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, SEPTEMBER 21, 2010 – 5:00 P.M.

Next Resolution # 4681
Next Ordinance # 1447

5:00 P.M. SESSION

CALL TO ORDER

ROLL CALL

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

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

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

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.

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

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -2- matters

1. Represented Group: Police Support Services Employees Association (PSSEA), City Employees Association (CEA), Firefighters Association (FFA), Police Managers Association (PMA), Police Officers Association (POA), Supervisory and Professional Employees (S&P)
   Negotiators: Jack Wayt, Bob Hyland and Richard Kreisler

2. Unrepresented Group: Management Confidential Group
   Negotiator: Jack Wayt

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

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 21, 2010 - 7:00 P.M.

Next Resolution # 4681
Next Ordinance # 1447

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Pastor Wes Harding, El Segundo Foursquare Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Bill Fisher
PRESENTATIONS

a. Proclamation inviting the community to observe Fire Prevention Week October 3 through October 9, 2010.
b. Proclamation inviting the community to the Richmond Street Fair September 25, 2010.

ROLL CALL

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

A. PROCEDURAL MOTIONS

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

Recommendation – Approval.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action to open a public hearing and receive testimony regarding: 1) an Environmental Assessment for a Categorical Exemption; 2) a Zone Text Amendment amending the El Segundo Municipal Code (“ESMC”) to establish regulations for assembly hall uses and to amend the permitted and conditionally permitted uses in various zones, and 3) a Specific Plan Text Amendment to amend the permitted and conditionally permitted uses within the Downtown Specific Plan. Applicant: City Initiated (Fiscal Impact: N/A)

Recommendation – (1) Open the public hearing; (2) Discussion; (3) Introduce, and waive first reading of Ordinance for Zone Text Amendment No. 10-05 and Specific Plan Text Amendment SPTA 10-02; (4) Schedule second reading and adoption of Ordinance on October 5, 2010; (5) Alternatively, discuss and take other action related to this item.
2. Consideration and possible action to open a public hearing and receive testimony regarding: 1) approval of an Environmental Assessment for a proposed Statutory Exemption; and 2) adoption of Public Facilities Impact Fees for Police, Fire, Library, and Parks Facilities. Applicant: City Initiated (Fiscal Impact: Increased Fee Revenue from Police, Fire and Library Public Facilities Impact Fees and Establishment of New Parks Impact Fees)

Recommendation – (1) Open the public hearing; (2) Discussion; (3) Adopt a Resolution establishing Public Facilities Impact Fees; (4) Alternatively, discuss and take other action related to this item.

3. Consideration and possible action (Continued Public Hearing) regarding the Fiscal Year 2010-2011 Budget (including all City Revenues and Expenditures), Five-Year Capital Improvement Plan and Adoption of Resolutions approving Appropriation Limit, Preliminary Budget as amended, and Capital Improvement Plan as amended. (Copies of the Fiscal Year 2010-2011 Preliminary Budget can be found in the Library, City Clerk's office, and on the City's website.) (Fiscal Impact $106,476,600 in total appropriations; $95,666,700 in total estimated revenues and prior year designations of $10,809,900.) (Fiscal Impact: $106,476,600)

Recommendation – (1) Continue Public Hearing and receive public testimony. Adopt the Resolution approving and adopting the Fiscal Year 2010-2011 Operating Budget and the Five-Year Capital Improvement Budget; (2) Incorporate "Exhibit A Fiscal Year 2010-2011 Change List of Budget Revisions in all Funds" into the Adopted Budget and balance any fiscal year 2009-2010 General Fund shortfall with Council-authorized budget-balancing options approved on August 17, 2010; (3) Adopt the Resolution approving and adopting the Appropriations Limit for fiscal year 2010-2011, as presented; (4) Alternatively, discuss and take other action related to this item.
C. UNFINISHED BUSINESS

4. Consideration and possible action regarding 1) Adoption of Ordinance No. 1442 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 20903 (Two Years Additional Service Credit) for one classification in the City’s Local Safety Members; 2) Adoption of a Resolution providing a designated Retirement Period for Section 20903, Two Years Additional Service Credit to include amended Exhibit A; and 3) Certification of Compliance with Government Code Section 20903; (Fiscal Impact: 1) Estimated increase in the City’s PERS safety employer rate of .084% and an annual cost increase in FY 2012-2013 of $14,000; 2) Salary savings based on the employee retiring during the designated retirement period of $282,726).

Recommendation – (1) Waive Second Reading and Adoption of Ordinance No. 1442; (2) Adopt the Resolution Providing a Designated Retirement Period; (3) Certify Compliance with Government Code Section 20903; (4) Alternatively, discuss and take other action related to this item.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

E. CONSENT AGENDA

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

5. Warrant Numbers 2578901 to 2579098 on Register No. 23 in the total amount of $1,074,934.08 and Wire Transfers from 08/27/10 through 09/09/10 in the total amount of $2,736,417.13.

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


Recommendation – Approval.
7. Consideration and possible action regarding approval of ongoing service agreements and blanket purchase orders for FY 2010-2011 in excess of $25,000 and possible action to waive the formal bidding process and authorize the continued purchase of various agreements and services as described below. (Fiscal Impact: $1,154,200 General Fund, $31,000 Proposition A, $13,000 Asset Forfeiture, $114,000 Water Enterprise Fund and $13,000 Wastewater Fund)

Recommendation – (1) Authorize staff to continue to purchase gasoline and diesel fuel for City vehicles and equipment through the use of spot market purchasing in an amount not to exceed $321,000 (General Fund); (2) Authorize the issuance of a blanket purchase order to Metron Farnier & Actaris in an amount not to exceed $100,000 in total for the purchase of single jet water meters for the City's water system (Water Enterprise Fund); (3) Authorize the issuance of a blanket purchase order to Blue Diamond Materials, a division of Sully Miller Contracting Company in an amount not to exceed $50,000 for the purchase of asphalt paving materials for Street Maintenance Division projects (General Fund); (4) Authorize the City Manager to extend ongoing service agreements with Baker & Taylor Information Services for supplying books and other library materials, and issuance of blanket purchase order not to exceed $61,000 (General Fund); (5) Authorize the City Manager to extend contract #2235 to Innovative Interfaces, Inc., for library computer network system maintenance and issuance of blanket purchase order not to exceed $30,000 (General Fund); (6) Authorize the City Manager to extend ongoing service agreements with J. Lee Engineering who provides plan check and inspection consulting services for the Building and Safety Division not to exceed $150,000 (General Fund); (7) Authorize the City Manager to extend ongoing service agreements with JAS to provides plan check and inspection consulting services for the Building and Safety Division not to exceed $25,000 (General Fund); (8) Authorize the City Manager to extend ongoing service agreements with John L. Hunter. On January 16, 2001 City Council approved Ordinance 1329 implementing the City’s Standard Urban Water Mitigation Plan (SUSWMP) of the California Regional Water Quality Control Board for the Los Angeles region. John L. Hunter and Associates, Inc. assists the Planning and Building Safety Department staff in implementing the ordinance by providing consulting services for SUSWMP plan check review, field inspection and staff training not to exceed $25,000 (General Fund); (9) Authorize the City Manager to extend ongoing service agreements with Gary Bufkin who provides computer programming services to maintain and make improvements to the multi-departmental permitting system (Muni-permits). The system currently serves Building and Safety, Planning, Public Works, Fire Prevention, Police, Code Enforcement and Recreation and Park not to exceed $25,000 (General Fund); (10) Authorize the City Manager to extend ongoing service agreements with Scanning Services Corporation. Scanning Services Corporation scans and inputs data into the City's document imaging system not to exceed $35,000 (General Fund); (11) Authorize the City Manager to extend ongoing service agreements with Willdan Engineering Services who provides professional planning consulting and engineering services to the City not to exceed $30,000 (General Fund); (12) Authorize the City Manager to
extend ongoing service agreements with U.S. HealthWorks who provides an extremely cost effective method of delivery of pre-employment and occupational medical services not to exceed $45,000 (General Fund); (13) Authorize the City Manager to extend ongoing service agreements with Westchester Medical Group/Center for Heart and Health to provide annual safety employees fitness for duty and executive physical examinations not to exceed $70,000 (General Fund); (14) Authorize the City Manager to execute a one-year contract with the Society for the Prevention of Cruelty to Animals Los Angeles for animal sheltering services, not to exceed $28,200 (General Fund); (15) Authorize the City Manager to execute a one-year contract with Duncan Solutions (formerly Enforcement Technology Inc.) for processing of parking citations/collections, not to exceed $77,000 (General Fund); (16) Authorize the City Manager to execute a one-year contract with AT&T Connection Services for communications related to mobile data computers and radio sites, not to exceed $39,400 (General Fund); (17) Authorize the El Segundo Fire Department to waive the bidding process per El Segundo Municipal Code §1-7-10 to purchase medical and pharmaceutical supplies, and piggyback on the City of Berkeley’s Bound Tree Medical, Inc. ("Bound Tree") Bid #09-10348-C, and authorize issuance of a blanket purchase order to Bound Tree for FY 2010-2011 for medical and pharmaceutical supplies not to exceed $26,000 (General Fund); (18) Authorize the issuance of a blanket purchase order for FY 10-11 to UCLA Center for Pre-Hospital Care for continuing education, defibrillation training and AED program oversight not to exceed $32,600 General Fund; (19) Authorize the City Manager to execute a one-year contract amendment and/or purchase order with Shannon David, Inc. for professional services with the City’s business recruitment and marketing, program, as approved to form by the City Attorney, not to exceed $40,000 (General Fund); (20) Authorize the City Manager to execute a one-year contract amendment and/or purchase order with Tyler Technologies who provide financial software to manage the City’s General Ledger, Accounts Receivable, Accounts Payable, Payroll, and Human Resources. This item is for annual licensing, maintenance, and support of these systems not to exceed $35,000 (General Fund); (21) Authorize the City Manager to execute a one-year contract with All Cities Management Company to provide crossing guard services for the El Segundo School District not to exceed $80,000 (General Fund); (22) Alternatively, discuss and take other action related to this item.

