 21548 (Pre-Retirement Option 2W Death Benefit) for the City's Local Safety Members. (Fiscal Impact: Increase in the Total Safety Employer Rate of 0.243%.)

6. Approved revised Class Specifications for the classifications of Accounting Technician, Wastewater Maintenance Worker I, Wastewater Maintenance Worker II and Wastewater Maintenance Leadworker and approved the examination plan for Accounting Technician. (Fiscal Impact: None)

7. Waived the formal bidding process per the Municipal Code and approved piggybacking on the National Joint Powers Alliance (NJPA) contract # 011707 to purchase modular ergonomic furniture and storage with Steelcase (manufacturer) and issuance of purchase orders to the authorized distributor/installers Tangram Interiors, in the amount of $38,500 plus a 10% contingency for unanticipated expenses for the Planning and Building Safety Department. – Approved Capital Improvement Program. (Fiscal impact: $42,350)
8. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN

9. PULLED FOR DISCUSSION BY CITY MANAGER WAYT

10. Authorized the City Manager to execute and approve the State of California Agreement C08700215, Contract No. 3926, with the State of California Franchise Tax Board for the sharing of business tax information.

11. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN

12. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN

MOTION by Brann, SECONDED by Mayor ProTem Busch to approve Consent Agenda Items 2, 3, 4, 5, 6, 7, 9, and 10. MOTION PASSED BY UNANIMOUS VOICE VOTE 4/0 WITH COUNCIL MEMBER FISHER ABSENT.

CALL ITEMS FROM CONSENT AGENDA

9. Consideration and possible action regarding awarding a contract to G&G Specialty Contractors, Inc. for construction related to Group 32 (24 homes) and Group 33 (28 homes) of the City's Residential Sound Insulation Program (Project Nos. RSI 09-04 and RSI 09-05). (Estimated construction costs and retention: $948,172 and $661,072)

MOTION by Council Member Jacobson, SECONDED by Mayor ProTem Busch to determined that all bids were non-responsive for construction related to Group 32 (24 homes) and Group 33 (28 homes) of the City's Residential Sound Insulation Program (Project Nos. RSI 09-04 and RSI 09-05). Authorize the re-bid of the project. MOTION PASSED BY UANANIMOUS VOICE VOTE 4/0 WITH COUNCIL MEMBER FISHER ABSENT.

8. Consideration and possible action regarding approval of a comprehensive three-year Memorandum of Understanding (Labor Agreement) between the City of El Segundo and the El Segundo Police Managers' Association. (Fiscal Impact: $161,810 salary and benefit increases; plus $68,881 to resolve salary compaction in the Police Department, for a grand total of $230,691.)

11. Consideration and possible action regarding approval of a comprehensive three-year Memorandum of Understanding (Labor Agreement) between the City of El Segundo and the El Segundo Firefighters' Association. (Fiscal Impact: $563,392)

12. Consideration and possible action regarding approval of a comprehensive three-year Memorandum of Understanding (Labor Agreement) between the City of El Segundo and the El Segundo Police Officers' Association. (Fiscal Impact: $808,997)
MOTION by Mayor McDowell, SECONDED by Mayor Pro Tem Busch to approve item 8 Memorandum of Understanding No. 3927 with the El Segundo Police Managers’ Association, item 11, Memorandum of Understanding No. 3928 with the El Segundo Firefighters’ Association and item 12 Memorandum of Understanding No. 3929 with the El Segundo Police Officers’ Association, in a form approved by the City Attorney. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MCDOWELL, BUSCH, JACOBSON; NOES: BRANN; ABSENT: FISHER. 3/1

F. NEW BUSINESS

G. REPORTS – CITY MANAGER - NONE

H. REPORTS – CITY ATTORNEY - NONE

I. REPORTS – CITY CLERK - NONE

J. REPORTS – CITY TREASURER - NONE

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann – Spoke regarding his first year in office.

Council Member Jacobson – None

Mayor Pro Tem Busch – Wished everyone a Happy Easter and Passover.

Mayor McDowell – Congratulated Northrop Grumman on the first F14 aircraft.

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

MEMORIALS – Lyda Geraldine Bostick

CLOSED SESSION - NONE

ADJOURNMENT at 8:12 p.m.

Cindy Mortesen, City Clerk
AGENDA DESCRIPTION:

Consideration and possible action regarding the Adoption of Plans and Specifications and Authorization to advertise for bid the construction of a retaining wall at the Softball Field in Recreation Park at 339 Sheldon Street – Project No. PW 09-03 (Fiscal Impact: $226,119.00)

RECOMMENDED COUNCIL ACTION:

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.

ATTACHED SUPPORTING DOCUMENTS:

None.

FISCAL IMPACT: Included in Adopted Budget

- Amount Budgeted: $226,119.00
- Additional Appropriation: No
- Account Number(s): 301-400-8202-8996

ORIGINATED BY: Dan Garcia, Assistant City Engineer

REVIEWED BY: Dana Greenwood, Public Works Director

APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

This project will improve the size of the warm-up area on the south side of the softball field and alleviate the amount of “out of play” calls attributed to the hill encroaching onto the field. Appropriate measures will be implemented as part of this design to prevent against erosion on top of the wall. The walkway slope above the wall is designed with a maximum slope of 4% which will meet applicable ADA standards. The new walkway will reduce tripping hazards and refurbish the existing dilapidated walkway. Thus staff recommends moving forward with this project to allow it to be constructed in July 2009.

On October 8, 2008, City Council awarded DCA Civil Engineering Group (DCA) a contract for $28,881 to design the retaining wall on the Softball Field at Recreation Park. DCA has completed its design and staff recommends approval of the plans & specifications and to authorize staff to bid the project for construction. After subtracting the design costs from DCA, there is a total of $226,119 left in this account to construct the wall.
AGENDA DESCRIPTION:
Consideration and possible action regarding the approval of a Contract Change Order to the Standard Public Works Contract with HP Builders, Inc. and the approval of an amendment to the Professional Services Agreement with BOA Architects, Inc. in conjunction with the City Hall Human Resources Department Remodel project. (Fiscal Impact: $31,314.79)

RECOMMENDED COUNCIL ACTION:
Recommendation - (1) Authorize the Director of Public Works to execute Change Order No. 1 to the existing Standard Public Works Contract with HP Builder's, Inc. in the total amount of $26,514.79; (2) Authorize the City Manager to execute an amendment to the existing Professional Services Agreement with BOA Architects in the amount of $4,800.00 in conjunction with the City Hall Improvements - HR Remodel Project PW 08-13; and (3) Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Change Order No. 1 Summary

FISCAL IMPACT: Included in Adopted Budget
Amount Budgeted: $130,000
Additional Appropriation: N/A Included in the budgeted amount.
Account Number(s): 301-400-8201-8475

ORIGINATED BY: Dan Garcia, Assistant City Engineer
REVIEWED BY: Dana Greenwood, Public Works Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
HP Builder's Inc. Change Order No. 1:

On January 20, 2009, City Council awarded a Standard Public Works Contract to HP Builders, Inc. for a total amount of $36,320.00 and an expected additional cost of $8,000.00 for required ADA improvements for a total fiscal impact of $44,320.00. As the project progressed, staff decided that the original Lunch Room was better suited for a Conference/Interview Room that would better serve City Hall’s conference and Personnel needs. The cost attributable to this effort is $16,230.91 (61% of CO). The lunch room would then be relocated to where it’s temporary location is during this project’s construction in the basement. As typical with these types of projects, there were some unforeseen field conditions which attributed to $4,996.60 (19% of CO). The additional ADA costs amounted to $5,287.28 (20% of CO). Thus, the total fiscal impact of HP Builder, Inc.’s contract change order is $26,514.79.
BOA Architect's Professional Services Agreement Amendment

In September 2006, City Council awarded BOA Architect's a Professional Services Agreement (PSA) to design the City Hall Improvements. At the time this project included design modifications to the Council Chambers, the West Conference Room, the window replacement around City Hall and the Human Resources (HR) Remodel. BOA was asked by the City in March of 2008 to modify the design of the project to only include the HR Remodel and eliminate the rest of the project. This re-design of the HR Remodel and plan revisions was proposed and approved at $2,800.00. The recent contract changes to accommodate the work mentioned above in changing the use of the Lunch Room to a Conference/Interview Room was required to re-design the electrical at a cost of $2,000.00. BOA has been working well with City staff during construction and staff recommends amending their contract for $4,800.00.

Summary

HP Builder's Change Order No. 1 and the BOA's PSA Amendment will result in a total project increase of $31,314.79. This will result in a total project cost of $67,724.32. This is still well below the budgeted $130,000.00 for the project. These changes are necessary to provide a code compliant and better functioning City Hall and staff recommends approval of Change Order No. 1 to HP Builder's Standard Public Works Contract and approval of Amendment No. 1 to BOA's Professional Services Agreement.
### CONVERSION

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<td>Relocation of Lunch Room Door, New Wall</td>
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### ADA

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<td>Rails for drinking fountain</td>
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<td>striping at exterior stairs</td>
<td>$816.00</td>
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$683.70
$45.58

**$5,287.28**
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<td>Fire Extinguisher</td>
<td>$150.00</td>
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<tr>
<td>Structural concrete opening (additional modifications)</td>
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$4,310.00

$646.50

$43.10

$4,999.60
EL SEGUNDO CITY COUNCIL  MEETING DATE: April 21, 2009
AGENDA STATEMENT  AGENDA HEADING: Consent Agenda

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 450 Main Street (Main Street Café), EA No. 816 and AUP No. 08-06. Applicant: Ariel Garcia (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:
1. Receive and file this report without objecting to a new Type 41 ABC license at 450 Main Street; 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
3. Planning Commission Staff Report dated April 9, 2009
4. Approval Letter to Applicant dated April 1, 2009
5. Police Department Memorandum dated April 6, 2009

FISCAL IMPACT: None

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

ORIGINATED BY: Bryan Fernandez, Assistant 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. 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 (July 2008 – December 2008, Exhibit 1) prepared by the Police Department, the proposed restaurant is located in Reporting District (RD) 108. Based on 2008 reported data prepared by the Police Department, the district had a total of two Part I crimes (criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson) and two felony and misdemeanor arrests for a total of four crimes. The Police Department and the Planning and Building Safety Department do not object to a new ABC license for the existing restaurant.

This license request would be for the convenience of serving alcoholic beverages to customers to complement the food service at an existing restaurant. 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 applicant’s proposed hours of alcohol sale are expected to be during the hours the restaurant is open. The restaurant’s hours of operation are limited to: 8:00 a.m. to 8:00 p.m on Monday through Friday; 8:00 a.m. to 9 p.m. on Saturday; and 8:00 a.m. to 4 p.m. on Sunday. The outdoor patio would be open the same hours as the restaurant.

On April 1, 2009, the Director of Planning and Building Safety approved an Administrative Use Permit application (EA No. 816, AUP No. 08-06) for 450 Main Street. The Director's decision was forwarded to the Planning Commission on April 1, 2009. On April 9, 2009, 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) is responsible for running a complete background check on all alcohol license applicants, as well as conducting site inspections, before issuing any type of alcohol license.