8. Consideration and possible action regarding authorizing the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 24 homes related to the City’s Residential Sound Insulation Program’s Group 39 (Project No. RSI 10-01). (Final Contract Amount: $716,741.00)

Recommendation – (1) Authorize the City Clerk to file the City’s Planning and Building Safety Director’s Notice of Completion in the County Recorder’s Office; (2) Authorize the City Manager, or designee, to closeout Project No. RSI 10-01; (3) Alternatively, discuss and take other action related to this item.
9. Consideration and possible action regarding authorizing the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 20 homes related to the City's Residential Sound Insulation Program’s Group 40 (Project No. RSI 10-02). (Final Contract Amount: $539,165.14)
Recommendation – (1) Authorize the City Clerk to file the City’s Planning and Building Safety Director’s Notice of Completion in the County Recorder’s Office; (2) Authorize the City Manager, or designee, to close out Project No. RSI 10-02; (3) Alternately, discuss and take other action related to this item.

10. Consideration and possible action to adopt a Joint Tax Sharing Resolution for the proposed Annexation No. 05-55 into Los Angeles County Sanitation District No. 5. (Fiscal Impact: None)
Recommendation – (1) Adopt the resolution and authorize the City Manager to execute the Joint Tax Resolution with Los Angeles County Sanitation District No. 5; (2) Alternately, discuss and take other action related to this item.

11. Consideration and possible action regarding a sole-source award to lease 953 acre-ft of ground water pumping rights to the City of Manhattan Beach. (Fiscal Impact: $100,065 revenue to the Water Enterprise Fund)
Recommendation – (1) Authorize the Mayor to execute a lease with the City of Manhattan Beach in a form approved by the City Attorney; (2) Alternately, discuss and take other action related to this item.

12. Consideration and possible action to award a standard Public Works Contract to the lowest responsible bidder, Silvia Construction, Inc., for the rehabilitation of Grand Avenue from Sepulveda Boulevard to Duley Road. Project No.: PW 10-03. (Fiscal Impact: $365,000.00)
Recommendation – (1) Authorize the City Manager to execute a standard Public Works Contract in a form as approved by the City Attorney with Silvia Construction, Inc., in the amount of $345,873.70; (2) Alternately, discuss and take other action related to this item.
13. Consideration and possible action to extend the City’s agreement with MWW Group through September 30, 2011, for consultant and advocacy services related to the City’s interests and efforts concerning Los Angeles International Airport. (Fiscal Impact: $78,300)

Recommendation – (1) Authorize the Mayor to execute the agreement with MWW Group; (2) Alternatively, discuss and take other action related to this item.


Recommendation – (1) Approve the following for Fiscal Year 2010/2011: Eight (8) hours, or more if determined necessary, of unpaid furlough hours per month; Suspension of the City’s five percent (5%) matching contribution to the employee’s 401(a) deferred compensation account; Suspension of the employee’s ability to cash in up to one year of accumulated vacation leave; Suspension of the cap on the maximum allowable amount of accumulated vacation leave; Sell back a portion of Battalion Chief Holiday Pay; (2) Alternatively, discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

15. Consideration and possible action to adopt a resolution authorizing City staff to participate in the South Bay Regional Bicycle Master Plan in conjunction with the Los Angeles County Bicycle Coalition and South Bay Bicycle Coalition, and appoint one Council Member and an alternate to participate in a Blue Ribbon Bicycle Advisory Board (Fiscal Impact: None)

Recommendation – (1) Authorize City staff to participate in the South Bay Regional Bicycle Master Plan in conjunction with the Los Angeles County Bicycle Coalition and South Bay Bicycle Coalition; (2) Appoint one Council Member and an alternate to participate in a Blue Ribbon Bicycle Advisory Board; (3) Alternatively, discuss and take other action related to this item.
16. Consideration and possible action to convene a subcommittee consisting of two Council Members and all members of the Environmental Committee to evaluate and recommend various refuse collection options to be included in a Request for Proposals for the next trash collection contract scheduled to commence in August, 2011. (Fiscal Impact: None)

Recommendation – (1) Appoint two members from City Council and all members of the Environmental Committee to participate in a subcommittee to evaluate and recommend various trash collection options for the City's next trash collection contract; (2) Alternatively, discuss and take other action related to this item.

17. Consideration and possible action regarding 1) Providing another designated Retirement Period for Section 20903, Two Years Additional Services Credit and amending list of eligible classes; 2) Certification of Compliance with Government Code Section 20903; and 3) Approval of a $1,000 payment to eligible employees entering into a Date-Certain Retirement Separation Agreement with the City. (Fiscal Impact: 1) Estimated Increase in the City’s PERS miscellaneous employer rate of 0.18% and an annual cost increase in FY 2012-2013 of $26,078; 2) Salary savings based on the number of employees retiring during the designated retirement period would be $477,334).

Recommendation – (1) Approve another designated Retirement Period and expand the list of eligible classes; (2) Certify Compliance with Government Code Section 20903; (3) Approve a $1,000 payment to eligible employees entering into a Date-Certain Retirement Separation Agreement with the City; (4) Authorize the City Manager to execute the Retirement Separation Agreement, in a form approved by the City Attorney; (5) 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 Fuentes –

Council Member Brann –

Council Member Jacobson –

Mayor Pro Tem Fisher –

Mayor Busch –

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MEMORIALS –

CLOSED SESSION

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

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:
DATE: 9/11/01
TIME: 5:25 pm
NAME: M. Jennings
Proclamation

City of El Segundo,

WHEREAS, Approximately 80% of all United States fire deaths occur in the home, and every three hours someone loses their life in a home fire, with cooking, heating and electrical fires representing the three leading causes of home fires; and

WHEREAS, The vast majority of home fires can be prevented by taking simple safety precautions; and

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

NOW, THEREFORE, the Mayor and Members of the City Council of the City of El Segundo, California, in commemoration of the great Chicago Fire of 1871, which killed 250 persons, left 100,000 homeless, and destroyed more that 17,400 buildings, and in order to raise the awareness in the community of the importance of practicing fire prevention and fire safety to avoid needless loss of property and life, do hereby proclaim the week of October 3 through October 9, 2010 as:

FIRE PREVENTION WEEK.

FURTHER, The Mayor and Members of the City Council join Fire Chief Kevin Smith in inviting the El Segundo community to observe Fire Prevention Week by practicing fire prevention and fire safety year-round and heeding the message “Smoke Alarms: A Sound You Can Live With”.

City of El Segundo

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WHEREAS, The Annual Richmond Street Fair is proudly sponsored and organized by the El Segundo Kiwanis Club as a club fundraiser for local scholarships and projects for the youth of El Segundo; and

WHEREAS, The Annual Richmond Street Fair provides high school student groups, civic clubs, and non-profit organizations an opportunity to promote their associations and to raise funds for their school and community projects through the sale of arts and crafts and other items; and

WHEREAS, The Annual Richmond Street Fair affords people from other communities the opportunity to discover the hometown atmosphere of El Segundo while experiencing wholesome family entertainment at its finest; and

WHEREAS, The City Council recognizes the merits of the Annual Richmond Street Fair as a win-win for the entire community of El Segundo and commends the El Segundo Kiwanis Club for continuing to carry on this traditional El Segundo event which has become a “Celebration of Community”.

NOW, THEREFORE, the Mayor and Members of the City Council of the City of El Segundo, California, hereby proclaim the observance of the 34th ANNUAL RICHMOND STREET FAIR from 9:00 a.m. to 5:00 p.m., Saturday, September 25, 2010 and invite the community to give generous support to all the groups, organizations, merchants and volunteers participating in the Fair.

Mayor Eva K. Busch
Mayor Pro Tem Bill Fisher
Council Member Carl Jacobson
Council Member Don Brann
Council Member Suzanne Tranter
AGENDA DESCRIPTION:
Consideration and possible action to open a public hearing and receive testimony regarding: 1) an Environmental Assessment for a Categorical Exemption; 2) a Zone Text Amendment amending the El Segundo Municipal Code (“ESMC”) to establish regulations for assembly hall uses and to amend the permitted and conditionally permitted uses in various zones, and 3) a Specific Plan Text Amendment to amend the permitted and conditionally permitted uses within the Downtown Specific Plan. Applicant: City Initiated (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:
1. Open the public hearing;
2. Discussion;
3. Introduce, and waive first reading of Ordinance for Zone Text Amendment No. 10-05 and Specific Plan Text Amendment SPTA 10-02;
4. Schedule second reading and adoption of Ordinance on October 5, 2010; and/or,
5. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Draft Ordinance and Exhibit (Finding of Consistency with General Plan EIR)
2. Draft Ordinance and Exhibit (Strike-out/Underline Version)
3. Planning Commission staff report dated August 26, 2010 and attachments

FISCAL IMPACT: N/A
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:

On August 26, 2010, the Planning Commission held a public hearing on the proposed Zone Text Amendment. After receiving testimony and documentary evidence, the Commission adopted Resolution No. 2679, recommending City Council approval of Environmental Assessment No. 884, Zone Text Amendment No. 10-05, and Specific Plan Text Amendment No. 10-02.

I. Introduction

The proposed Zone Text Amendment establishes a new Chapter 13A “Assembly Halls” in ESMC Title 15, and it amends the permitted and conditionally permitted uses in the Two-Family Residential (R-2), the Multi-Family Residential (R-3), the Planned Residential Development (PRD), the Downtown Commercial (C-RS), the Urban Mixed Use North (MU-N), the Urban Mixed Use South (MU-S), the Grand Avenue Commercial (GAC), the Multimedia Overlay (MMO), and the Public Facilities (P-F) Zone. The proposed Specific Plan Text Amendment
amends the permitted and conditionally permitted uses in all seven (7) districts of the Downtown Specific Plan. The amendment affects primarily assembly types of uses and establishes common standards for those uses to ensure internal consistency among all Chapters in ESMC Title 15 and the Downtown Specific Plan.

Project Applications

The applications include the following:

1) **Environmental Assessment (EA) No. 884 California Environmental Quality Act (CEQA)** – A determination of no significant impacts for Environmental Assessment No 884 is proposed for this project pursuant to the Public Resources Code and the CEQA Guidelines.


3) **Specific Plan Text Amendment (SPTA) No. 10-02** – to amend Downtown Specific Plan §§ VI.A.2 (Main Street District Permitted Uses), VI.A.5 (Main Street District Uses Subject to a Conditional Use Permit), VI.A.6 (Main Street District Prohibited Uses), VI.B.2 (Main Street Transitional District Permitted Uses), VI.B.5 (Main Street Transitional District Uses Subject to a Conditional Use Permit), VI.B.6 (Main Street Transitional District Prohibited Uses), VI.C.2 (Richmond Street District Permitted Uses), VI.C.5 (Richmond Street District Uses Subject to a Conditional Use Permit), VI.C.6 (Richmond Street Prohibited Uses), VI.D.2 (North Richmond Street District Permitted Uses), VI.D.5 (North Richmond Street District Uses Subject to a Conditional Use Permit), VI.D.6 (North Richmond Street District Prohibited Uses), VI.E.2 (Grand Avenue District Permitted Uses), VI.E.5 (Grand Avenue District Uses Subject to a Conditional Use Permit), VI.E.6 (Grand Avenue District Prohibited Uses), VI.F.2 (West Grand Avenue Transitional District North Permitted Uses), VI.F.5 (West Grand Avenue Transitional District North Uses Subject to a Conditional Permit), VI.F.6 (West Grand Avenue Transitional District North Prohibited Uses), VI.G.5 (West Grand Avenue Transitional District South Uses Subject to a Conditional Use Permit), and VI.G.6 (West Grand Avenue Transitional District South Prohibited Uses).
II. Background

In 2000, the Federal government enacted the Religious Land Use and Institutional Persons Act (RLUIPA). RLUIPA is intended to limit government’s ability to “impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution.” In summary, cities land use regulations are required to treat places of religious assembly the same way they deal with other assembly uses such as theaters, clubs, and lodges. On July 21, 2010, City staff initiated the subject application to make the ESMC and the Downtown Specific Plan consistent with the provisions of RLUIPA.

On August 26, 2010, the Planning Commission recommended City Council approval of Environmental Assessment No. EA-884, Zone Text Amendment No. ZTA 10-05, and Specific Plan Text Amendment No. SPTA 10-02. A draft ordinance including the recommended changes to the ESMC is attached to this report (see Exhibit Nos. 1 and 2) and discussed briefly below. Exhibit 2 provides a strikeout-underline format for all modified municipal code and Downtown Specific Plan sections.

III. Analysis

The overall goal of the proposed Zone Text Amendment (ZTA) and Specific Plan Text Amendment (SPTA) is to update the City’s regulations regarding assembly hall uses making them consistent with RLUIPA’s provisions. The primary objectives of this amendment are:

A. Common definition.
ESMC Title 15 Chapter 13A would establish an assembly hall definition that includes all assembly uses, both secular and religious.

B. Common standards.
1) Parking. All assembly halls would be required to meet the same parking requirements. New parking requirements for assembly halls were adopted by the City Council on August 3, 2010 and became effective on September 3, 2010.
2) Conditional Use Permit requirement. All assembly hall uses would require approval of a conditional use permit.

A complete discussion of all the proposed changes is included in the Planning Commission staff report dated August 26, 2010, which is attached to this report.

IV. General Plan Consistency and Specific Plan Consistency

As required under Government Code § 65454 the City Council must find that the proposed amendment of the El Segundo Municipal Code and the Downtown Specific Plan is consistent with the City’s General Plan. Staff believes that the City Council can make the required findings of approval, which are included in the attached Ordinance (Attachment 1).

In summary, the proposed amendment is consistent with the General Plan land use designations for the properties involved. In addition, the amendment is consistent with the General Plan Goals, Policies, and Objectives in its Land Use and Noise Elements.
V. Environmental Review

The proposed zone text and specific plan text amendments are exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “State CEQA Guidelines”) because it consists only of minor revisions and clarifications to existing zoning regulations and related procedures. It does not have the effect of deleting or substantially changing any regulatory standards or findings required thereof. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment. In addition, any environmental impacts associated with this ordinance are adequately addressed in the General Plan FEIR. Accordingly, this ordinance is consistent with the General Plan FEIR and is exempt from further environmental review requirements under the California Environmental Quality Act. Furthermore, this ordinance constitutes a component of the El Segundo Municipal Code which the Planning Commission determined to be consistent with the FEIR for the City of El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to 14 Cal. Code Regs. § 15168(c)(2).

VI. Planning Commission Hearing and Public Input

At its August 26, 2010, the Planning Commission reviewed the matter, consider the public testimony and recommended to the City Council the approval of Environmental Assessment No. EA-884, Zone Text Amendment ZTA 10-05, and Specific Plan Text Amendment SPTA 10-02. No written comments were received from the public. No members of the public provided oral testimony at the Commission hearing. The Planning Commission recommended approval of the proposed ordinance as drafted.

VII. Recommendation

Planning staff recommends that the City Council introduce and waive first reading of the attached draft Ordinance approving Environmental Assessment No. EA-884, Zone Text Amendment ZTA 10-05, and Specific Plan Text Amendment SPTA 10-02. Second reading and adoption of the Ordinance would occur on October 5, 2010.
ORDINANCE NO. _____

AN ORDINANCE ADDING A NEW CHAPTER 13A TO TITLE 15
REGULATING ASSEMBLY HALLS, AMENDING THE PERMITTED AND
CONDITIONALLY PERMITTED USES IN VARIOUS ZONES, AND
AMENDING THE PERMITTED AND CONDITIONALLY PERMITTED
USES IN THE DOWNTOWN SPECIFIC PLAN.

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

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

A. This ordinance is intended to establish objective, content neutral, land use
   regulations for using facilities designed to accommodate large scale public
   and private assemblies of people;

B. Such gatherings, whether periodic or ongoing, impact surrounding land
   uses with vehicle and pedestrian traffic; noise; and other, similar, effects
   caused by large crowds;

C. The City's ability to exercise its powers in accordance with Article XI, § 7
   of the California Constitution to regulate land use is well-established. This
   ordinance is intended to regulate aesthetics, traffic, parking, public peace,
   and other, similar, matters related to public health, safety, and welfare;

D. Any environmental impacts associated with this ordinance are adequately
   addressed in the General Plan FEIR. Accordingly, this ordinance is
   consistent with the General Plan FEIR and is exempt from further
   environmental review requirements under the California Environmental
   Quality Act.

E. This ordinance constitutes a component of the El Segundo Development
   Code which the Planning Commission determined to be consistent with
   the FEIR for the 1992 El Segundo General Plan on December 1, 1992.
   Accordingly, no further environmental review is required pursuant to 14
   Cal. Code Regs. § 15168(c)(2). The Finding of Consistency is attached
   as Exhibit "A," and incorporated by reference.

SECTION 2: General Plan Findings. As required under Government Code § 65454 the
ESMC amendments proposed by this Ordinance are consistent with the El Segundo
General Plan as follows:

A. It conforms with the Land Use Element Goals, Objectives and Policies.
   Specifically, the Ordinance is consistent with Goal LU1, Objective LU1-5,
   in that it creates policies, design standards; helps create a sense of place
   for the entire City; develops standards that will ensure the compatibility of
assembly hall uses with surrounding uses; and encourages the construction of high-quality, well designed developments through the adoption of property development standards.

B. It conforms with the Noise Element Goals Objectives and Policies. Specifically, it is consistent with Goal N1, Objective N1-2, in that it helps ensure that City residents are not exposed to excessive noise from stationary sources.

SECTION 3: Zone Text Amendment Findings. In accordance with ESMC § 15-26-4 and based on the findings set forth in Section 2, the proposed Zone Text Amendment is consistent with the goals, policies, and objectives of the General Plan as follows:

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

B. It is necessary to facilitate the development process and ensure the orderly development of properties with assembly hall uses that are compatible with surrounding properties and developments.

SECTION 4: Specific Plan Findings. After considering the above facts, the City Council finds as follows:

A. This Ordinance affects all properties and districts in the Downtown Specific Plan.

B. This amendment to the Downtown Specific Plan is consistent with the General Plan land use designation for the properties involved.

SECTION 5: ESMC § 15-4B-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of this Title:

A. Any use permitted as a conditionally permitted use in the R-1 Zone.

B. Assembly halls.

C. Private schools.

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

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SECTION 6: ESMC § 15-4C-2 is amended to read as follows:

“PERMITTED USES: The following uses are permitted in the R-3 Zone:

A. Any use permitted in the R-2 Zone.

B. Condominiums and stock cooperatives converted from multiple-family dwellings subject to the requirements of the Subdivision Map Act.

C. Daycare centers.

D. Large family daycare homes pursuant to Section 15-4A-4 of this Chapter.

E. Lodging houses.

F. Multiple-family dwellings.

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

SECTION 7: ESMC § 15-4C-4 is amended to read as follows:

“USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of this Title:

A. Any use permitted as a conditionally permitted use in the R-2 Zone.

B. Assembly halls.

C. Public parking area, developed and maintained as required by this Chapter when the sideline of the lot or parcel on which it is located forms a common boundary with a lot or parcel zoned for commercial or industrial purposes.

D. Senior citizen housing in accordance with California Government Code sections 65913, 65914 and 65915.

E. Senior housing facilities, including, but not limited to, rest homes, convalescent homes, or nursing homes.

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

SECTION 8: ESMC § 15-4D-2 is amended to read as follows:
"PERMITTED USES:

A. The following uses are permitted in the PRD Zone subject to the approval of a PRD plan:

   Single-and multiple-family dwelling units designed as detached, semi-detached, or attached buildings.

B. The following are permitted transitional uses of existing facilities subject to approval of a transitional use PRD plan and time limitations which may be imposed by the Planning Commission or City Council:

   Assembly halls.
   Daycare centers.
   Private schools.
   Public or private recreation."

SECTION 9: ESMC § 15-5A-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the C-RS Zone:

A. Billiard-pool rooms and bowling alleys.
B. Financial institutions.
C. General Offices.
D. Government buildings (including offices, police and fire stations, parking and related buildings).
E. Medical-dental offices.
F. Restaurants, delicatessens, and cafés (excluding dancing and entertainment).
G. Retail uses providing sales (excluding off site alcohol sales) and services.
H. Schools.
I. Other similar uses approved by the Director of Planning and Building Safety, as provided by chapter 22 of this title."