III. **Conclusion**

Planning staff recommends that the Council receive and file this report without objecting to a new Type 41 ABC license at 450 Main Street.
<table>
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<tr>
<th>RD</th>
<th>PART I CRIMES (ONLY)</th>
<th>FELONY/MISD ARRESTS PART I (ONLY)</th>
<th>TOTAL</th>
<th>AVERAGE BY RD PERCENTAGE +/-</th>
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<td>102</td>
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**TOTALS** 340 119 459

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 07/01/2008 through 12/31/2008)

**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: 14+1=15-9=6/6x100=+66%
## PART I CRIMES AND ARRESTS STATISTICS BY REPORTING DISTRICT (RD)

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**TOTALS** 340       647       987

Number of Reporting Districts = 51
Average # of Part I Crimes per Reporting District = 7
Average # of Part II Crimes per Reporting District = 13
Average # of Crimes and Arrests per Reporting District = 19
(Results from 07/01/2008 through 12/31/2008)
High Crime Area = Reporting District total higher than 23.2
CITY OF EL SEGUNDO

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: April 9, 2009

SUBJECT: Environmental Assessment No. EA-816
Administrative Use Permit No. 08-06

APPLICANT: Ariel A. Garcia for Main Street Cafe

PROPERTY OWNER: Warmside Rentals, LLC

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: 450 Main Street

I. INTRODUCTION

The Planning and Building Safety Department received the above referenced
application for an Administrative Use Permit to allow the sale and on-site
consumption of beer and wine at an existing restaurant at 450 Main Street in the
Main Street District (MSD) within the Downtown Specific Plan (DSP). The proposed
project for permitting the sale and consumption of alcoholic beverages is consistent
with uses allowed in the Downtown Specific Plan Main Street District.

II. ANALYSIS

The restaurant consists of an approximately 737-square foot indoor dining area and
455 square-foot outdoor patio. The total restaurant area is 1,346 square feet
including bathrooms and kitchen. The restaurant has 42 seats in the indoor dining
area and 30 seats in the outdoor dining patio for a combined total of 72 seats. No
physical changes to the premises are proposed as part of this request. The
Planning and Building Safety 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 April 9, 2009 (see exhibit A).

The following chart describes the proposed dining and seating areas as revised.
<table>
<thead>
<tr>
<th>PROPOSED RESTAURANT</th>
<th>PROPOSED SQUARE FOOTAGE</th>
<th>NUMBER OF SEATS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor Dining</td>
<td>737 SF</td>
<td>40 seats</td>
</tr>
<tr>
<td>Outdoor Patio (north)</td>
<td>455 SF</td>
<td>32 seats</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,346 gross SF</strong></td>
<td><strong>72 seats</strong></td>
</tr>
</tbody>
</table>

The Downtown Specific Plan requires an Administrative Use Permit for on-site sale and consumption of alcohol at restaurants (DSP § VI A.4.a).

The minimum required spaces for restaurant use is one space for every 75 square feet of dining area and one space for each 250 square feet of non-dining area (DSP § VII 3.b.iii). The restaurant has 154 square-feet of non-dining area. However, the existing parking for the restaurant (12 spaces) is legal nonconforming. No new floor area is proposed for the restaurant and therefore no additional parking is required.

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</td>
<td>737 SF – 1 Space/75 SF</td>
<td>10 Parking Spaces</td>
</tr>
<tr>
<td>Outdoor Patio (north)</td>
<td>455 SF – 1 Space/75 SF</td>
<td>6 Parking Spaces</td>
</tr>
<tr>
<td>Non-dining area</td>
<td>154 SF – 1 Space/250 SF</td>
<td>1 Parking Space</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,346 gross SF</strong></td>
<td><strong>17 Parking Spaces</strong></td>
</tr>
</tbody>
</table>

(12 parking Spaces provided – existing legal nonconforming)

*Note: Pursuant to El Segundo Municipal Code §15-15-2.G, fractional spaces are rounded to the nearest whole number.*

The current and proposed restaurant dining hours of operation are: Monday through Friday from 8:00 a.m. to 8:00 p.m.; Saturday from 8:00 a.m. to 9:00 p.m.; and Sunday 8:00 a.m. to 4:00 p.m. The outdoor patio will be open during the same hours as the restaurant. Any change to the hours of operation is subject to review and approval by the Department of Planning and Building Safety. No live
entertainment is proposed.

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

III. ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The project includes an alcohol license for an existing restaurant which results in a minor alteration in the operation of an existing building involving negligible expansion of the existing use. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, there is no new construction proposed for this project. There are adequate utilities and public services to serve the project.

IV. INTER-DEPARTMENTAL COMMENTS

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

V. RECOMMENDATION

Receive and File.

VI. EXHIBITS

A. Administrative Use Permit Approval Letter, dated April 1, 2009
B. Interdepartmental Comments
C. Administrative Use Permit application
D. Site Plan

Prepared by: Bryan Fernandez, Assistant Planner

Kimberly Christensen, AICP, Planning Manager
Department of Planning & Building Safety
April 1, 2009

Ariel Garcia
Main Street Café
450 Main St.
El Segundo, CA 90245

RE: Environmental Assessment No. EA-816 and Administrative Use Permit (AUP) No. 08-06
On-Site Sale and Consumption of Beer and Wine at an Existing Restaurant (Type 41 State of California Alcoholic Beverage Control License)
Address: 450 Main Street

Dear Mr. Garcia:

This letter is 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 Planning and Building Safety Department Director APPROVED Environmental Assessment No. EA-816 and Administrative Use Permit No. 08-06 for the on-site sale and consumption of beer and wine at an existing restaurant at 450 Main Street. 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. 816

Finding 1

- The proposed project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities).
Facts in Support of Finding 1

1. The project includes an alcohol license for the sale of wine and beer for an existing restaurant which results in a minor alteration in the operation of an existing building involving negligible expansion of the existing use. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, there is no new construction proposed for this project. There are adequate utilities and public services to serve the project. 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 08-06

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 1,346 square-foot restaurant including a 455 square-foot outdoor dining area is located in the Main Street District Zone within the Downtown Specific Plan at 450 Main Street. The restaurant includes 42 indoor seats and 30 outdoor patio seats for a total of 72 seats.

2. The minimum number of required parking spaces for the restaurant and patio is 17 spaces. However, the existing 12 parking spaces are legal nonconforming. Since no additional square footage is proposed, no additional parking is required.

3. The restaurant is compatible with the surrounding land uses which include commercial retail, restaurant, and office uses.

4. The General Plan land use designation for the site is Downtown Specific Plan.

5. The zoning for the site is Main Street District (MSD). Restaurants are a permitted use in this Zoning District in accordance with Downtown Specific Plan
(DSP) §VI A.2(a)(ii). 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 DSP §VI A.4(a).

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 April 9, 2009, 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 Downtown Specific Plan.

2. The zoning for the site is Main Street District (MSD). Restaurants are a permitted use in this Zoning District in accordance with DSP §VI A.2(a)(ii). 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 DSP §VI A.4(a).

3. The purpose of the Main Street District is intended for uses to be resident serving, and provide a pedestrian-oriented and pedestrian-friendly environment. Retail and service uses should serve the residents, local employees, and visitors to the city. The proposed use is consistent with the zone in that it serves residents, local employees, and visitors in a pedestrian-oriented ground floor level of a restaurant.

4. The proposed use is consistent with the goals, objectives, policies, and programs of the Downtown Specific Plan by expanding the neighborhood serving commercial uses, maintaining the "small town" atmosphere with moderate density, and improves the business environment of Downtown.

5. The proposed use is consistent with Economic Development Goal ED3 in that it preserves and improves the business environment and image of Downtown El Segundo. The proposed use is consistent with Objective ED3-1 of economic development in that it contributes to El Segundo's commercial options. The proposed is consistent with Policy 3-1.2, 3-1.3, and 3-1.5 in that it preserves Downtown's economic viability, encourage revitalization efforts Downtown, and encourage a mix of retail and commercial businesses that stimulate pedestrian traffic and meet the communities need for changing needs for goods and services.
6. 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 without adversely affecting the viability of Downtown. The proposed use is consistent with Objective LU4-2 in that it serves as a focal point for the social environment of the community. The proposed use is consistent Policy LU4-2.1 as it revitalizes and upgrades commercial areas, making them a part of a viable, attractive and people-oriented commercial district.

7. The surrounding land uses include: commercial retail, office, and public facilities. The proposed use is 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 ground floor of an existing restaurant. Parking will be provided on-site.

2. The surrounding land uses include commercial retail, office, and public facilities. The existing restaurant includes 30 outdoor patio seats and 42 indoor dining seats.

3. The proposed restaurant dining hours of operation is on: Monday through Friday from 8:00 a.m. to 8:00 p.m.; Saturday from 8:00 a.m. to 9:00 p.m.; and Sunday 8:00 a.m. to 4:00 p.m. The outdoor patio will be open the same hours as the restaurant. Food service would be available in the indoor and outdoor dining areas 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 restaurant will help to minimize impacts on surrounding uses.

3. The proposed restaurant dining hours of operation are: Monday through Friday from 8:00 a.m. to 8:00 p.m.; Saturday from 8:00 a.m. to 9:00 p.m.; and Sunday 8:00 a.m. to 4:00 p.m. The outdoor patio will be open the same hours as the restaurant. Food service would be available in the indoor and outdoor dining areas during the dining hours. In addition, the subject site 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).

PLANNING AND BUILDING SAFETY DEPARTMENT DIRECTOR ACTION

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

1. The proposed restaurant dining hours of operation are: Monday through Friday from 8:00 a.m. to 8:00 p.m.; Saturday from 8:00 a.m. to 9:00 p.m.; and Sunday 8:00 a.m. to 4:00 p.m. The outdoor patio will be open the same hours as the restaurant. Food service would be available in the indoor and outdoor dining areas during the dining hours. The patio hours must be limited to the same hours as the restaurant. Food service must be available inside the restaurant 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 or designee.

2. The seating within the restaurant must be limited to 40 seats in the dining area, 32 in the outdoor patio area for a total of 72 seats within the subject site.

3. Any subsequent modification to the project as approved, including the floor plan and areas where alcohol will be served, and/or the conditions of approval must
be referred to the Director of Planning or designee and Building Safety for approval and a determination regarding the need for Planning Commission review of the proposed modification.

4. 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.

5. The restaurant operations must comply with ESMC §§ 7-2-1, et seq. regulating noise and vibration.

6. 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.

7. 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 of Regs. §§ 55 et seq.

8. 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.

9. The applicant must, at all times, display a Designated Driver sign of at least ten inches by ten inches (10" X 10") in the 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.

10. 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.

11. 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.

12. 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), Lakewood 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 Planning Manager'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.

13. 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.

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

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

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

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

18. 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. 816 and Administrative Use Permit No. 08-06. 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-816 or AUP 08-06, 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 April 9, 2009 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 April 21, 2009.

If you have any questions regarding this project, please contact Bryan Fernandez, Assistant Planner, at (310) 524-2343.

Sincerely,

[Signature]

Greg Carpenter, Director
Department of Planning and Building Safety
City of El Segundo
INTER-DEPARTMENTAL CORRESPONDENCE

Circulation Date: March 24, 2009

TO: Jack Wayt, City Manager
    Robert Cummings, Recreation and Parks Director
    David Cummings, Police Chief
    Kevin Smith, Fire Chief
    Dana Greenwood, Public Works Director
    Sam Lee, Building Official
    Karl Berger, Assistant City Attorney

FROM: Greg Carpenter, Director of Planning and Building Safety
      Kimberly Christensen, AICP, Planning Manager

STAFF-PLANNER: Bryan Fernandez, Assistant Planner

SUBJECT: Environmental Assessment No. EA-816 and AUP No. 08-06
Address: 450 Main St.
Applicant(s): Ariel A. Garcia for Main Street Cafe
Property Owner(s): Warmside Rentals, LLC

The proposed project involves an Environmental Assessment and an Administrative Use Permit to allow on-site sale and consumption of beer and wine (Type 41 Alcohol and Beverage Control license) at an existing restaurant at 450 Main Street. The project site is located in the Main Street District within the Downtown Specific Plan on the southeast corner of the block bordered by Pine Avenue to the north, Standard Street to the east, Main Street to the west, and Holly Avenue to the south.

Attached for your review and comment is a copy of the application, and plans. Please return the plans along with any comments by Tuesday, March 31, 2009. Should you have any questions about the project, please contact Bryan Fernandez, Assistant Planner at extension 2343.