SECTION 10: ESMC § 15-5A-5 is amended to read as follows:
"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by chapter 23 this title:

A. Assembly halls.

B. On site sale and consumption of alcohol at bars.

C. Outdoor dining, exempting cafés, outdoor dining at restaurants and drive-through restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-through restaurant, but not exceeding two hundred (200) square feet of floor area.

D. Service stations, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

E. Video arcades with four (4) or more video or arcade machines.

F. Other similar uses as approved by the Director of Planning and Building Safety, as provided by chapter 22 of this title."

SECTION 11: ESMC § 15-5E-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the MU-N Zone:

A. Business service establishments such as electronic computer facilities and addressing services.

B. General offices of commercial, financial or industrial establishments.

C. Engineering, industrial design, consultation and other offices.

D. Financial institutions.

E. Hotels and motels.

F. Medical-dental offices or facilities.

G. Motion picture/television production facilities (excluding outdoor facilities).

H. Restaurants and cafés.

I. Retail (excluding off site alcohol sales) and whole sales and service.
J. Scientific research and experimental development laboratories.

K. Other similar uses approved by the Director of Planning and Building Safety, as provided by chapter 22 of this title.

SECTION 12: ESMC § 15-5E-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by chapter 23 of this title:

A. Assembly halls.

B. Catering services and flight kitchens.

C. Drive-through restaurants.

D. Helicopter landing facilities subject to the provisions of section 15-2-13 of this title.

E. Hospitals.

F. Motion picture/television production facilities (outdoor facilities only).

G. On site sale and consumption of alcohol at bars.

H. Outdoor dining, exempting cafés, outdoor dining at restaurants and drive-through restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-through restaurant, but not exceeding two hundred (200) square feet of floor area.

I. Parking facilities, including park and ride lots.

J. Recreational facilities (public and commercial).

K. Service stations, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

L. Video arcades with four (4) or more video or arcade machines.

M. Other similar uses approved by the Director of Planning and Building Safety, as provided by chapter 22 of this title."
SECTION 13: ESMC § 15-5F-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the MU-S Zone:

A. Business service establishments such as electronic computer facilities and addressing services.

B. Engineering, industrial design, consultation and other offices.

C. Financial institutions.

D. General offices of commercial, financial or industrial establishments.

E. Hotels and motels.

F. Massage establishments that meet the requirements of title 4, chapter 10 of this code, in addition to all other requirements imposed by law.

G. Medical-dental offices or facilities.

H. Motion picture/television production facilities (excluding outdoor facilities).

I. Restaurants and cafés.

J. Retail (excluding off site alcohol sales) and wholesale and service

K. Scientific research and experimental development laboratories.

L. Other similar uses approved by the Director of Planning and Building Safety, as provided by chapter 22 of this title."

SECTION 14: ESMC § 15-5F-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by chapter 23 of this title:

A. Assembly halls.

B. Catering services and flight kitchens.

C. Drive-through restaurants.

D. Freight forwarding.
E. Helicopter landing facilities subject to the provisions of section 15-2-13 of this title.

F. Hospitals.

G. Motion picture/television production facilities (outdoor facilities only).

H. On site sale and consumption of alcohol at bars.

I. Outdoor dining, exempting cafés, outdoor dining at restaurants and drive-through restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-through restaurant, but not exceeding two hundred (200) square feet of floor area.

J. Parking facilities, including park and ride lots.

K. Recreational facilities (public and commercial).

L. Service stations, if a five hundred foot (500’) minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

M. Video arcades with four (4) or more video or arcade machines.

N. Other similar uses approved by the Director of Planning and Building Safety, as provided by chapter 22 of this title.”

SECTION 15: ESMC § 15-7B-2 is amended to read as follows:

“PERMITTED USES: The following uses are permitted in the GAC Zone:

A. Cafés.

B. General and medical-dental offices.

C. Restaurants, sit down type, excluding facilities with drive-through facilities.

D. Retail sales.

E. Other similar uses approved by the Director of Planning and Building Safety, as provided by chapter 22 of this title.”

SECTION 16: ESMC § 15-7B-5 is amended to read as follows:
"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by chapter 23 of this title:

A. Assembly halls.

B. Outdoor dining, exempting outdoor dining at restaurants and drive-thru restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-thru restaurant, but not exceeding two hundred (200) square feet of floor area.

C. Service station, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

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

SECTION 17: ESMC § 15-7C-2 is amended to read as follows:

"PERMITTED USES: The following uses would be permitted in the proposed MMO District:

A. Commissary.

B. Craft shops and rentals.

C. Movie and entertainment facilities.

D. Multimedia archive facilities.

E. Multimedia related office and post production facilities.

F. Picture equipment sales.

G. Special effects studios.

H. Studio/sound stage(s) and other support facilities.

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

SECTION 18: ESMC § 15-7C-5 is amended to read as follows:
"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of this Title.

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

SECTION 19: ESMC § 15-10-4 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of this Title.

A. Assembly halls.
B. Charitable institutions.
C. Private recreation.
D. Publicly owned facilities such as warehouses and storage yards.
E. Other similar uses approved by the Director of Planning and Building Safety, as provided by Chapter 22 of this Title."

SECTION 20: A new Chapter 13A, consisting of §§ 15-13A-1 to 15-13A-4 and entitled "Assembly Halls," is added to Title 15 of the El Segundo Municipal Code ("ESMC") to read as follows:

"Chapter 13A

ASSEMBLY HALLS

15-13A-1: Definitions.
15-13A-2: Compliance with Permit Requirements
15-13A-3: Parking Requirements
15-13A-4: Compatibility with Surrounding Uses

15-13A-1: Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter:
A. "Assembly Hall" means a building, or portion of a building, used for large scale public or private gatherings of people. For example, and without limitation, assembly halls include private educational facilities; religious institutions; clubs; lodges; theaters; and similar kinds of facilities whether available for public or private use.

15-13A-2: Compliance with Permit Requirements.

Any ancillary uses affiliated with an assembly hall must be specifically identified and permitted by a validly issued conditional use permit pursuant to this chapter or be separately permitted in accordance with the requirements for that zone. For example, and without limitation, a day care center or private school associated with an assembly hall must be identified as an authorized use in the conditional use permit.


A. Off-street parking must be provided in accordance with the requirements set forth in this Title including, without limitation, landscaping requirements.

B. Where an assembly hall is established in a residential zone, the required front yard may not be used for parking vehicles.

15-13A-4: Compatibility with Surrounding Uses.

A. All buildings, structures, and landscaping must be developed and maintained in a manner compatible with development on surrounding properties.

B. For assembly halls located within or adjacent to a residential zone, the Planning Commission may condition hours of operation to ensure compatibility with adjacent residential uses.”

SECTION 21: All references in the ESMC purporting to regulate churches, temples, or other religious institutions, are amended to refer to “assembly halls.”

SECTION 22: Downtown Specific Plan Section VI.A.2 is amended to read as follows:

“Permitted Uses-
   a. First floor street-front level, with a minimum building depth of 25 feet:
      i) Retail sales and services
      ii) Restaurants
      iii) Recreational uses
      iv) Governmental offices
      v) Banks, not to exceed 500 square feet
      vi) General offices
      vii) Medical-dental offices

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viii) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review
ix) Other similar pedestrian oriented retail-service uses and offices approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
i) All uses listed above in a.
ii) Schools
iii) Banks
iv) Other similar uses approved by the Director of Community Economic and Development Services, as provided by Section V., Administration.

c. Above street-front level:
i) All uses listed above in a. and b.
ii) Business tenant/owner-occupied residential units
   iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration

SECTION 23: Downtown Specific Plan Section VI.A.5 is amended to read as follows:

"Uses Subject to a Conditional Use Permit – (El Segundo Municipal Code Chapter 15-23)
a. First floor street-front level, with a minimum building depth of 25 feet:
i) Bars
ii) Outdoor entertainment and dancing
iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year
iv) Video arcades with four or more machines
v) Other similar uses approved by the Director of Community, Economic and Development Services, as provided by Section V., Administration

b. Above and behind street-front level, and adjacent to alleys:
i) All uses listed above in a.
ii) Assembly halls."

SECTION 24: Downtown Specific Plan Section VI.A.6 is amended to read as follows:

"Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
a. Drive-thru restaurants
b. Service stations  
c. Tattoo parlors"

SECTION 25: Downtown Specific Plan Section VI.B.2 is amended to read as follows:

"Permitted Uses-
  a. First floor street-front level, above and behind street front level and adjacent to alleys:
     i) Retail sales and services  
     ii) Restaurants  
     iii) Recreational uses  
     iv) Government offices  
     v) General offices  
     vi) Medical-dental offices  
     vii) Schools  
     viii) Banks  
     ix) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review.  
     x) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

b. Above street-front level:
   i) All uses listed above in a.  
   ii) Business tenant/owner-occupied residential units  
   iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration."

SECTION 26: Downtown Specific Plan Section VI.B.5 is amended to read as follows:

"Uses Subject to a Conditional Use Permit – (El Segundo Municipal Code Chapter 15-23)
  a. First floor street-front level, with a minimum building depth of 25 feet:
     i) Bars  
     ii) Outdoor entertainment and dancing  
     iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year  
     iv) Video arcades with four or more machines  
     v) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.  
   ii) Assembly halls."

SECTION 27: Downtown Specific Plan Section VI.B.6 is amended to read as follows:
"Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:

a. Drive-thru restaurants
b. Service stations"

SECTION 28: Downtown Specific Plan Section VI.C.2 is amended to read as follows:

"Permitted Uses-
a. First floor street-front level, above and behind street front level and adjacent to alleys:
i) Retail sales and services
ii) Restaurants
iii) Recreational uses
iv) Governmental offices
v) General offices
vi) Medical-dental offices
vii) Schools
viii) Banks
ix) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review
x) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration."

b. Above street-front level:
i) All uses listed above in a.
ii) Business tenant/owner-occupied residential units
iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration."

SECTION 29: Downtown Specific Plan Section VI.C.5 is amended to read as follows:

"Uses subject to a Conditional Use Permit – (El Segundo Municipal Code Chapter 15-23)
a. First floor street-front level, with a minimum building depth of 25 feet:
i) Bars
ii) Outdoor entertainment and dancing
iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year
iv) Video arcades with four or more machines
v) Other similar uses approved by the Director of Community, Economic and Development Services, as provided by Section V., Administration."
b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls."

SECTION 30: Downtown Specific Plan Section VI.C.6 is amended to read as follows:

"Prohibited Uses -
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Uses Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
   a. Drive-thru restaurants
   b. Service stations"

SECTION 31: Downtown Specific Plan Section VI.D.2 is amended to read as follows:

"Permitted Uses -
   a. First floor street-front level, above and behind street front level and adjacent to alleys:
      i) Retail sales and services
      ii) Restaurants
      iii) Recreational uses
      iv) Governmental offices
      v) General offices
      vi) Medical-dental offices
      vii) Schools
      viii) Banks
      ix) Bed and Breakfast hotels
      x) Artists and design studios
      xi) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review
      xii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration"

b. Above street-front level:
   i) All uses listed above in a.
   ii) Business tenant/owner-occupied residential units
   iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration"

SECTION 32: Downtown Specific Plan Section VI.D.5 is amended to read as follows:

"Uses Subject to a Conditional Use Permit – (El Segundo Municipal Code Chapter 15-23)
a. First floor street-front level, with a minimum building depth of 25 feet:
   i) Bars
   ii) Outdoor entertainment and dancing
   iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year
   iv) Video arcades with four or more machines
   v) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls.”

SECTION 33: Downtown Specific Plan Section VI.D.6 is amended to read as follows:

“Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Uses Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
   a. Drive-thru restaurants
   b. Service stations.”

SECTION 34: Downtown Specific Plan Section VI.E.2 is amended to read as follows:

“Permitted Uses-
   a. First floor street-front level and adjacent to pedestrian access ways, including internal access ways, with a minimum building depth of 25 feet:
      i) Retail sales and services
      ii) Restaurants
      iii) Recreational uses
      iv) Government offices
      v) Banks, not to exceed 500 square feet
      vi) General offices
      vii) Medical-dental offices
      viii) Bed and breakfast hotel
      ix) outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review.
      x) Other similar pedestrian oriented retail-service uses and offices, approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
i) All uses listed above in a.
ii) Schools and daycare
iii) Banks
iv) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

c. Above street-front level:
i) All uses listed above in a.
ii) Business tenant/owner-occupied residential units
iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.”

SECTION 35: Downtown Specific Plan Section VI.E.5 is amended to read as follows:

“Uses Subject to a Conditional Use Permit – (El Segundo Municipal Code Chapter 15-23)
a. First floor street-front level, with a minimum building depth of 25 feet:
i) Bars
ii) Outdoor entertainment and dancing
iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year
iv) Video arcades with four or more machines
v) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
i) All uses listed above in a.
ii) Assembly halls”

SECTION 36: Downtown Specific Plan Section VI.E.6 is amended to read as follows:

“Prohibited uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
a. Drive-thru restaurants
b. Service stations”

SECTION 37: Downtown Specific Plan Section VI.F.2 is amended to read as follows:

“Permitted Uses -
First floor street-front level, with a minimum building depth of 25 feet:
i) Retail sales and services
ii) Restaurants
iii) Recreational uses
iv)  Government offices
v)  Banks
vi) General offices
vii) Medical-dental offices
viii) Schools
ix)  Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review.
x)  Other similar pedestrian oriented retail-service uses and offices approved by the Director of Planning and Building Safety, as provided by Section V., Administration."

SECTION 38: Downtown Specific Plan Section VI.F.5 is amended to read as follows:

"Uses Subject to a Conditional Use Permit – (El Segundo Municipal Code Chapter 15-23)

a. First floor street-front level, with a minimum building depth of 25 feet:
i)  Bars
ii) Video arcades with four or more machines
iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
i)  All uses listed above in a.
ii) Assembly halls."

SECTION 39: Downtown Specific Plan Section VI.F.6 is amended to read as follows:

"Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:

a. Drive-thru restaurants
b. Service stations
c. Tattoo parlors
d. Outdoor entertainment and dancing
e. Outdoor amplified sound, which exceeds more than four single events in one calendar year."

SECTION 40: Downtown Specific Plan Section VI.G.5 is amended to read as follows:

"Uses Subject to a Conditional Use Permit – (El Segundo Municipal Code Chapter 15-23)

a. First floor street-front level, with a minimum building depth of 25 feet:
i)  Bars
ii) Bed and Breakfast Inns
iii) Video arcades with four or more machines
iv) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
i) All uses listed above in a.
ii) Assembly halls.”

SECTION 41: Downtown Specific Plan Section VI.G.6 is amended to read as follows:

“Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
a. Drive-thru restaurants
b. Service stations
c. Tattoo parlors
d. Outdoor entertainment and dancing
e. Outdoor amplified sound, which exceeds more than four single events in one calendar year.”

SECTION 42: CONSTRUCTION. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 43: ENFORCEABILITY. Repeal of any provision of the El Segundo Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 44: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 45: If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.
SECTION 46: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 47: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this _____ day of __________, 2010.

__________________________
Eric Busch, Mayor
ATTEST:

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. ____ was duly introduced by said City Council at a regular meeting held on the ____ day of ________, 2010, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the ____ day of ________, 2010, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________
Cindy Mortesen, City Clerk

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

By: __________________________
    Karl H. Berger, Assistant City Attorney
FINDING OF CONSISTENCY WITH GENERAL PLAN EIR

CITY OF EL SEGUNDO
AMENDMENT TO EL SEGUNDO MUNICIPAL CODE TO AMEND TITLE 15 OF THE
EL SEGUNDO MUNICIPAL CODE AND ESTABLISH A CHAPTER REGULATING
ASSEMBLY HALL USES

August 2010

The City of El Segundo has initiated an application that proposing to amend Title 15 of the El Segundo Municipal Code and establish a chapter regulating assembly hall uses. The proposal constitutes a “project” under the California Environmental Quality Act (CEQA). Thus, environmental review is required pursuant to CEQA (Public Resources Code §§ 21000 et seq.), the State CEQA Guidelines (14 Cal. Code of Regs. §§ 15000, et seq.), and the City of El Segundo CEQA Guidelines. This document serves as the project environmental documentation pursuant to CEQA.

Background

In 1992, El Segundo adopted a comprehensive update of its General Plan, which included the Land Use and Economic Development elements. The 1992 General Plan and its subsequent amendments set forth policy for land use development in El Segundo and within its sphere of influence. The circumstances, impacts, and mitigation requirements identified in the General Plan EIR remain applicable to the proposed amendments and the amendments do not raise any new issues and do not cause the level of impacts identified in the General Plan EIR to be exceeded. Specifically, the amendment to the El Segundo Municipal Code establishing Title 15 Chapter 13A (Assembly Halls) will set a new definition and developments standards for assembly hall uses.

Relationship of the Zoning Text Amendment to the General Plan

The proposed amendment to the El Segundo Municipal Code (“ESMC”) implements the goals, policies and programs outlined in the 1992 General Plan, including the Land Use and Noise elements. It is consistent with Goal LU1, Objective LU1-5, of the Land Use element, in that it creates policies design standards; helps create a sense of place for the entire City; develops standards that will ensure the compatibility of assembly hall uses with surrounding uses; and encourages the construction of high-quality, well designed developments through the adoption of property development standards. In addition, it is consistent with Goal N1, Objective N1-2 of the Noise Element, in that it helps ensure that City residents are not exposed to excessive noise from stationary sources. Adoption of the proposed amendment will not provide for any new development beyond that anticipated by land use policy set forth in the 1992 General Plan Update and the subsequent 2005 update of the Land Use Element.

Environmental Analysis

The proposed zone text amendment is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”)
and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing zoning code and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required thereof. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment. In addition, any environmental impacts associated with this ordinance are adequately addressed in the General Plan FEIR. Accordingly, this ordinance is consistent with the General Plan FEIR and is exempt from further environmental review requirements under the California Environmental Quality Act. Furthermore, this ordinance constitutes a component of the El Segundo Municipal Code which the Planning Commission determined to be consistent with the FEIR for the City of El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to 14 Cal. Code Regs. § 15168(c)(2).

Findings

Based on the above analysis, the City of El Segundo hereby makes the following findings:

1. In 1992, the City of El Segundo adopted a comprehensive General Plan update and certified a Final EIR.

2. The proposed amendment consists of text changes. The ESMC Title 15 Chapter 13A (Assembly Halls) will be established to regulate assembly hall uses. The new Chapter 13A will set a new definition and new development standards for assembly halls. In addition, the permitted uses and conditionally permitted uses in various zones and the Downtown Specific Plan will be amended to accommodate assembly hall uses.

3. Adoption of proposed amendment will not result in any new or increased environmental effects, and no new mitigation measures are required.

4. Pursuant to Section 15168(c)(2) of the CEQA Guidelines, no new environmental documentation is required for adoption of the amendments to the ESMC.
ORDINANCE NO.

AN ORDINANCE ADDING A NEW CHAPTER 13A TO TITLE 15 REGULATING ASSEMBLY HALLS, AMENDING THE PERMITTED AND CONDITIONALLY PERMITTED USES IN VARIOUS ZONES, AND AMENDING THE PERMITTED AND CONDITIONALLY PERMITTED USES IN THE DOWNTOWN SPECIFIC PLAN.

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

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

A. This ordinance is intended to establish objective, content neutral, land use regulations for using facilities designed to accommodate large scale public and private assemblies of people;

B. Such gatherings, whether periodic or ongoing, impact surrounding land uses with vehicle and pedestrian traffic; noise; and other, similar, effects caused by large crowds;

C. The City's ability to exercise its powers in accordance with Article XI, § 7 of the California Constitution to regulate land use is well-established. This ordinance is intended to regulate aesthetics, traffic, parking, public peace, and other, similar, matters related to public health, safety, and welfare;

D. Any environmental impacts associated with this ordinance are adequately addressed in the General Plan FEIR. Accordingly, this ordinance is consistent with the General Plan FEIR and is exempt from further environmental review requirements under the California Environmental Quality Act.