Please email a copy of your comments to bfernandez@elsegundo.org.
COMMENTS:

None

Reviewed By: [Signature and Title]

Date: 4-3-09

Encl.: Application

Plans

P:\Planning & Building Safety\PROJECTS\801-825\FA-816\EA-816.IDC.doc
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 827-829 N. Douglas Street (Zpizza), EA No. 815 and AUP No. 08-05. Applicant: Saro Enterprises, Inc./Zpizza (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:
1. Receive and file this report without objecting to a new Type 41 ABC license at 827-829 North Douglas Street; 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
3. Planning Commission Staff Report dated April 9, 2009
4. Approval Letter to Applicant dated March 31, 2009
5. Police Department and Building Safety Department Memorandum

FISCAL IMPACT: None

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

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Planning and Building Safety Director
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. 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 (July 2008 – December 2008, Exhibit 1) prepared by the Police Department, the proposed restaurant is located in Reporting District (RD) 307 which is the Corporate Campus Specific Plan Development. Based on 2008 reported data prepared by the Police Department, the district had a total of 9 Part I crimes (criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson) and 3 felony and misdemeanor arrests for a total of 12 crimes. The Police Department and the Planning Department do not object to a new ABC license for the existing restaurant; the Building Safety Department only requires that the business get approval from the Los Angeles County Health Department.

This license would be for the convenience of serving alcoholic beverages to the customers to complement the food service at an existing restaurant currently being remodeled and expanded by 916 gross square feet. A license is required, since the applicant does not currently hold any alcohol license, and there was no previous license issued for this address. The applicant’s proposed hours of alcohol sale are expected to be during the hours the restaurant is open and in accordance with the Corporate Campus Specific Plan. The restaurant’s hours of operation will be from: 9:00 a.m. to 8:00 p.m. Monday through Saturday; it is closed on Sunday. The Corporate Campus Specific Plan conditions of approval limit the sale of alcoholic beverages between the hours of 10:00 a.m. and 2:00 a.m. Consequently, no alcohol may be sold before 10:00 a.m. and there are no residential uses adjacent to the subject property.

On March 31, 2009 the Director of Planning and Building Safety approved an Administrative Use Permit application (EA No. 815, AUP No. 08-05) for 827-829 N. Douglas Street. The Director’s decision was forwarded to the Planning Commission on April 9, 2009. On April 9, 2009, 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) is responsible for running a complete background check on all alcohol license applicants, as well as conducting site inspections, before issuing any type of alcohol license.

III. **Conclusion**

Planning staff recommends that the Council receive and file the determination without objecting to a new Type 41 ABC license at 827-829 N. Douglas Street.
### RECORDED PERIOD: JULY – DECEMBER, 2008

**PART I CRIMES AND ARRESTS STATISTICS BY REPORTING DISTRICT (RD)**

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**TOTALS**: 340 119 459

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 07/01/2008 through 12/31/2008)

**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: 14+1=15-9=6/9=.66x100=+66%
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Number of Reporting Districts = 51
Average # of Part I Crimes per Reporting District = 7
Average # of Part II Crimes per Reporting District = 13
Average # of Crimes and Arrests per Reporting District = 19
(Results from 07/01/2008 through 12/31/2008)
High Crime Area = Reporting District total higher than 23.2
CITY OF EL SEGUNDO
PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: April 9, 2009

SUBJECT: Environmental Assessment No. EA-815
Administrative Use Permit No. 08-05

APPLICANT: Saro Enterprises, Inc (Zpizza Restaurant)

PROPERTY OWNER: Khedr Management Company, David Khedr

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: 827-829 N. Douglas Street

I. INTRODUCTION AND PROJECT DESCRIPTION

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 located at 827-829 N. Douglas Street in the
Corporate Campus Specific Plan (CCSP) Zone. The restaurant is located within the
retail portion of the Edge at Campus El Segundo (Building 17 Unit 3 and Unit 4).
The applicant is requesting a Type 41 license for the on-site sale and on-site
consumption of beer and wine from the California Department of Alcoholic
Beverage Control; this is the first request for such a license at this location.

The existing Zpizza restaurant, currently 1180 gross square feet, will be expanding
into an existing and adjacent 916 gross square foot, vacant space. The total gross
floor area will be approximately 2,096 square feet. Approximately 1133 square feet
of floor area will be dedicated to the dining area which will contain 47 seats.
Restaurants are a permitted use in accordance with the Corporate Campus Specific
Plan (CCSP) Zone and within Section V (Development Standards), Part A
(Permitted Uses) of the Corporate Campus Specific Plan. 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 March 31, 2009 (see Exhibit A).

II. ANALYSIS

The proposed use, an existing restaurant, requires an Administrative Use Permit (AUP) in accordance with the development standards contained within the Corporate Campus Specific Plan (CCSP) Zone, since there is no current alcohol service or license at this location. Restaurants are a permitted use in the Corporate Campus Specific Plan (CCSP) Zone. The proposed use (on-site sale and consumption of beer and wine) requires an Administrative Use Permit (AUP) in accordance with Corporate Campus Specific Plan § V.C.1.

On March 6 2009, in accordance with the Corporate Campus Specific Plan, a 20 percent parking reduction for the entire retail center was granted by the Director of Planning and Building Safety. The reduction was granted based on a shared parking analysis performed by Walker Parking Consultants which demonstrated that based on the benefits of shared parking and the mix of uses with differing peak parking demands, there would not be substantial conflict with parking demand between the joint uses thus, the reduction would not be detrimental to the overall demand for parking within the existing, fully leased retail center.

As such and with the reduction, 120 parking spaces would be required and 121 were provided. The existing restaurant and the proposed expansion have a net floor area of 2,012 net square feet which requires 27 parking spaces; a total of 121 parking spaces are currently available for the entire retail center. The table on the following page (Table 1) provides a breakdown of all uses within the retail center.

The restaurant dining hours of operation are currently and are proposed to be limited to Monday through Saturday from 9:00 a.m. to 8:00 p.m. They are closed on Sunday. The Corporate Campus Specific Plan conditions of approval, limits the on-site sale of alcoholic beverages between the hours of 10:00 a.m. and 2:00 a.m. seven days a week. Any change to the hours of operation is subject to review and approval by the Director of Planning and Building Safety.
Table 1

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<tr>
<th>Tenant</th>
<th>Status</th>
<th>Type</th>
<th>Gross Sq. Footage</th>
<th>Net Sq. Footage</th>
<th>Code Parking Ratio</th>
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Total

19,208

20% reduction

Required Parking

Available Parking

121.0

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 the Police Department and Building Division for review. The Police Department had no comments. The Building Division's Plan Check Engineer provided the following comments:

1. Los Angeles County Health Department Approval will be required.
IV. **RECOMMENDATION**

Receive and File.

V. **EXHIBITS**

A. Administrative Use Permit Approval Letter, dated March 31, 2009  
B. Inter-departmental Comments  
C. Administrative Use Permit application  
D. Plans

Prepared by: Trayci Nelson, Senior Planning Consultant

[Signature]

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

[Signature]

Greg Carpenter, Director  
Department of Planning & Building Safety
March 31, 2009

Robert Gosdanian
922 S. Silver Star
Anaheim Hills, California 92808

RE: Environmental Assessment No. EA-815 and Administrative Use Permit (AUP) No. 08-05
On-Site Sale and Consumption of Beer and Wine in Conjunction with the Operation of a Restaurant (Zpizza) for a (Type 41 State of California Alcoholic Beverage Control License)

Address: 827-829 N. Douglas Street (The Edge at Campus El Segundo)

Dear Mr. Gosdanian:

The purpose of this letter is 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 APPROVED Environmental Assessment No. EA-815 and Administrative Use Permit No. 08-05 for the on-site sale and on-site consumption of beer and wine at 827-829 North Douglas Street. 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. EA-815

Finding 1
FINDINGS AND FACTS IN SUPPORT OF FINDINGS:

Environmental Assessment No. EA-815

Finding 1

- The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The project includes an alcohol license for an existing restaurant which results in a minor alteration in the operation of an existing building involving negligible expansion of the existing use. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, there is no new construction proposed for this project. There are adequate utilities and public services to serve the project.

Facts in Support of Finding 1

1. The applicant is requesting an alcohol license for the on-site sale and consumption of beer and wine at an existing restaurant located within the Edge at Campus El Segundo development. The Edge contains roughly 216,000 square feet of existing office and retail area including; 196,000 square feet of office floor area and 19,000 square feet of retail floor area in 17 buildings. The property is in an urbanized and developed area where it has adequate access and all public services and facilities are available. Therefore, the project is not anticipated to have any significant impacts with regard to traffic, noise, air quality or water quality.

Administrative Use Permit 08-05

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 restaurant is located within the retail portion of the Edge at Campus El Segundo development (Bldg 17 Unit 3 and Unit 4) at 827-829 N. Douglas Street in the Corporate Campus Specific Plan (CCSP) Zone. The restaurant is approximately 2,096 square feet in total area and contains a total of 47 seats. The minimum number of required parking spaces for the
The proposed restaurant will be compatible with, and is intended to support the surrounding land uses which include commercial, retail, restaurant, office, and light industrial uses. Other uses in the retail portion of the center include Salad Creations, Noah's Bagel, Subway, Starbucks, Kaya Sushi, Scottrade, Xceed Financial, and Premier Chiropractic.

3. The General Plan Land Use designation for the site is Corporate Campus Specific Plan (CCSP). The zoning for the site is Corporate Campus Specific Plan (CCSP). Restaurants are permitted uses in the Corporate Campus Specific Plan (CCSP) Zone in accordance with CCSP § V.A.17 and on-site sale and consumption of alcohol is permitted with the approval of an Administrative Use Permit in accordance with CCSP § V.C.1.

4. The Corporate Campus Specific Plan (CCSP) Zone permits, and the surrounding land uses include: commercial retail, restaurant, office, hotel, and light industrial uses. The proposed restaurant will be similar and compatible with the surrounding uses.

5. The restaurant must obtain a State of California Alcohol and Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 41).

6. On April 9, 2009 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 Corporate Campus Specific Plan.

2. The zoning for the site is Corporate Campus Specific Plan (CCSP). Restaurants are a permitted use in this Zoning District in accordance with CCSP. The proposed use, on-site sale and consumption of beer and at an existing restaurant, requires an Administrative Use Permit in accordance with CCSP.

3. The purpose of the Corporate Campus Specific Plan (CCSP) Zone is to provide areas where a mixture of compatible commercial, office, research and development, retail, and hotel uses can locate and develop in a mutually
beneficial manner. It is the intent of the Corporate Campus Specific Plan (CCSP) Zone to have several types of uses occupy a single building.

4. The proposed use is consistent with the CCSP Goal to provide more flexibility for the development of a master-planned corporate campus that will be constructed in several phases. Additionally, the proposed use is consistent with the objective that the use is consistent with prior zoning and with uses that are compatible with adjacent uses.

5. The surrounding land uses include: commercial retail, restaurant, and office and light industrial uses. The proposed restaurant will be compatible with the surrounding land 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 is located inside an existing retail commercial building and no new construction, with the exception of the removal of an interior wall for the expansion, is proposed as part of the current request for the alcohol license. Sufficient parking will be provided on-site in compliance with ESMC Chapter 15-15 and the Corporate Campus Specific Plan. In addition, the applicant has indicated that the restaurant will be located within the retail portion of the Edge at Campus El Segundo; each building is equipped with a monitored alarm system.

2. The surrounding land uses include commercial retail and office uses, and light industrial uses. The proposed restaurant is a permitted use within the current CCSP.

3. The Corporate Campus Specific Plan conditions of approval limit the restaurant dining hours of operation for the sale of alcohol only, to 10:00 a.m. to 2:00 a.m. seven days a week. No live entertainment is proposed and the restaurant will be required to meet the noise and vibration requirements of ESMC § 7-2-1.

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.

2. The Corporate Campus Specific Plan conditions of approval limit the restaurant dining hours of operation for the sale of alcohol only, to 10:00 a.m. to 2:00 a.m. seven days a week. The proposed restaurant is located in a predominately commercial/industrial area that is not adjacent to any residential uses, which will help to minimize noise impacts on sensitive uses.

3. The proposed restaurant will provide adequate parking on-site. In addition, the restaurant is located within an existing office and retail area, which will make it accessible by pedestrians and will reduce the vehicular traffic to and from the site.

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. Pursuant to the established conditions of approval associated with EA No. 548, Specific Plan No 01-1, Development Agreement No. 01-01, General Plan Amendment No 01-2, Zone Change No. 01-0, Zone Text Amendment No. 01-1, Administrative Use Permit No, 01-1, and Subdivision No 01-5 (Vesting Tentative Tract No. 53578)....The restaurant dining hours of operation are limited to: 10:00 a.m. to 2:00 a.m. daily. 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, as currently configured, has a total of 47 seats.

3. Any subsequent modification to the project as approved, including the floor plan and areas where alcohol will be served, and/or the conditions of approval, 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. 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.

5. The restaurant operations must comply with ESMC §§ 7-2-1, et seq. regulating noise and vibration.

6. 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.

7. 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 of Regs. §§ 55, et seq.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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, Lakewood 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.

13. 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.

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

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

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

17. 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. 815 and Administrative Use Permit No. 08-05. 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-815 or AUP 08-05, 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 April 9, 2009 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 April 21, 2009.

Should you have any questions, please contact Trayci Nelson, Project Planner, at (310) 524-2342.

Sincerely,

[Signature]

Greg Carpenter, Director
Department of Planning and Building Safety
TO: David Cummings, Police Chief  
Suresh Tyagi, Plan Check Engineer

FROM: Greg Carpenter, Director, Planning and Building Safety  
Kimberly Christensen, AICP, Planning Manager

STAFF PLANNER: Trayci Nelson, Contract Senior Planner

SUBJECT: Environmental Assessment No. EA-815 and Administrative Use Permit No. (AUP) 08-05: To allow the sale and consumption of alcohol at an existing restaurant

Address: 827-829 N. Douglas Street (The Edge at Campus El Segundo)

Applicant: Saro Enterprises, Inc c/o Robert Gospavian

Property Owner: Khedr Management Company

The applicant, Zpizza, requests an Administrative Use Permit to allow an alcohol license for the sale of beer and wine for on-site consumption (Type 41 Alcoholic Beverage Control license) at their existing restaurant located within the Edge at Campus El Segundo development. The restaurant is expanding into an adjacent unit and is located within the retail portion of the development (Bldg 16 Unit 3 and Unit 4) at 827-829 N. Douglas Street. The restaurant is approximately 2,096 square feet in total area including an 1,133 square-foot indoor dining area that contains a total of 47 seats.

Attached for your review and comment is a copy of the application and plans. Please return the plans along with any comments by March 25, 2009. You may also e-mail your comments to tnelson@elsegundo.org. Should you have any questions about the project, please contact Trayci Nelson, Planning Consultant at extension 2342.

COMMENTS:

Reviewed By: 

Signature and Title: 

Date: 4-3-09

Encl.: Application Plans

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City of El Segundo
INTER-DEPARTMENTAL CORRESPONDENCE

Circulation Date: March 18, 2009

TO: David Cummings, Police Chief
    Suresh Tyagi, Plan Check Engineer

FROM: Greg Carpenter, Director, Planning and Building Safety
      Kimberly Christensen, AICP, Planning Manager

STAFF PLANNER: Trayci Nelson, Contract Senior Planner

SUBJECT: Environmental Assessment No. EA-815 and Administrative Use Permit No. (AUP) 08-05: To allow the sale and consumption of alcohol at an existing restaurant

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Attached for your review and comment is a copy of the application and plans. Please return the plans along with any comments by March 25, 2009. You may also e-mail your comments to tnelson@elsegundo.org. Should you have any questions about the project, please contact Trayci Nelson, Planning Consultant at extension 2342.

COMMENTS:

1) Los Angeles County Health Department approval will be required.

Reviewed By:

[Signature]

Date

3/24/09

Encl.: Application

Plans

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EL SEGUNDO CITY COUNCIL
AGENDA STATEMENT

MEETING DATE: April 21, 2009
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:
Consideration and possible action regarding a request from Mattel, Inc. to allow two 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. Approve Mattel’s request to maintain two temporary oversized five hundred four (504) square-foot banners classified as “Special Event Signs” for a period of two (2) months beginning April 22, 2009 and ending June 22, 2009; and/or
2. Alternatively, discuss and take other possible action related to this item

ATTACHED SUPPORTING DOCUMENTS:
1. Letter of request from Mattel, Inc. dated April 14, 2009.
3. Revised Planning and Building Safety Director’s Approval Letter dated February 17, 2009.
5. Inter-departmental Correspondence for Planning and Building Safety Director Hearing dated January 21, 2009.
7. Proposed Sign Elevation
8. Site Plan

FISCAL IMPACT: None

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<td>Additional Appropriation:</td>
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</tr>
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ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
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.” The signs were installed for Mattel’s “World Wide Fall Toy Fair Event” in October, 2008. Mattel is now requesting to maintain the
Anniversary." The proposed 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.

On February 17, 2009, the City Council continued a sign adjustment application for Mattel for consideration to March 3, 2009. On March 3, 2009, the City Council continued the sign adjustment application for consideration to April 21, 2009. The applicant had initially requested a permanent approval that would have allowed them to have temporary signs placed on the parking structure on a rotating basis without the need for future City Council consideration. Based on concerns raised the applicant has revised their request to allow for the signs to be up for two (2) months (60 day) from the date of the City Council's action.

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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<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 two signs are currently located on the south side of the parking structure facing Grand Avenue mounted 22 feet from the ground. Each sign measures 14'-0” in width and 36'-0” in height. The two signs are printed on fire resistant Valmex mesh with grommets every 24 inches apart and are installed using the existing steel cable rig. The cable rig is anchored to the exterior face of the concrete wall with screws. The signs 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. At their meeting of February 12, 2009, the Planning Commission approved an Adjustment to allow the signs to exceed the 5% restriction.

Mattel, Inc. will request approval from the City Council as needed at a future date for any future temporary signs that exceed 500 square feet in area for special events.
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.

IV. Conclusion

Planning staff recommends approval to allow two temporary Special Event signs on the parking garage at 333 Continental Boulevard for a period of two (2) months beginning April 22, 2009 and ending June 22, 2009.
April 14, 2009

Greg Carpenter  
Director, Planning & Building Safety Department  
City of El Segundo  
City Hall, 350 Main Street  
El Segundo, CA 90245-3813

Dear Greg:

Thank you for making the time to meet with us last month to discuss Mattel’s pending application for signage on our parking garage.

The signage celebrates Barbie’s 50th anniversary this year. It is near invisible from the street, and not commercial in nature, in that it is not intended to solicit activity at our retail establishment, for example. Rather, it is intended to welcome visitors to our on campus special events and enhance their experience, for example, while they walk from the nearby DoubleTree Hotel or our corporate offices to the Conference Center.

These special events are held on our campus twice a year, and drive significant out of town guest traffic to El Segundo. As we discussed, while we have not finalized resolution of any permanent signage, the 2009 calendar is as follows:

- Spring Line Reviews (Internal meeting with Mattel global Sales and Marketing) 4/20 – 4/24
- Key Account Meetings (Meetings with largest domestic customers/retailers) 4/27 - 5/22
- Spring Toy Fair (Meetings with Global customers/retailers) 6/8 - 6/12
- Fall Line Reviews 8/17 - 8/21
- Key Account Meetings 8/24 - 9/4
- Fall Toy Fair (exact dates tentative) 10/5 - 10/23

We would therefore like to respectfully request a 60 day extension of the current signage to cover the first set of three events, while we explore further options. Such an extension would also help Mattel minimize costs involved with un-installing and re-installing the signage, which as you can imagine, takes on additional significance in these times. Ideally, we would appreciate the option to keep signage up continuously, understanding the City maintains the right, at any time, to ask us to remove it) and change out the artwork, subject to the City’s approval, e.g. twice a year.

We appreciate the City’s concerns, and respect the Council process and decision. As we mentioned, we would always be ready and willing to submit art work for City review and approval. Please do let us know if we can assist further, and/or provide additional background. We look forward to working with the City toward a mutually beneficial resolution of this matter, building on our many years of excellent working relationship. In advance, thank you for your consideration.

Sincerely,

Corinne Murat  
Director, Government Affairs
EL SEGUNDO CITY COUNCIL
AGENDA STATEMENT

MEETING DATE: February 17, 2009
AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:

Consideration and possible action regarding a request from Mattel, Inc. to maintain two, five hundred four (504) square-foot wall signs on a rotating basis on the south side of the parking structure located at 333 Continental Boulevard. Applicant: Mattel, Inc. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Approve Mattel’s request to maintain two five hundred four (504) square-foot wall signs; and/or
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

2. Planning and Building Safety Director’s Approval Letter dated February 2, 2009.
3. Inter-departmental Correspondence for Planning and Building Safety Director Hearing dated January 21, 2009.
4. Letter of request from Mattel, Inc. dated December 1, 2008.
5. Proposed Sign Elevation
6. Site Plan

FISCAL IMPACT: None

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

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
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. The applicant, Mattel, is requesting approval to maintain two five hundred four (504) square-foot wall signs on a rotating basis to be placed on the southern side of the parking structure. The two 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.
The surrounding land uses are commercial as follows:

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</table>

II. Analysis

Two signs were approved by the City Council on October 7, 2008 as temporary “Special Event Signs” for Mattel’s Fall Toy Fair. The applicant has filed a request to allow the two large signs to remain permanently and to allow Mattel to change the display areas without having to return to the City Council every year for approval. In addition to advertising the Toy Fair, the two sign display areas will be used by Mattel to advertise new products as needed. Each temporary sign is currently mounted to a frame that is anchored to the exterior wall of the parking structure. The approval of the adjustment would allow Mattel the flexibility to change-out the vinyl display area within each frame with minimal delay or additional permit review, as no structural changes would be required for a face change.

The applicant is requesting two signs that are 504 square feet each, totaling 1,008 square feet of signage on the southern façade of the parking structure. The parking structure is 76’-0” high and 146’-0” wide, totaling 11,096 square feet in area. The maximum size allowed for wall signs on freestanding buildings is 5% of the building façade. The maximum signage area permitted for the south elevation of the freestanding parking structure would be 554.8 square feet of area based upon the dimensions provided. The applicant is requesting wall signs that total 9% of the building façade area which therefore exceeds the standards set forth in ESMC Chapter 15-18 and requires approval of a Sign Adjustment. Additionally, ESMC §15-18-8(H) requires that large signs greater than 500 square feet in area obtain City Council approval.

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. Granting the sign adjustment would allow the applicant to reasonable use its property for marketing purposes.

On January 21, 2009, the Director of Planning and Building Safety held an administrative hearing on the sign adjustment and took it under advisement. On February 2, 2009, the Director issued a letter granting approval of the sign adjustment for the two signs based on the facts in support of the required findings in accordance with ESMC § 15-24-4. The attached letter specifies all of the required findings for the adjustment as well as the conditions of approval (see Exhibit 2). Granting of the adjustment was conditioned upon City Council approval to permit two signs larger than 500 square feet each. The Planning Commission is scheduled to receive and file the sign adjustment approval at its February 12, 2009 meeting.
III. *Environmental Review*

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15311, as a Class 11 categorical exemption (on-premise signs). The project consists of the construction of minor structures (two on-premise signs) accessory to an existing commercial facility.