E. This ordinance constitutes a component of the El Segundo Development Code which the Planning Commission determined to be consistent with the FEIR for the 1992 El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to 14 Cal. Code Regs. § 15168(c)(2). The Finding of Consistency is attached as Exhibit "A," and incorporated by reference.

SECTION 2: General Plan Findings. As required under Government Code § 65454 the ESMC amendments proposed by this Ordinance are consistent with the El Segundo General Plan as follows:

A. It conforms with the Land Use Element Goals, Objectives and Policies. Specifically, the Ordinance is consistent with Goal LU1, Objective LU1-5, in that it creates policies, design standards; helps create a sense of place for the entire City; develops standards that will ensure the compatibility of
assembly hall uses with surrounding uses; and encourages the
construction of high-quality, well designed developments through the
adoption of property development standards.

B. It conforms with the Noise Element Goals Objectives and Policies.
Specifically, it is consistent with Goal N1, Objective N1-2, in that it helps
ensure that City residents are not exposed to excessive noise from
stationary sources.

SECTION 3: Zone Text Amendment Findings. In accordance with ESMC § 15-26-4
and based on the findings set forth in Section 2, the proposed Zone Text Amendment is
consistent with the goals, policies, and objectives of the General Plan as follows:

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

B. It is necessary to facilitate the development process and ensure the
orderly development of properties with assembly hall uses that are
compatible with surrounding properties and developments.

SECTION 4: Specific Plan Findings. After considering the above facts, the City Council
finds as follows:

A. This Ordinance affects all properties and districts in the Downtown
Specific Plan.

B. This amendment to the Downtown Specific Plan is consistent with the
General Plan land use designation for the properties involved.

SECTION 5: ESMC § 15-4B-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses
are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of
this Title:

A. Any use permitted as a conditionally permitted use in the R-1 Zone.

B. Churches, Assembly halls.

C. Private schools.

D. Other similar uses approved by the Director of Community, Economic, and
Development Services, Planning and Building Safety, as provided by Chapter 22
of this Title."

Page 2
SECTION 6: ESMC § 15-4C-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the R-3 Zone:

A. Any use permitted in the R-2 Zone.

B. Condominiums and stock cooperatives converted from multiple-family dwellings subject to the requirements of the Subdivision Map Act.

C. Daycare centers.

D. Large family daycare homes pursuant to Section 15-4A-4 of this Chapter.

E. Lodging houses.

F. Multiple-family dwellings.

G. Private clubs, fraternities, sororities and lodges, excepting those the chief activity of which is a service customarily carried on as a business.

H. Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Chapter 22 of this Title."

SECTION 7: ESMC § 15-4C-4 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of this Title:

A. Any use permitted as a conditionally permitted use in the R-2 Zone.

B. Private clubs, fraternities, sororities, and lodges whose chief activity is a service customarily carried on as a business. Assembly halls.

C. Public parking area, developed and maintained as required by this Chapter when the sideline of the lot or parcel on which it is located forms a common boundary with a lot or parcel zoned for commercial or industrial purposes.

D. Senior citizen housing in accordance with California Government Code sections 65913, 65914 and 65915.

E. Senior housing facilities, including, but not limited to, rest homes, convalescent homes, or nursing homes.
F. Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Chapter 22 of this Title."

SECTION 8: ESMC § 15-4D-2 is amended to read as follows:

"PERMITTED USES:

A. The following uses are permitted in the PRD Zone subject to the approval of a PRD plan:

Single-and multiple-family dwelling units designed as detached, semi-detached, or attached buildings.

B. The following are permitted transitional uses of existing facilities subject to approval of a transitional use PRD plan and time limitations which may be imposed by the Planning Commission or City Council:

Churches, Assembly halls.

Daycare centers.

Private clubs, fraternities, sororities and lodges.

Private schools.

Public or private recreation."

SECTION 9: ESMC § 15-5A-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the C-RS Zone:

A. Billiard-pool rooms and bowling alleys.

B. Clubs (private, excluding living quarters).

C. Financial institutions.

D. General Offices.

E. Government buildings (including offices, police and fire stations, parking and related buildings)."
F. Medical-dental offices.

G. Restaurants, delicatessens, and cafés (excluding dancing and entertainment).

H. Retail uses providing sales (excluding off site alcohol sales) and services.

I. Schools.

J. Theaters.

K. Union offices and halls, or union offices, or halls.

L. Other similar uses approved by the director of community, economic and development services, Director of Planning and Building Safety, as provided by chapter 22 of this title.

SECTION 10: ESMC § 15-5A-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by chapter 23 this title:

A. Churches, church schools and religious facilities, Assembly halls.

B. On site sale and consumption of alcohol at bars.

C. Outdoor dining, exempting cafés, outdoor dining at restaurants and drive-through restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-through restaurant, but not exceeding two hundred (200) square feet of floor area.

D. Service stations, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

E. Video arcades with four (4) or more video or arcade machines.

F. Other similar uses as approved by the director of community, economic and development services, Director of Planning and Building Safety, as provided by chapter 22 of this title.

SECTION 11: ESMC § 15-5E-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the MU-N zone:

Page 5
A. Business service establishments such as electronic computer facilities and
   addressing services.

B. General offices of commercial, financial or industrial establishments.

C. Engineering, industrial design, consultation and other offices.

D. Financial institutions.

E. Hotels and motels.

F. Medical-dental offices or facilities.

G. Motion picture/television production facilities (excluding outdoor facilities).

H. Restaurants and cafés.

I. Retail (excluding off site alcohol sales) and whole sales and service.

J. Scientific research and experimental development laboratories.

K. Theaters.

L. Trade union halls, clubs, including service clubs, veterans' organizations, lodges
   and similar nonprofit organizations.

M.K. Other similar uses approved by the director of community, economic and
   development services, as provided by chapter 22 of this title."

SECTION 12: ESMC § 15-5E-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses
   are allowed subject to obtaining a conditional use permit, as provided by chapter 23 of
   this title:

A. Assembly halls.

A.B. Catering services and flight kitchens.

B.C. Drive-through restaurants.

C.D. Helicopter landing facilities subject to the provisions of section 15-2-13 of this
   title.
D.E. Hospitals.

E.F. Motion picture/television production facilities (outdoor facilities only).

F.G. On site sale and consumption of alcohol at bars.

G.H. Outdoor dining, exempting cafés, outdoor dining at restaurants and drive-through restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-through restaurant, but not exceeding two hundred (200) square feet of floor area.

H.I. Parking facilities, including park and ride lots.

I.J. Recreational facilities (public and commercial).

J.K. Service stations, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

K.L. Video arcades with four (4) or more video or arcade machines.

L.M. Other similar uses approved by the director of community, economic, and development services Director of Planning and Building Safety, as provided by chapter 22 of this title."

SECTION 13: ESMC § 15-5F-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the MU-S zone:

A. Business service establishments such as electronic computer facilities and addressing services.

B. Engineering, industrial design, consultation and other offices.

C. Financial institutions.

D. General offices of commercial, financial or industrial establishments.

E. Hotels and motels.

F. Massage establishments that meet the requirements of title 4, chapter 10 of this code, in addition to all other requirements imposed by law."
G. Medical-dental offices or facilities.

H. Motion picture/television production facilities (excluding outdoor facilities).

I. Restaurants and cafés.

J. Retail (excluding off site alcohol sales) and wholesale and service

K. Scientific research and experimental development laboratories.

L. Theaters.

M. Trade union halls, clubs, including service clubs, veterans' organizations, lodges and similar nonprofit organizations.

N. Other similar uses approved by the director of community, economic and development services Director of Planning and Building Safety, as provided by chapter 22 of this title.

SECTION 14: ESMC § 15-5F-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by chapter 23 of this title:

A. Assembly halls.

A-B. Catering services and flight kitchens.

B-C. Drive-through restaurants.

C-D. Freight forwarding.

D-E. Helicopter landing facilities subject to the provisions of section 15-2-13 of this title.

E-F. Hospitals.

F-G. Motion picture/television production facilities (outdoor facilities only).

G-H. On site sale and consumption of alcohol at bars.

H-I. Outdoor dining, exempting cafés, outdoor dining at restaurants and drive-through restaurants where outdoor dining comprises twenty percent (20%) or less of the

Page 8
total dining area of the restaurant or drive-through restaurant, but not exceeding
two hundred (200) square feet of floor area.

I-J. Parking facilities, including park and ride lots.

J-K. Recreational facilities (public and commercial).

K-L. Service stations, if a five hundred foot (500') minimum distance from any
residential zoned property is provided. This distance criteria does not apply to
properties east of Sepulveda Boulevard.

L-M. Video arcades with four (4) or more video or arcade machines.

M-N. Other similar uses approved by the director of community, economic and
development servicesDirector of Planning and Building Safety, as provided by
chapter 22 of this title."

SECTION 15: ESMC § 15-7B-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the GAC
zoneZone:

A. Cafés.

B. General and medical-dental offices.

C. Restaurants, sit down type, excluding facilities with drive-through facilities.

D. Retail sales.

E. Theaters.

F-E. Other similar uses approved by the director of community, economic and
development servicesDirector of Planning and Building Safety, as provided by chapter
22 of this title."

SECTION 16: ESMC § 15-7B-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses
are allowed subject to obtaining a conditional use permit, as provided by chapter 23 of
this title:

A. Assembly halls.
A-B. Outdoor dining, exempting outdoor dining at restaurants and drive-thru restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-thru restaurant, but not exceeding two hundred (200) square feet of floor area.

B-C. Service station, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

C-D. Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Chapter 22 of this title."

SECTION 17: ESMC § 15-7C-2 is amended to read as follows:

"PERMITTED USES: The following uses would be permitted in the proposed MMO District:

A. Commissary.
B. Craft shops and rentals.
C. Movie and entertainment facilities.
D. Multimedia archive facilities.
E. Multimedia related office and post production facilities.
F. Picture equipment sales.
G. Special effects studios.
H. Studio/sound stage(s) and other support facilities.
I. Theater and performance space.

J-L. Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Chapter 22 of this Title."

SECTION 18: ESMC § 15-7C-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of
this Title. Other uses shall be allowed subject to approval by the director of community, economic and development services, as provided by chapter 22 of this title.