IV. *Conclusion*

Planning staff recommends that the City Council approve the proposed two, permanent, five hundred four (504) square-foot wall signs to be placed on the southern façade of the parking structure at 333 Continental Boulevard.
City of El Segundo
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: February 17, 2009

TO: City Council

FROM: Jack Wayt, City Manager
By: Greg Carpenter, Director, Planning and Building Safety
Kimberly Christensen, AICP, Planning Manager

SUBJECT: City Council Meeting – 2/17/09
Council Agenda Item No. 6 (Consent Calendar)
Supplemental Information Concerning Two Proposed Signs
at 333 Continental Boulevard

BACKGROUND AND DISCUSSION:

I. Background

The Planning Commission reviewed the Sign Adjustment at their meeting on February 12, 2009. After their deliberations, the Planning Commission approved the Sign Adjustment subject to the addition of a condition of approval to the Planning and Building Safety Director’s decision. The new condition prohibits any other signs from being mounted to the three other sides (the exterior walls) of the parking structure. Although the Commission approved the Sign Adjustment for this proposed project because of the specific facts and findings related to the request, some Commissioners expressed a concern more generally about the potential for the proliferation of large signs and asked staff to convey this to the City Council.

IV. Conclusion

Planning staff recommends that the City Council approve the proposed two, permanent, five hundred four (504) square-foot wall signs to be placed on the southern façade of the parking structure at 333 Continental Boulevard, subject to the Sign Adjustment conditions as revised.
February 17, 2009

Charles Anderson
333 Continental Boulevard
El Segundo, CA 90245

RE: Revised Decision: Environmental Assessment No. EA-804 and Adjustment No. 08-03 A request to allow two five hundred four (504) square feet "Wall Signs" that exceed the maximum permitted signage for the south façade of an existing parking structure.

Address: 333 Continental Boulevard, El Segundo

Dear Mr. Anderson:

The purpose of this letter is to inform you that, in accordance with Chapter 15-24 of the City of El Segundo Municipal Code, the Director of Planning and Building Safety Department APPROVED a request for two five hundred four (504) square-foot wall signs on the south façade of an existing parking structure. 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. EA-804

Finding 1

- The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15311 (a), as a Class 11 categorical exemption (on-premise signs). The project consists of the construction of minor structures (two on-premise signs) accessory to an existing commercial facility.
Facts in Support of Finding 1

The proposed adjustment is to allow construction of two wall signs in accordance with ESMC Chapter 18. The adjustment is required since the signs exceed the maximum permitted area, which is five percent (5%) of the building face.

Adjustment No. 08-01

Finding 1

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

Facts in Support of Finding 1

The proposed adjustment would allow the construction of two wall signs exceeding the maximum permitted area for signage along the south side of an existing parking structure. ESMC §15-18-8(B) allows temporary or permanent wall signs that do not exceed 5% of each building face, provided that the signs are less than 500 square feet in area. Large signs greater than 500 square feet in area require City Council approval pursuant to ESMC §15-18-8(H). Signs which exceed standards set forth in ESMC Chapter 15-18 require the approval of an Adjustment. The Director of Planning and Building Safety can approve temporary and permanent signs in the Corporate Office (CO) Zone with a size up to five percent (5%) of each building face. The proposed two wall signs are nine percent (9%) of the southern parking structure’s façade and are greater than 500 square feet each. Consequently, they also require City Council approval. The new signs will not harm the neighboring properties, as the parking structure is currently located in a commercial district and has limited visibility from the street and surrounding properties. The signs are not illuminated and therefore do not create light or glare impacts on the surrounding properties. The two new signs will not create any new impacts that would not be normally associated with an existing commercial office use. The two wall signs will not create any impacts including noise, smoke, dust, fumes, vibration, odors, traffic or hazards.

Finding 2

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

Facts in Support of Finding 2

The applicant is requesting to install two new wall signs that are nine percent (9%) of the southern parking structure’s façade in excess of the maximum allowed 5%. The east façade of the parking structure facing Continental Boulevard is not visible from the street, as it is blocked from view by the Mattel office building. The south façade of the
parking structure has limited visibility from Grand Avenue, as it is partially blocked from view by a building (the Doubletree Hotel) and is approximately 288 feet from the street. Allowing the two signs together on the south façade serves to identify the main entry to the parking structure and would also be enjoyed by visitors, including Mattel. A new 554.8 square-foot wall sign on the south façade that is greater than the 500 square-foot limit would require City Council approval based on a parking structure façade area that is 11,096 square feet in size and would not exceed 5% of the building face. The existing location of the parking structure, the limited visibility of the parking structure and any signage on the structure from Grand Avenue and virtually no visibility from Continental Boulevard deprives the applicant of reasonable use and enjoyment of the property that similar properties enjoy. Allowing Mattel to construct a sign that would not be visible from the east side of the parking structure would not serve any purpose or benefit for Mattel. The two signs facing Grand Avenue would serve to identify the entry to the Mattel parking structure for visitors. Allowing Mattel to construct the two new on-premise signs on the same façade and exceed the maximum 5% allowable area rather than limiting the wall signs to a single sign on the south façade and a second sign on one of the other façades that has no visibility from the entrance to the structure or any other public right-of-way would ensure the applicant’s reasonable use and enjoyment of the property similar to other properties.

Finding 3

- That the proposed adjustment is consistent with the legislative intent of the zoning regulations.

Facts in Support of Finding 3

The wall signs would not be in conflict with the intent of the legislative zoning regulation's purpose to promote the health, safety and welfare of the community since the general public would not be harmed by installing two new wall signs. The two new signs are consistent with the intent of the ESMC regulations pertaining to signs in that the signs comply with the type and number of signs, and the aesthetic and location requirements. The ESMC sign regulations ensure that the sign area or size is proportionate to the building façade and there is a maximum area of total signage. The two proposed signs are not illuminated and use high quality materials with attractive colorful graphics that visually frame the parking structure entrance. The visual impact of two new signs would not dramatically change the commercial character of the property or the neighborhood, as signage is permitted in the Corporate Office (CO) Zone. The surrounding land uses include: a hotel, commercial retail, and offices uses. The signs will be compatible and consistent with the surrounding uses. The wall signs will comply with the ESMC requirements and other applicable law including without limitation, the California Building Code and National Electrical Code, as adopted by the ESMC, at the time the signs are constructed and mounted for display.

DIRECTOR 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 adjustment for the two new wall signs greater than five hundred (500) square feet in area, subject to the following conditions:

CONDITIONS OF APPROVAL

1. This adjustment does not become effective until seven days from its date or, if an appeal is filed, until a final determination is made. Moreover, the City Council will provide a final decision regarding the signs in accordance with the ESMC.

2. The adjustment becomes null and void if the privileges granted are thereunder not utilized within 180 days from the final determination.

3. The adjustment is subject to City Council approval of the two proposed signs exceeding 500 square feet each.

4. The wall signs must comply with the California Building Code.

5. No off-premise signs are allowed. Therefore, all commercial or non-commercial copy for the two signs are limited to on-premise uses.

6. No signs will be permitted on the other three sides of the parking structure.

7. 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.

Please be advised that this does not conclude the review process. This determination will be transmitted to the Planning Commission at its February 12, 2009 meeting with the recommendation that the Planning Commission receive and file the determination and recommend that the City Council approve the signs. The matter is scheduled for City Council consideration on February 17, 2009. An appeal of this decision may be filed with the City Clerk within ten (10) calendar days filing a letter of appeal and the required fee for processing the appeal. If an appeal is filed, the item will be scheduled for a future public hearing (as required by the El Segundo Municipal Code). If you have any questions regarding this project, please contact Assistant Planner Maria Baldenegro at (310) 524-2341.

Sincerely,

Greg Carpenter, Director
Department of Planning and Building Safety
CITY OF EL SEGUNDO

PLANNING COMMISSION STAFF REPORT

DATE: February 12, 2009

SUBJECT: Environmental Assessment No. 804 and Adjustment No. 08-03

REQUEST: To allow two large “Wall Signs” that exceeds the maximum permitted signage for the south façade of an existing parking structure

LOCATION: 333 Continental Boulevard

APPLICANT: Linda Bush Sosa

PROPERTY OWNER: Mattel, Inc.

I. DESCRIPTION

The Planning and Building Safety Department received an application to install two five hundred four (504) square-foot permanent wall signs on the south façade of an existing parking structure within the Corporate Office (CO) Zone at 333 Continental Boulevard. The proposed two signs total 1,008 square feet in area when combined, or 9% of the building face. ESMC §15-18-8(B) allows wall signs on freestanding buildings up to 5% of each building face. Signs which exceed standards set forth in ESMC Chapter 15-18 require the approval of an Adjustment as allowed by ESMC §15-24-1(C). Large signs greater than 500 square feet in area also require City Council approval pursuant to ESMC §15-18-8(H).

II. RECOMMENDATION

Receive and File the Director’s Determination; and Recommend that the City Council approve the application.

III. ANALYSIS

The parking structure is 76'-0" high and 146'-0" wide, totaling 11,096 square feet in area. The maximum signage area permitted for the south elevation of the freestanding parking structure would be 554.8 square feet of area based upon the dimensions provided.
The applicant is requesting (1,008) square feet of signage on the southern façade of a parking structure, or 9% of the building face. Permanent signs which exceed standards set forth in ESMC Chapter 15-18 require the approval of a Sign Adjustment.

The two signs were approved by the City Council on October 7, 2008 as temporary "Special Event Signs" for Mattel’s Fall Toy Fair. The request has been filed to allow the signs to remain and allow Mattel to change the display areas without having to return to the City Council every year for approval. In addition to advertising the Toy Fair, the two sign display areas will be used by Mattel to advertise new products as needed. Each temporary sign is currently mounted to a frame that is anchored to the exterior wall of the parking structure. The approval of the adjustment would allow Mattel the flexibility to change-out the vinyl display area within each frame with minimal delay or additional permit review, as no structural changes would be required for a face change.

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. The applicant would be deprived of the reasonable use and enjoyment of the property, and therefore, the findings can be met for the granting of this sign adjustment.

On January 21, 2009, the Director of Planning and Building Safety held an administrative hearing on this matter and took it under advisement. On February 2, 2009, the Director issued a letter of approval for the two signs. The Director's approval was based on the facts in support of the required findings in accordance with El Segundo Municipal Code §15-24-4. The attached letter specifies all of the required findings for the adjustment as well as the conditions of approval (see Exhibit A).

Signs larger than 500 square feet must obtain City Council approval. Therefore, an item is scheduled to request City Council approval at its February 17, 2009 meeting. The granting of the adjustment is conditioned to City Council approval to permit two signs larger than 500 square feet each.

IV. EXHIBITS

A. Adjustment Approval Letter, dated February 2, 2009
B. Staff Report (Inter-Departmental Correspondence), dated January 21, 2009
C. Adjustment Application and Plans
City of El Segundo
INTER-DEPARTMENTAL CORRESPONDENCE

HEARING DATE: January 21, 2009

TO: Greg Carpenter, Director of Planning and Building Safety
Kimberly Christensen, AICP, Planning Manager

FROM: Maria Baldenegro, Assistant Planner

SUBJECT: Environmental Assessment No. 804 and Adjustment No. 08-03

REQUEST: A request to install two five hundred four (504) square-foot permanent wall signs on the south façade of an existing parking structure

LOCATION: 333 Continental Boulevard

APPLICANT: Charlie Anderson c/o Linda Bush Sosa

PROPERTY OWNER: Mattel, Inc.

REQUEST

The applicant is requesting an adjustment to install two five hundred four (504) square-foot permanent wall signs on the south façade of an existing parking structure within the Corporate Office (CO) Zone at 333 Continental Boulevard. The proposed two signs total 1,008 square feet in area when combined or 9% of the building face and ESMC §15-18-8 (B) allows "Freestanding Building Signage" up to 5% of each building face. Additionally, large signs greater than 500 square feet in area require City Council approval pursuant to ESMC §15-18-8(H). Signs which exceed standards set forth in ESMC Chapter 15-18 require the approval of an Adjustment as allowed by ESMC § 15-24-1 (C).

RECOMMENDATION

Staff recommends that the Director of Planning and Building Safety approve Environmental Assessment No. 804 and Adjustment No. 08-03, subject to the conditions contained within this report.

SITE AND PROJECT DESCRIPTION

The project site is an irregular shaped corner lot located at the northwest intersection of Continental Boulevard and Grand Avenue. The lot is approximately 175,982 square feet in size and is developed with corporate office buildings and a parking structure for Mattel, Inc.
SURROUNDING AREA CHARACTERISTICS

The surrounding properties adjacent to the project site contain a hotel, parking and various commercial office uses. The surrounding land uses are 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>
</tr>
<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>

ENVIRONMENTAL ASSESSMENT

The proposed sign adjustment application is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15311 (a) Class 11—On-premise signs. The project consists of the construction of minor structures (two on-premise signs) accessory to an existing commercial facility.

ANALYSIS

El Segundo Municipal Code (ESMC) §15-18-8(B) allows temporary or permanent "Freestanding Building Signs" up to 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 applicant is requesting (1,008) square feet of signage on the southern façade of a parking structure, or 9% of the building face. The combined total area proposed for the two new 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.

GENERAL PLAN CONSISTENCY

The proposed adjustment is consistent with the General Plan. Staff finds that allowing the adjustment will encourage the effective use of signs as a means of communication in the city; maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; encourage signs which are integrated with and harmonious in size, design, style, material, and appearance to the buildings and sites which they occupy and surround; the proposed project is consistent with the purpose of the zone in that signs are allowed. The General Plan contains several relevant Goals, Objectives, and Policies in the Land Use Element. The two signs are consistent with Land Use Element Policy LU1-5.2 in that the two signs comply
with the quantity, quality and location requirements in the adopted comprehensive sign ordinance. The proposed use is consistent with Land Use Element Goal LU4 in that the two signs provide a means of communication for commercial uses that provide a stable tax base for the City. The surrounding land uses include: a hotel, and office uses. The proposed signs for the office use will be compatible with the surrounding uses.

FINDINGS AND RECOMMENDATION

Pursuant to ESMC Section 15-24-4, the Director of Planning and Building Safety may approve, conditionally approve, or deny an adjustment if the three required findings can be made as follows:

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

The proposed adjustment would allow the installation of two wall signs greater than 500 square feet in area that exceed the maximum permitted area for signage along the south side of an existing parking structure. The El Segundo Municipal Code (ESMC) §15-18-8(B) allows temporary or permanent "Freestanding Building Signs" that do not exceed 5% of each building face, provided that the signs are less than 500 square feet in area. Large signs greater than 500 square feet in area require City Council approval pursuant to ESMC §15-18-8 (H). Signs which exceed standards set forth in ESMC Chapter 15-18 require the approval of an Adjustment. Temporary and permanent signs are permitted in the Corporate Office (CO) Zone up to five percent (5%) of each building face can be administratively approved. The proposed two wall signs are 9% of the southern parking structure’s façade and are greater than 500 square feet each, which also require final City Council approval. The new signs will not negatively impact the neighboring properties, as the parking structure is currently located in a commercial district.

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

The applicant is requesting approval to install two new wall signs that are nine percent (9%) of the southern parking structure’s façade and will also exceed the 500 square-foot limit for signage. The El Segundo Municipal Code (ESMC) §15-18-8(B) allows temporary or permanent "Freestanding Building Signs" that do not exceed 5% of each building face, provided that the signs are less than 500 square feet in area. Large signs greater than 500 square feet in area require City Council approval pursuant to ESMC §15-18-8(H). Signs which exceed standards set forth in ESMC Chapter 15-18 require the approval of an Adjustment. 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 wall signs exceed the maximum permitted area that can be approved administratively by code and also requires City Council approval. 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.
C. That the proposed adjustment is consistent with the legislative intent of the Zoning Code.

The wall signs would not be in conflict with the intent of the Zoning Code's purpose to promote the health, safety and welfare of the community since no detrimental effects will occur to the general public by installing two new wall signs greater than 500 square feet in area.

Therefore, Planning and Building Safety staff recommends approval of the request to install two five hundred four (504) square-foot permanent wall signs on the south façade of an existing parking structure subject property subject to the conditions of approval outlined below.

CONDITIONS OF APPROVAL

1. The adjustment will not become effective until seven days from the granting thereof has elapsed or, if an appeal is filed or review called, until final determination has been made of the appeal or review.

2. The adjustment shall become null and void if the privileges granted thereunder have not been utilized within 180 days.

3. The wall signs must comply with the California Building Code and must be structurally engineered.

4. No off-premise signs are allowed. Therefore, all commercial or non-commercial copy for the two signs must be limited to on-premise uses.

5. 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.

EXHIBITS

A. Application
B. Site Plan and Sign Elevation

P:\Planning & Building Safety\PROJECTS\801-825\EA-804\EA-804. Hearing SR.doc
City of El Segundo

APPLICATION FOR AN ADJUSTMENT

Environmental Assessment No: EA-804  Adj. No: 08-03

Date: 10/1/08

Applicant:

Charles Anderson
Name (print or type)
333 Continental Blvd MS 24-230
Address
EL Segundo, CA 90245
City/St/Zip

Check One: Owner ☑ Lessee ☐

Property Owner:

Sean Sanders
Name (print or type)
338 Continental Blvd
Address
EL Segundo CA 90245
City/St/Zip

Phone 310-252-3917  310-252-3182
Fax Email Charlie.Anderson@MATEZ.com

Signature

Representative of applicant: (i.e., attorney, expeditor, etc.)

Linda Bush Sosa / Complete Permit. Pay
Name (print or type)
5144 Flagstone Street
Address
Long Beach, CA 90808
City/St/Zip

Phone 562-420-3686  562-420-3686
Fax Email Linda.Sosa@Msn.com

Signature
Request: Request: Under the provisions of Title 15, Section 24-1 of the Municipal Code, application for consideration of an Adjustment for the above described property.

Explain in detail why the strict interpretation of this title would result in the unreasonable deprivation of these or enjoyment of this property and attach all supporting documents, plans, sketches, drawings, and photographs necessary to illustrate the proposal as fully as possible. (Attach extra sheets, if necessary).

- Request to exceed Sign Area Standards, section 15.18
  - Requested Banner Size Currently Approved and Permitted
    (permit number B1189-08)
  - See Attached Letter.
NOTE: Separate Affidavits must be submitted if there are multiple owners.

OWNER'S AFFIDAVIT

I, We ___________ Sean Sanders ___________ being duly sworn depose and say that I/we the OWNER of the property involved in this application and that I/we have familiarized myself (ourselves) with the rules and regulation of the City of El Segundo with respect to preparing and filing this application and that the foregoing statements herein contained and the information documents and all plans attached hereto are in all respects true and correct to the best of my/our knowledge and belief.

Signature ___________________________ 12/10/05

STATE OF CALIFORNIA, County of Los Angeles

On his ___________ day of ___________, 20 ___________, before me, the undersigned Notary Public in and for said County and State, personally appeared ___________, known to me to be the person whose name subscribe to the within instrument, and acknowledged to me that he/she executed the same.

WITNESS my hand and official seal. See Attached

Notary Public in and for said County and State
AGENT AUTHORIZATION

I hereby authorize LINDA BUSH-SOSA to act for me in all matters relevant to this application. I understand that this person will be the primary contact on the project and will be sent all information and correspondence.

[Signature]
Owner's Signature

12/10/08
Date

AGENT AFFIDAVIT

I, We LINDA BUSH-SOSA the undersigned, depose and say that (I am/We are) the AGENT(S) of the property involved in this application and that I(We) have familiarized myself/ourselves with the rules and regulations of the City of El Segundo with respect to preparing and filing this application and that the foregoing statements herein contained and the information on all documents and all plans, attached hereto are in all respects true and correct to the best of my/our knowledge and belief.

[Signature]
Applicant's Signature

12/10/08
Date
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On 12-10-08 before me, Marnie Lynn Bravo, Notary Public

personally appeared Sean David Sanders

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

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

WITNESS my hand and official seal.

Signature

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Owner's Affidavit

Document Date: 12-10-08 Number of Pages: 1

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: Sean David Sanders

☐ Individual

☐ Corporate Officer — Title(s):

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:

Signer's Name:

☐ Individual

☐ Corporate Officer — Title(s):

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:
12/1/2008

To whom it may concern,

Mattel, Inc. is seeking an adjustment for our currently permitted, (2) Temporary Special Event Signs hanging on the south side of the parking structure that services 333 Continental Blvd, our corporate headquarters.

These banners help us achieve a number of goals:

1. Directly reinforces our corporate focus/message to our Domestic and International Partners, Buyers, Guests, and Employees.
2. Adds color and life to an otherwise dull concrete structure, a major visual element view of any of our guests traveling on Grand Ave, or staying at the Doubletree Hotel.
3. Helps to beautify/promote Mattel’s home, El Segundo (our neighbors have already chimed in with their appreciation of these graphic elements)

The location of these banners has been dictated by what our customers can actually see from their traffic patterns during our Events. The south facing side of the structure is the only side with a clear view to see a graphic of that size (other sides are either obstructed or irrelevant).

The current process is not conducive to Mattel’s decision making timelines when it comes to permitting/council approvals for our Major Events of the year. Often the “message” of the show is developed fairly close to an event, and it is only through the diligence of the combined efforts of Mattel and El Segundo Planning department that gets these banners permitted in time, too often just under the wire and after great stress.
And so, at the suggestion of El Segundo Planning and Building Safety, we are seeking this adjustment to make the process smoother on a yearly basis, as the theme changes each Toy Fair.

Regards,

Charlie Anderson
Mattel, Inc.
Manager, World Wide Trade Show Services
310.252.3917
MATERIAL:
PRINTED ON FIRE RESISTANT MESH VALMEX
WITH GROMMETS EVERY 24" APART.

ATTACHMENT TO BUILDING:
RE PLACEMENT / INSTALLATION OF THE
BANNERS ON TO THE PARKING
STRUCTURE USING EXISTING RIG IN
ACCORDANCE TO THE APPROVED
DRAWINGS.

ACTUAL BANNER SIZE:
14'-0" X 36'-0" EACH

INSTALLATION:
APPROX. 4 HOURS

BANNER WEIGHT:
APPROX. 8 LBS EACH.

GROMMETS
EVERY 24" APART

1/16" STEEL CABLE
1/8" STEEL CABLE

FIRE RESISTANT MESH BY:
VALMEX MESH FR 7625-5300
SEE EXHIBIT 40

CONNECTION DETAIL 2/A1

5/16" X 4" LAG THREAD SCREW EYE
@ 4'-0" O.C.

(E) 20° CONC. WALL

3/8" X 2"-1/4" ANCHOR @ 4'-0" O.C.

SCREW EYE AND ANCHOR
DETAIL 1/A1

ESTF09 CITY SUBMITTALS
MATTEL PARKING STRUCTURE BANNER

SOUTH ELEVATION

APPROVED: 00.00.00
REVISED: 09.29.08

DATE: 09.12.08
DRAWN BY: WWTS
SCALE: 1/16" = 1'-0"

MATTEL PARKING STRUCTURE BANNER

CONFIDENTIAL AND PROPRIETARY
INFORMATION - DO NOT DISTRIBUTE
AGENDA DESCRIPTION:
Consideration and possible action regarding Adoption of Plans and Specifications for Replacement of Water Main on Lairport Street from Mariposa Avenue to Maple Avenue. Project No.: PW 09-04 (Fiscal Impact: $225,000)

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: $225,000.00
Additional Appropriation: No
Account Number(s): 501-400-7103-8207

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

BACKGROUND AND DISCUSSION:
The Capital Improvement Program includes an annual project for the replacement of water mains at various locations. The purpose of the annual program is to replace deteriorated water distribution pipes and valves. The water main and valves on Lairport Street were constructed in 1953. Replacement of the deteriorated main will reduce the need for maintenance and prevent water main breaks.

The plans and Specifications have been prepared by staff for replacement of approximately 1200 feet of 10” water main in Lairport Street from Mariposa Avenue to Maple Avenue. All businesses in the vicinity of the construction will be notified twice (2 weeks and 3 days) prior to start of construction in order to minimize the traffic and parking impact during the construction.