A. Assembly halls.

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

SECTION 19: ESMC § 15-10-4 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of this Title.

A. Assembly halls.

A.B. Charitable institutions.

B. Churches, church schools, and religious facilities including residential quarters incidental to a church use or other religious facilities.

C. Private recreation.

D. Publicly owned facilities such as warehouses and storage yards.

E. Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Chapter 22 of this Title."

SECTION 20: A new Chapter 13A, consisting of §§ 15-13A-1 to 15-13A-4 and entitled "Assembly Halls," is added to Title 15 of the El Segundo Municipal Code ("ESMC") to read as follows:

"Chapter 13A

ASSEMBLY HALLS

15-13A-1: Definitions.
15-13A-2: Compliance with Permit Requirements
15-13A-3: Parking Requirements
15-13A-4: Compatibility with Surrounding Uses

15-13A-1: Definitions."
Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter:

A. “Assembly Hall” means a building, or portion of a building, used for large scale public or private gatherings of people. For example, and without limitation, assembly halls include private educational facilities; religious institutions; clubs; lodges; theaters; and similar kinds of facilities whether available for public or private use.

15-13A-2: **Compliance with Permit Requirements.**

Any ancillary uses affiliated with an assembly hall must be specifically identified and permitted by a validly issued conditional use permit pursuant to this chapter or be separately permitted in accordance with the requirements for that zone. For example, and without limitation, a day care center or private school associated with an assembly hall must be identified as an authorized use in the conditional use permit.

15-13A-3: **Parking Requirements.**

A. Off-street parking must be provided in accordance with the requirements set forth in this Title including, without limitation, landscaping requirements.

B. Where an assembly hall is established in a residential zone, the required front yard may not be used for parking vehicles.

15-13A-4: **Compatibility with Surrounding Uses.**

A. All buildings, structures, and landscaping must be developed and maintained in a manner compatible with development on surrounding properties.

B. For assembly halls located within or adjacent to a residential zone, the Planning Commission may condition hours of operation to ensure compatibility with adjacent residential uses.”

**SECTION 21:** All references in the ESMC purporting to regulate churches, temples, or other religious institutions, are amended to refer to “assembly halls.”

**SECTION 22:** Downtown Specific Plan Section VI.A.2 is amended to read as follows:

“Permitted Uses-

a. First floor street-front level, with a minimum building depth of 25 feet:
   i. Retail sales and services
   ii. Restaurants
   iii. Recreational uses
   iv. Governmental offices
v. (v) Banks, not to exceed 500 square feet
vi. (vi) General offices
vii. (vii) Medical-dental offices
viii. (viii) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review
ix. (ix) Other similar pedestrian oriented retail-service uses and offices approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
i) All uses listed above in a.
ii) Clubs and halls
iii) Schools
iv) Theaters
v) Banks
vi) Other similar uses approved by the Director of Community Economic and Development Services, as provided by Section V., Administration.

c. Above street-front level:
i) All uses listed above in a. and b.
ii) Business tenant/owner-occupied residential units
   iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration*

SECTION 23: Downtown Specific Plan Section VI.A.5 is amended to read as follows:


a. First floor street-front level, with a minimum building depth of 25 feet:
a. i) Bars
b. ii) Outdoor entertainment and dancing
e. iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year
d. iv) Video arcades with four or more machines
e. v) Other similar uses approved by the Director of Community, Economic and Development Services, as provided by Section V., Administration

b. Above and behind street-front level, and adjacent to alleys:
i) All uses listed above in a.
ii) Assembly halls.*

SECTION 24: Downtown Specific Plan Section VI.A.6 is amended to read as follows:
Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
- Drive-thru restaurants
- Churches
- Service stations
- Tattoo parlors

SECTION 25: Downtown Specific Plan Section VI.B.2 is amended to read as follows:

Permitted Uses-
- First floor street-front level, above and behind street front level and adjacent to alleys:
  - i) Retail sales and services
  - ii) Restaurants
  - iii) Recreational uses
  - iv) Government offices
  - v) General offices
  - vi) Medical-dental offices
  - vii) Clubs and halls
  - viii) Schools
  - ix) Theaters
  - x) Banks
  - xi) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review.
  - xii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

- Above street-front level:
  - i) All uses listed above in a.
  - ii) Business tenant/owner-occupied residential units
  - iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

SECTION 26: Downtown Specific Plan Section VI.B.5 is amended to read as follows:

- First floor street-front level, with a minimum building depth of 25 feet:
  - i) Bars
  - ii) Outdoor entertainment and dancing
  - iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year
  - iv) Video arcades with four or more machines
e.-v) Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls.

SECTION 27: Downtown Specific Plan Section VI.B.6 is amended to read as follows:

"Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:

a. Drive-thru restaurants
b. Churches
e. Service stations"

SECTION 28: Downtown Specific Plan Section VI.C.2 is amended to read as follows:

"Permitted Uses-

a. First floor street-front level, above and behind street front level and adjacent to alleys:
   a.i) Retail sales and services
   b.ii) Restaurants
e.iii) Recreational uses
d.iv) Governmental offices
e.v) General offices
f.vi) Medical-dental offices
g. Clubs and halls
h.vii) Schools
i. Theaters
j.viii) Banks
k. Bed and Breakfast Hotels
l. Artist and design studies
m.ix) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review
n.x) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration."

b. Above street-front level:
   i) All uses listed above in a.
   ii) Business tenant/owner-occupied residential units
   iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration."
SECTION 29: Downtown Specific Plan Section VI.C.5 is amended to read as follows:

a. First floor street-front level, with a minimum building depth of 25 feet:
   a.-i) Bars
   b.-ii) Outdoor entertainment and dancing
   e.-iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year
   d.-iv) Video arcades with four or more machines
   e.-v) Other similar uses approved by the Director of Community, Economic and Development Services, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls"

SECTION 30: Downtown Specific Plan Section VI.C.6 is amended to read as follows:

"Prohibited Uses -  
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Uses Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
a. Drive-thru restaurants
b. Churches
c. Service stations"

SECTION 31: Downtown Specific Plan Section VI.D.2 is amended to read as follows:

"Permitted Uses-
a. First floor street-front level, above and behind street front level and adjacent to alleys:
   a.-i) Retail sales and services
   b.-ii) Restaurants
   e.-iii) Recreational uses
   d.-iv) Governmental offices
   e.-v) General offices
   f.-vi) Medical-dental offices
   g.-vii) Clubs and halls
   h.-viii) Schools
   i.-ix) Theaters
   j.-xvii) Banks
   k.-xi) Bed and Breakfast hotels
Artists and design studios
Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review
Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration

b. Above street-front level:
   i) All uses listed above in a.
   ii) Business tenant/owner-occupied residential units
   iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration

SECTION 32: Downtown Specific Plan Section VI.D.5 is amended to read as follows:

   a. First floor street-front level, with a minimum building depth of 25 feet:
      a-i) Bars
      b-ii) Outdoor entertainment and dancing
      c-iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year
      d-iv) Video arcades with four or more machines
      e-v) Other similar uses approved by the Director of Community, Economic and Development Services, Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls."

SECTION 33: Downtown Specific Plan Section VI.D.6 is amended to read as follows:

"Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Uses Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
   a. Drive-thru restaurants
   b. Churches
   e-b. Service stations."

SECTION 34: Downtown Specific Plan Section VI.E.2 is amended to read as follows:

"Permitted Uses-
   a. First floor street-front level and adjacent to pedestrian access ways, including internal access ways, with a minimum building depth of 25
feet:

i. (i) Retail sales and services
   ii. (ii) Restaurants
   iii. (iii) Recreational uses
   iv. (iv) Government offices
   v. (v) Banks, not to exceed 500 square feet
   vi. (vi) General offices
   vii. (vii) Medical-dental offices
   viii. (viii) Bed and breakfast hotel
   ix. (ix) Outdoor retail uses such as newsstands, coffee carts and
   flower stands, up to 200 square feet in area, subject to design
   review.

x-x] Other similar pedestrian oriented retail-service uses and
   offices, approved by the Director of Planning and Building
   Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Clubs and halls
   iii. (iii) Schools and daycare
   iv) Theaters
   v. (v) Banks
   vii. (vii) Other similar uses approved by the Director of Planning and
   Building Safety, as provided by Section V., Administration.

c. Above street-front level:
   i) All uses listed above in a.
   ii) Business tenant/owner-occupied residential units
   iii) Other similar uses approved by the Director of Planning and
   Building Safety, as provided by Section V., Administration.

SECTION 35: Downtown Specific Plan Section VI.E.5 is amended to read as follows:


a. First floor street-front level, with a minimum building depth of 25 feet:
   a-1) Bars
   b. (ii) Outdoor entertainment and dancing
   c. (iii) Outdoor amplified sound, which exceeds more than four single
   events in one calendar year
   d. (iv) Video arcades with four or more machines
   e. (v) Other similar uses approved by the Director of Community,
   Economic and Development Services Planning and Building Safety,
   as provided by Section V., Administration."
b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls”

SECTION 36: Downtown Specific Plan Section VI.E.6 is amended to read as follows:

“Prohibited uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:

a. Drive-thru restaurants
b. Churches
e.b. Service stations”

SECTION 37: Downtown Specific Plan Section VI.F.2 is amended to read as follows:

“Permitted Uses -
First floor street-front level, with a minimum building depth of 25 feet:

i) Retail sales and services
ii) Restaurants
iii) Recreational uses
iv) Government offices
v) Banks
vi) General offices
vii) Medical-dental offices
viii) Clubs and halls
ix) Theaters
x)(viii) Schools
xi)(ix) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review.

Other similar pedestrian oriented retail-service uses and offices approved by the Director of Planning and Building Safety, as provided by Section V., Administration.”

SECTION 38: Downtown Specific Plan Section VI.F.5 is amended to read as follows:

“Uses Subject to a Conditional Use Permit – (El Segundo Municipal Code Chapter 15-23)
a. First floor street-front level, with a minimum building depth of 25 feet:

a.i) Bars
b.ii) Video arcades with four or more machines
e.iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.
b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls."