The total estimated cost of the project, including construction contingencies is $225,000. Funds for this project have been allocated from the Water Enterprise Funds.
AGENDA DESCRIPTION:
Consideration and possible action to introduce an Ordinance amending Title 10; Chapter 2 of the El Segundo Municipal Code, Water Conservation in Landscaping, to incorporate Metropolitan Water District’s Conservation Requirements, Water Use Regulations and Restrictions. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
(1) First reading of an Ordinance amending Title 10; Chapter 2 of the El Segundo Municipal Code, Water Conservation to incorporate Metropolitan Water District’s Conservation Program, Water Use Regulations and Restrictions;
(2) Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Draft Water Conservation Ordinance Amendment
Current Title 10 Chapter 2 of the El Segundo Municipal Code

FISCAL IMPACT: Included in Adopted Budget
Amount Budgeted: $N/A
Additional Appropriation: N/A
Account Number(s): N/A

ORIGINATED BY: Lauren Mahakian, Sr. Administrative Analyst
REVIEWED BY: Dana Greenwood, Public Works Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
In March 1993, City Council adopted a water conservation ordinance that established policies for the design, installation, and management of water conserving landscapes. The policies are applicable to new industrial, commercial, office developments; to public and private parks and other recreational areas; to multi-family (three or more) units; and to City road medians and corridors. The policies do not apply to single-family residences (Title 10; Chapter 2 of City Code).

Last June 2008, the Metropolitan Water District (MWD) released a draft model Water Conservation Ordinance, and finalized this draft in December. The proposed ordinance incorporates the water provisions of MWD’s model ordinance as it is MWD’s goal to have most of the purveyor cities utilizing water conservation requirements. The proposed amendment also maintains the existing water conservation ordinance, but amends the current Chapter 2 of Title 10, and adds Sections 9 through 16, which would incorporate MWD’s conservation requirements. MWD stated that if local water providers do not incorporate the elements that are at least as strict as its model into their municipal ordinances, those cities will not be eligible to receive grant funding. Last year, the City received grant funds from Metropolitan Water District for the
Environmental Expo in the amount of $3,000, and most recently received $53,087 for the “It’s Time to Get Serious “ El Segundo Water Conservation Banner Program.

HIGHLIGHTS OF THE PROPOSED ORDINANCE

Water Conservation Requirements - Prohibition against Waste

The following water conservation requirements are effective at all times; violations of this section will be considered waste and an unreasonable use of water:

1. Watering or irrigating of lawn, landscape or other vegetated area is prohibited between the hours of 9:00 a.m. and 5:00 p.m.

2. Operating a water fountain or other decorative water feature that does not use re-circulated water is prohibited.

3. There are several anti-waste measures prohibiting watering non-porous surfaces and targeting the reduction in water runoff. For example, Limits on Washing Vehicles: Using water to wash or clean a vehicle, except by use of a hand-held bucket or similar container, or a hand-held hose equipped with a positive self-closing water shut-off nozzle or device.

4. Restaurants will only be able to serve water upon request.

5. Motels must offer the option to not have linens laundered daily.

6. All car wash facilities must capture and recycle wastewater by 2012.

The Amendment gives three drought conditions in which water reduction measures would come into affect:

Level 1 Water Supply Shortage:
Limits on watering days and obligations to fix leaks, breaks or malfunctions.

Level 2 Water Supply Shortage:
Watering or irrigating of lawn, landscape or other vegetated area is limited to two days per week; obligation to fix leaks, breaks or malfunctions; limits on filling ornamental lakes or ponds; limits on washing vehicles; and limits on filling residential swimming pools and spas.

Level 3 Water Supply Shortage - Emergency Condition: Level 3:
Water Supply Shortage condition is also referred to as an “Emergency” condition. A Level 3 condition exists when the City declares a water shortage emergency and notifies its residents and businesses that a significant reduction in consumer demand is necessary to maintain sufficient water supplies for public health and safety.

The following water conservation requirements apply during a declared Level 3 Water Supply Shortage Emergency:
1. No Watering or Irrigating: Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited.
2. Obligation to fix leaks, breaks and malfunctions
3. Discontinue Service: The City, in its sole discretion, may discontinue service to consumers who willfully violate provisions of this section.

Public Notification

With the adoption of this ordinance there will be several new requirements that residents and business owners need to be aware of. Staff will use various methods to get the information out to the public such as water bill sufferers, articles in the El Segundo Herald, the City’s website and Community Cable Channel.

In conclusion, this amendment to our existing Ordinance promotes the efficient use of potable water, by establishing permanent water use standards and prohibitions regarding the wasteful use of water, to improve the City’s water supply reliability.
ORDINANCE No. _________

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, AMENDING CHAPTER 2.10 TO THE CITY OF EL SEGUNDO MUNICIPAL CODE REGARDING POLICIES FOR WATER CONSERVATION

THE CITY COUNCIL OF THE CITY OF EL SEGUNDO HEREBY FINDS, DETERMINES AND DECLARES:

WHEREAS, The City of El Segundo recognizes Article X, Section 2 of the California Constitution that declares that water resources be put to beneficial use, waste or unreasonable use of unreasonable method of use of water be prevented, and conservation of water to be fully exercised with a view to the reasonable and beneficial use thereof; and

WHEREAS, Article XI, Section 7 of the California Constitution declares that a city or county may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, California Water Code section 375 authorizes water suppliers to adopt and enforce a comprehensive water conservation program to reduce water consumption and conserve supplies; and

WHEREAS, The adoption and enforcement of a water conservation and supply shortage program is necessary to manage the City’s potable water supply in the short and long-term and to avoid or minimize the effects of drought and shortage within the City. Such program is essential to ensure a reliable and sustainable minimum supply of water for the public health, safety and welfare; and

THE CITY COUNCIL OF THE CITY OF EL SEGUNDO OF DOES ORDAIN AS FOLLOWS:

SECTION 1. Title 10 Chapter 2 of Recreation and Parks Department of the City of El Segundo is hereby amended to be added and read as:

Section 10.02.09: Water Conservation Requirements – Prohibition Against Waste

The following water conservation requirements are effective at all times. Violations of this section will be considered waste and an unreasonable use of water.

a. Limits on Watering Hours: Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of 9:00 a.m. and 5:00 p.m. on any day, except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.
b. **Limit on Watering Duration:** Watering or irrigating of lawn, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than fifteen (15) minutes watering per day per station. This subsection does not apply to landscape irrigation systems that exclusively use very low-flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour and weather based controllers or stream rotor sprinklers that meet a 70% efficiency standard.

c. **No Excessive Water Flow or Runoff:** Watering or irrigating of any lawn, landscape or other vegetated area in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch is prohibited.

d. **No Washing Down Hard or Paved Surfaces:** Washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards, and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off device, a low-volume, high-pressure cleaning machine equipped to recycle any water used, or a low-volume high-pressure water broom.

e. **Obligation to Fix Leaks, Breaks or Malfunctions:** Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the water user's plumbing or distribution system for any period of time after such escape of water should have reasonably been discovered and corrected and in no event more than seven (7) days of receiving notice from the City is prohibited.

f. **Re-circulating Water Required for Water Fountains and Decorative Water Features:** Operating a water fountain or other decorative water feature that does not use re-circulated water is prohibited.

g. **Limits on Washing Vehicles:** Using water to wash or clean a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not is prohibited, except by use of a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing water shut-off nozzle or device. This subsection does not apply to any commercial car washing facility.

h. **Drinking Water Served Upon Request Only:** Eating or drinking establishments, including but not limited to a restaurant, hotel, cafe, cafeteria, bar, or other public place where food or drinks are sold, served, or offered for sale, are prohibited from providing drinking water to any person unless expressly requested.

i. **Commercial Lodging Establishments Must Provide Guests Option to Decline Daily Linen Services:** Hotels, motels and other commercial lodging establishments must provide customers the option of not having towels and linen laundered daily. Commercial lodging establishments must prominently display notice of this option in each bathroom using clear and easily understood language.

j. **No Installation of Single Pass Cooling Systems:** Installation of single pass cooling systems is prohibited in buildings requesting new water service.
k. **No Installation of Non-re-circulating in Commercial Car Wash and Laundry Systems:** Installation of non-re-circulating water systems is prohibited in new commercial conveyor car wash and new commercial laundry systems.

l. **Restaurants Required to Use Water Conserving Dish Wash Spray Valves:** Food preparation establishments, such as restaurants or cafes, are prohibited from using non-water conserving dish wash spray valves.

m. **Commercial Car Wash Systems:** Effective on January 1, 2010, all commercial conveyor car wash systems must have installed operational re-circulating water systems, or must have secured a waiver of this requirement from the City.

**Section 10.02.10: Level 1 Water Supply Shortage**

a. A Level 1 Water Supply Shortage exists when the City determines, in its sole discretion, that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists and a consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration by the City of a Level 1 Water Supply Shortage condition, the City will implement the mandatory Level 1 conservation measures identified in this section.

b. **Additional Water Conservation Measures:** In addition to the prohibited uses of water identified in Section 10.01.09, the following water conservation requirements apply during a declared Level 1 Water Supply Shortage:

1. **Limits on Watering Days:** Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to three days per week on a schedule established and posted by the City. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the City. This provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

2. **Obligation to Fix Leaks, Breaks or Malfunctions:** All leaks, breaks, or other malfunctions in the water user’s plumbing or distribution system must be repaired within seventy-two (72) hours of notification by the City unless other arrangements are made with the City.

**Section 10.02.11. Level 2 Water Supply Shortage**

a. A Level 2 Water Supply Shortage exists when the City determines, in its sole discretion, that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists and a consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration by the City of a Level 2 Water Supply Shortage condition, the City will implement the mandatory Level 2 conservation measures identified in this section.
b. **Additional Conservation Measures:** In addition to the prohibited uses of water identified in Section 10.02.09 and 10.02.11, the following additional water conservation requirements apply during a declared Level 2 Water Supply Shortage:

1. **Watering Days:** Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to two days per week on a schedule established and posted by the City. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the City. This provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

2. **Obligation to Fix Leaks, Breaks or Malfunctions:** All leaks, breaks, or other malfunctions in the water user’s plumbing or distribution system must be repaired within forty-eight (48) hours of notification by the City unless other arrangements are made with the City.

3. **Limits on Filling Ornamental Lakes or Ponds:** Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a supply shortage level under this ordinance.

4. **Limits on Washing Vehicles:** Using water to wash or clean a vehicle, including but not limited to, any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not, is prohibited except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, by high pressure/low volume wash systems, or at a commercial car washing facility that utilizes a re-circulating water system to capture or reuse water.

5. **Limits on Filling Residential Swimming Pools & Spas:** Re-filling of more than one foot and initial filling of residential swimming pools or outdoor spas with potable water is prohibited.

**Section 10.02.12. Level 3 Water Supply Shortage – Emergency Condition**

a. A Level 3 Water Supply Shortage condition is also referred to as an “Emergency” condition. A Level 3 condition exists when the City declares a water shortage emergency and notifies its residents and businesses that a significant reduction in consumer demand is necessary to maintain sufficient water supplies for public health and safety. Upon the declaration of a Level 3 Water Supply Shortage condition, the City will implement the mandatory Level 3 conservation measures identified in this section.

b. **Additional Conservation Measures:** In addition to the prohibited uses of water identified in Section 10.02.09, 10.02.10, and 10.02.11, the following water conservation requirements apply during a declared Level 3 Water Supply Shortage Emergency:
1. **No Watering or Irrigating:** Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited. This restriction does not apply to the following categories of use, unless the City has determined that recycled water is available and may be applied to the use:

   i. Maintenance of vegetation, including trees and shrubs, that are watered using a hand-held bucket or similar container, hand-held hose equipped with a positive self-closing water shut-off nozzle or device;

   ii. Maintenance of existing landscape necessary for fire protection;

   iii. Maintenance of existing landscape for soil erosion control;

   iv. Maintenance of plant materials identified to be rare or essential to the well-being of protected species;

   v. Maintenance of landscape within active public parks and playing fields, day care centers, golf course greens, and school grounds, provided that such irrigation does not exceed two (2) days per week according to the schedule established in Section 10.02.11(b)(1) and time restrictions in Section 10.02.09(a) and (b)(1);

   vi. Actively irrigated environmental mitigation projects.

2. **Obligation to Fix Leaks, Breaks or Malfunctions:** All leaks, breaks, or other malfunctions in the water user’s plumbing or distribution system must be repaired within twenty four (24) hours of notification by the City unless other arrangements are made with the City.

3. **Discontinue Service:** The City, in its sole discretion, may discontinue service to consumers who willfully violate provisions of this section.

**Section 10.02.13. Procedures for Determination / Notification of Water Supply Shortage**

a. **Declaration and Notification of Water Supply Shortage:** The existence of Level 1, Level 2 or Level 3 Water Supply Shortage conditions may be declared by resolution of the City adopted at a regular or special public meeting held in accordance with State law. The mandatory conservation requirements applicable to Level 1, Level 2 or Level 3 conditions will take effect on the tenth day after the date the shortage level is declared. Within five (5) days following the declaration of the shortage level, the City must publish a copy of the resolution in a newspaper used for publication of official notices. If the City activates a water allocation process, it must provide notice of the activation by including it in the regular billing statement or by any other mailing to the address to which the City customarily mails the billing statement for fees or charges for on-going water service. A water allocation will be effective on the fifth day following the date of mailing or at such later date as specified in the notice.

**Section 10.02.14. Hardship Waiver**

a. **Undue and Disproportionate Hardship:** If, due to unique circumstances, a specific requirement of this chapter would result in undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to
similar property or classes of water users, then the person may apply for a waiver to the requirements as provided in this section.

b. **Written Finding:** The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water use due to specific and unique circumstances of the user or the user's property.

1. **Application:** Application for a waiver must be on a form prescribed by the City and accompanied by a non-refundable processing fee in an amount set by the Public Works Director.

2. **Supporting Documentation:** The application must be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.

3. **Required Findings for Waiver:** An application for a waiver will be denied unless the Public Works Director finds, based on the information provided in the application, supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the City or its Agent, all of the following:

   i. That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses;

   ii. That because of special circumstances applicable to the property or its use, the strict application of this chapter would have a disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally;

   iii. That the authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the City to effectuate the purpose of this chapter and will not be detrimental to the public interest; and

   iv. That the condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent or general in nature.

4. **Approval Authority:** The Public Works Director must act upon any completed application no later than ten (10) days after submittal and may approve, conditionally approve, or deny the waiver. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise at the time a waiver is approved, the waiver will apply to; the subject property during the period of the mandatory water supply shortage condition. The decision of the Public Works Director will be final.

**Section 10.12.15. Penalties and Violations**

a. **Misdemeanor:** Any violation of this chapter may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days, or by a fine not exceeding one thousand dollars ($1,000), or by both.
b. **Penalties:** Penalties for failure to comply with any provisions of the ordinance are as follows:

1. **First Violation:** The City will issue a written warning and deliver a copy of this ordinance by mail.

2. **Second Violation:** A second violation within the preceding twelve (12) calendar months is punishable by a fine not to exceed one hundred dollars ($100).

3. **Third Violation:** A third violation within the preceding twelve (12) calendar months is punishable by a fine not to exceed two hundred and fifty ($250).

4. **Fourth and Subsequent Violations:** A fourth and any subsequent violation is punishable by a fine not to exceed five hundred ($500).
   i. **Water Flow Restrictor:** In addition to any fines, the City may install a water flow restrictor device of approximately one gallon per minute capacity for services up to one and one-half inch size and comparatively sized restrictors for larger services after written notice of intent to install a flow restrictor for a minimum of forty eight (48) hours.

5. **Discontinuing Service:** In addition to any fines and the installation of a water flow restrictor, the City may disconnect a customer’s water service for willful violations of mandatory restrictions in this chapter.

c. **Cost of Flow Restrictor and Disconnecting Service:** A person or entity that violates this ordinance is responsible for payment of the City’s charges for installing and/or removing any flow restricting device and for disconnecting and/or reconnecting service per the City’s schedule of charges then in effect. The charge for installing and/or removing any flow restricting device must be paid to the City before the device is removed. Nonpayment will be subject to the same remedies as nonpayment of basic water rates.

d. **Separate Offenses:** Each day that a violation of this ordinance occurs is a separate offense.

e. **Notice and Hearing:**

1. The City will issue a Notice of Violation by mail or personal delivery at least ten (10) days before taking enforcement action. Such notice must describe the violation and the date by which corrective action must be taken. A customer may appeal the Notice of Violation by filing a written notice of appeal with the City no later than the close of business on the day before the date scheduled for enforcement action. Any Notice of Violation not timely appealed will be final. Upon receipt of a timely appeal, a hearing on the appeal will be scheduled, and the City will mail written notice of the hearing date to the customer at least ten (10) days before the date of the hearing.

2. Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the City may take appropriate steps to prevent the unauthorized use of water as appropriate to the nature and extent of the violations and the current declared water Level condition.

Section 10.02.16. **Severability**
If any section, subsection, sentence, clause or phrase in this chapter is for any reason held invalid, the validity of the remainder of the chapter will not be affected. The City Council of the City of El Segundo hereby declares it would have passed this chapter and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or is declared invalid.

SECTION 2. Adoption and implementation of this ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15307 of the State CEQA Guidelines, as a Class 7 Categorical Exemption.

SECTION 3. Any provision of the City of El Segundo Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified t the extent necessary to affect the provision of this ordinance.

SECTION 4. Should any provision of this Ordinance be determined to be invalid or unconstitutional all other provisions of this Ordinance shall remain in full force and effect as approved.

SECTION 5. The Mayor shall sign this Ordinance. The City Clerk shall certify to the passage and adoption of this Ordinance; shall cause the same to be entered in the book of original Ordinances of the City; shall make a minute of the passage and adoption thereof in the records of the meeting of the City Council at which the same is passed and adopted; and shall cause to be posted the same in three public places in the City of El Segundo in the time and manner provided by law. This Ordinance shall become effective 30 days after its adoption.

PASSED AND APPROVED This 5th Day of May 2009.

______________________________
Kelly McDowell, Mayor
Of the City of El Segundo,
California

ATTEST:

______________________________
Cindy Mortesen, City Clerk

APPROVED AS TO FORM:

______________________________
Mark Hensley, City Attorney
Chapter 2
WATER CONSERVATION IN LANDSCAPING

10-2-1: PURPOSE:

The purpose of this Chapter is to establish policies for the design, installation, and management of water conserving landscapes in order to utilize available plant, water, and land resources to avoid excessive landscape water demands while ensuring high quality landscape design. (Ord. 1194, 3-16-1993)

10-2-2: APPLICATION OF POLICIES:

A. Applicability: These policies shall be applicable to new industrial, commercial, office and institutional developments; to public and private parks and other public recreational areas; to multi-family (3 or more units) residential and planned unit development common areas; to model home complexes; and to City road medians and corridors.

B. Nonapplicability: These policies shall not be applicable to:

1. Cemeteries.
2. Registered historical sites.
3. Ecological restoration projects that do not require a permanent irrigation system.
4. Mined-land reclamation projects that do not require a permanent irrigation system.
5. Any project with a landscaped area less than one thousand (1,000) square feet, unless the Director of Recreation and Parks determines that substantial compliance with the purpose of this Chapter as stated in Section 10-2-1 of this Chapter requires that a landscape plan be submitted.
6. Any project or planting area that utilizes one hundred percent (100%) reclaimed water.

C. Exemptions: The Director of Recreation and Parks may authorize exemptions to any of the design and improvement standards in this Chapter. Such exemptions may be granted if the Director finds that the proposed design or improvement is in substantial compliance with the purpose and intent of this Chapter. (Ord. 1194, 3-16-1993)

10-2-3: DEFINITIONS:
Unless the context specifically indicates otherwise, the meanings of terms used in this Chapter shall be as defined in this Section:

**DESIGNER:** A person qualified to practice landscape architecture and/or irrigation design.

**DIRECTOR:** The Director of Recreation and Parks of the City of El Segundo.

**IRRIGATION SYSTEM:** A complete connection of system components, including the water distribution network and the necessary irrigation equipment and downstream from the backflow prevention device.

**PLANTING AREA:** The parcel area less building pad, driveway, patio, deck, walkway and parking area. "Planting area" includes water bodies (i.e., fountains, ponds, lakes) and natural areas.

**PLANTING PLAN:** A planting plan shall identify location, spacing, numbers, container planting sizes of all plant materials including common and botanical names.

**REHABILITATED LANDSCAPE:** Any planting area in which fifty percent (50%) of existing landscape materials are replaced or modified within any twelve (12) month period. Examples include a change of plants or ground cover, and grading modifications. (Ord. 1194, 3-16-1993)

**10-2-4: LANDSCAPE PLAN:**

A. **Required:** Landscape plans shall be prepared in accordance with the policies set forth herein and with any guidelines developed to help implement the provisions of this Chapter. Such plans shall be submitted and approved prior to the issuance of building permits to comply with the policies of this Chapter.

B. **Application For Approval:** Prior to the issuance of a building permit, a landscape plan application shall be submitted and reviewed in accordance with this Chapter. Applications for landscape plan approval shall be filed by the owner of the affected property or his agent, or by a public entity to which the provisions of the Chapter apply, on forms furnished by the Director of Recreation and Parks.

C. **Approval:** No landscape plan application shall be approved unless the Director finds that the plan compliments the design of the project, is consistent with the provisions of this Chapter and applicable landscape guidelines; compatible with adjacent existing or future public landscaped areas, and with the elevations and appearances with existing structures located upon lots within the immediate vicinity of the lot which is the subject of such application.

D. **Content Of Plan:** Each landscape plan shall consist of the following elements including, but not limited to, the following:
1. Planting Plan: The planting plan shall identify location, spacing, numbers, container sizes of all plant materials including common and botanical names, drawn on project base sheets in a clear and legible fashion in accordance with the policies established to implement the provisions of this Chapter.

2. Irrigation Plan: The irrigation plan shall identify all components of the irrigation system drawn on project base sheets in a clear and legible fashion in accordance with the policies established to implement the provisions of this Chapter. (Ord. 1194, 3-16-1993)

10-2-5: WATER FEATURES:

Decorative water features such as pools, ponds, and waterfalls used in landscaped areas shall incorporate recycling of water, and shall use reclaimed water where it is feasible, cost effective, and meets health standards. (Ord. 1194, 3-16-1993)

10-2-6: LANDSCAPE MAINTENANCE:

The property owner shall permanently and continuously maintain landscaping and irrigation in a neat, clean and healthy condition, including removal of litter, proper pruning, mowing of lawns, weeds, fertilizing, and watering; and replacement of diseased and/or dead plants and malfunctioning or missing irrigation system components. (Ord. 1194, 3-16-1993)

10-2-7: MODEL HOME LANDSCAPING:

For each subdivision with model homes, the developer shall submit a landscape plan and install landscaping for each model home, incorporating the policies of this Chapter and including:

A. Signs identifying elements of the water conserving landscape and irrigation system design placed around the model.

B. Literature describing water conserving landscapes to be available to individuals touring the model. (Ord. 1194, 3-16-1993)

10-2-8: LANDSCAPE CERTIFICATE:

Upon completion of the installation of the landscaping, the designer or owner shall certify that
the landscape complies with all policies of this Chapter. Certification shall be accomplished by completion of a landscape certificate on a form approved by the Director. Failure to submit a complete and accurate landscape certificate will delay final approval of the project and/or discontinue water service. (Ord. 1194, 3-16-1993)