SECTION 39: Downtown Specific Plan Section VI.F.6 is amended to read as follows:

"Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
   a. Drive-thru restaurants
   b. Assembly halls
   e-b. Service stations
   d-c. Tattoo parlors
   e-d. Outdoor entertainment and dancing
   f-c. Outdoor amplified sound, which exceeds more than four single events in one calendar year."

SECTION 40: Downtown Specific Plan Section VI.G.5 is amended to read as follows:

"Uses Subject to a Conditional Use Permit – (El Segundo Municipal Code Chapter 15-23)
   a. First floor street-front level, with a minimum building depth of 25 feet:
      a-i) Bars
      b-i) Bed and Breakfast Inns
      e-ii) Video arcades with four or more machines
      d-iv) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls."

SECTION 41: Downtown Specific Plan Section VI.G.6 is amended to read as follows:

"Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
   a. Drive-thru restaurants
   b. Assembly hall uses
   e-b. Service stations
   g-c. Tattoo parlors
   h-d. Outdoor entertainment and dancing

Page 20
i.e. Outdoor amplified sound, which exceeds more than four single events in one calendar year."

**SECTION 42:** CONSTRUCTION. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

**SECTION 43:** ENFORCEABILITY. Repeal of any provision of the El Segundo Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

**SECTION 44:** VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

**SECTION 45:** If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

**SECTION 46:** The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

**SECTION 47:** This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this ____ day of __________, 2010.

__________________________

Eric Busch, Mayor
ATTEST:

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. _____ was duly introduced by said City Council at a regular meeting held on the ___ day of __________, 2010, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the ___ day of __________, 2010, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

________________________________________
Cindy Mortesen, City Clerk

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

By: ___________________________________
    Karl H. Berger, Assistant City Attorney

P:\Planning & Building Safety\Planning - Old\PROJECTS (Planning)\876-900\EA-884\EA-884 Assembly Halls Ordinance 082610.doc
FINDING OF CONSISTENCY WITH GENERAL PLAN EIR

CITY OF EL SEGUNDO
AMENDMENT TO EL SEGUNDO MUNICIPAL CODE TO AMEND TITLE 15 OF THE
EL SEGUNDO MUNICIPAL CODE AND ESTABLISH A CHAPTER REGULATING
ASSEMBLY HALL USES

August 2010

The City of El Segundo has initiated an application that proposing to amend Title 15 of the
El Segundo Municipal Code and establish a chapter regulating assembly hall uses. The
proposal constitutes a "project" under the California Environmental Quality Act (CEQA).
Thus, environmental review is required pursuant to CEQA (Public Resources Code §§
21000 et seq.), the State CEQA Guidelines (14 Cal. Code of Regs. §§ 15000, et seq.), and
the City of El Segundo CEQA Guidelines. This document serves as the project
environmental documentation pursuant to CEQA.

Background

In 1992, El Segundo adopted a comprehensive update of its General Plan, which included
the Land Use and Economic Development elements. The 1992 General Plan and its
subsequent amendments set forth policy for land use development in El Segundo and
within its sphere of influence. The circumstances, impacts, and mitigation requirements
identified in the General Plan EIR remain applicable to the proposed amendments and the
amendments do not raise any new issues and do not cause the level of impacts identified
in the General Plan EIR to be exceeded. Specifically, the amendment to the El Segundo
Municipal Code establishing Title 15 Chapter 13A (Assembly Halls) will set a new
definition and developments standards for assembly hall uses.

Relationship of the Zoning Text Amendment to the General Plan

The proposed amendment to the El Segundo Municipal Code ("ESMC") implements the
goals, policies and programs outlined in the 1992 General Plan, including the Land Use
and Noise elements. It is consistent with Goal LU1, Objective LU1-5, of the Land Use
element, in that it creates policies design standards; helps create a sense of place for the
entire City; develops standards that will ensure the compatibility of assembly hall uses with
surrounding uses; and encourages the construction of high-quality, well designed
developments through the adoption of property development standards. In addition, it is
consistent with Goal N1, Objective N1-2 of the Noise Element, in that it helps ensure that
City residents are not exposed to excessive noise from stationary sources. Adoption of
the proposed amendment will not provide for any new development beyond that anticipated
by land use policy set forth in the 1992 General Plan Update and the subsequent 2005
update of the Land Use Element.

Environmental Analysis

The proposed zone text amendment is exempt from review under the California
Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA")
and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing zoning code and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required thereof. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment. In addition, any environmental impacts associated with this ordinance are adequately addressed in the General Plan FEIR. Accordingly, this ordinance is consistent with the General Plan FEIR and is exempt from further environmental review requirements under the California Environmental Quality Act. Furthermore, this ordinance constitutes a component of the El Segundo Municipal Code which the Planning Commission determined to be consistent with the FEIR for the City of El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to 14 Cal. Code Regs. § 15168(c)(2).

Findings

Based on the above analysis, the City of El Segundo hereby makes the following findings:

1. In 1992, the City of El Segundo adopted a comprehensive General Plan update and certified a Final EIR.

2. The proposed amendment consists of text changes. The ESMC Title 15 Chapter 13A (Assembly Halls) will be established to regulate assembly hall uses. The new Chapter 13A will set a new definition and new development standards for assembly halls. In addition, the permitted uses and conditionally permitted uses in various zones and the Downtown Specific Plan will be amended to accommodate assembly hall uses.

3. Adoption of proposed amendment will not result in any new or increased environmental effects, and no new mitigation measures are required.

4. Pursuant to Section 15168(c)(2) of the CEQA Guidelines, no new environmental documentation is required for adoption of the amendments to the ESMC.
I. Introduction

The proposed project is an ordinance establishing a new ESMC Title 15 Chapter 13A regarding assembly halls, amending the permitted and conditionally permitted uses in various zones, and amending the Downtown Specific Plan permitted and conditionally permitted uses.

II. Recommendation

Planning staff recommends that the Planning Commission review the facts as contained within this report and submitted during the public hearing, and then adopt Resolution No. 2679 recommending that the City Council approve Environmental Assessment No. 884, Zone Text Amendment 10-05, and Specific Plan Text
Amendment 10-02.

III. Background

Staff initiated the proposed Zone Text Amendment and Specific Plan Text Amendment in response to the enactment in 2000 of the Religious Land Use and Institutionalized Persons Act (RLUIPA). RLUIPA is intended to limit government's ability to "impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution." The intent of the proposed Amendments is to make the ESMC and the Downtown Specific Plan consistent with the provisions of RLUIPA.

IV. ANALYSIS

The analysis section includes a description of the proposed Amendments, a discussion of their consistency with the El Segundo Municipal Code, the General Plan, and the required Environmental Review.

A. ZONE TEXT AMENDMENT:

The intent of the proposed ordinance is to treat religious assemblies or institutions consistently with RLUIPA, which is to treat them equally with other assembly hall uses. The proposed ordinance sets a common definition and standards for all types of assembly uses.

Proposed Chapter 13A

Definition of assembly halls

The proposed definition for assembly hall use encompasses all assembly hall uses, including secular and religious uses. The proposed definition states:

"Assembly Hall" means a building, or portion of a building, used for large scale public or private gatherings of people. For example, and without limitation, assembly halls include private educational facilities; religious institutions; clubs; lodges; theaters, and similar kinds of facilities whether available for public or private use."

In addition to the above definition, Section 2 of the proposed Ordinance replaces all references in the ESMC purporting to regulate churches, temples, or other religious institutions, with the general term "assembly halls." Both the definition and the language in Section 2 aim to eliminate the distinction between religious institutions and other assembly uses.
Standards for assembly halls

In addition to the definition, the proposed ordinance establishes common standards for assembly hall uses:

1. Uses ancillary to assembly halls, must be specifically authorized by a conditional use permit authorizing the assembly hall, or must be separately permitted by another permit.

2. Assembly hall uses must meet the parking requirements established in the ESMC and may not use required front yard setbacks for parking purposes.

Compatibility with surrounding uses

The proposed ordinance also requires that assembly hall uses be compatible with the surrounding properties and developments, and it authorizes the Planning Commission to regulate their hours of operation.

Amendments to Individual Zones

The proposed definition of assembly halls includes several uses that are currently addressed in the El Segundo Municipal Code. The uses include, without limitation, clubs, trade union halls, fraternities, sororities, lodges, theaters, and religious facilities. However, these uses are not always addressed consistently in the code. For example, in the Downtown Commercial (C-RS) Zone, churches, church schools and religious facilities are permitted with a Conditional Use Permit (CUP), whereas theaters and union halls are permitted by right. To address such inconsistencies and to remove any differentiation between the same assembly hall uses, several changes are proposed to the permitted and conditionally permitted uses of various Zones. Those changes are summarized in the following table.

<table>
<thead>
<tr>
<th>Zone</th>
<th>Permitted</th>
<th>Permitted with CUP</th>
<th>Proposed Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-2</td>
<td>Churches</td>
<td>Assembly Halls</td>
<td></td>
</tr>
<tr>
<td>R-3</td>
<td>Private clubs, fraternities, sororities, and lodges, except those operating as a business</td>
<td>Private clubs, fraternities, sororities, and lodges operating primarily as a business</td>
<td>Assembly Halls</td>
</tr>
<tr>
<td>PRD</td>
<td>Churches, private clubs, fraternities,</td>
<td>Assembly Halls</td>
<td></td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
<td>Current Use</td>
<td>Proposed Use</td>
</tr>
<tr>
<td>------</td>
<td>-----------------------------------------------------------------------------</td>
<td>------------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>C-RS</td>
<td>Private clubs, theaters, union offices and halls, or union offices, or halls</td>
<td>Churches, church schools, and religious facilities</td>
<td>Assembly Halls</td>
</tr>
<tr>
<td>MU-N</td>
<td>Theaters, trade union halls, clubs, including service clubs, veterans' organizations, lodges and similar nonprofit organizations</td>
<td>Assembly Halls</td>
<td></td>
</tr>
<tr>
<td>MU-S</td>
<td>Theaters, trade union halls, clubs, including service clubs, veterans' organizations, lodges and similar nonprofit organizations</td>
<td>Assembly Halls</td>
<td></td>
</tr>
<tr>
<td>GAC</td>
<td>Theaters</td>
<td>Assembly Halls</td>
<td></td>
</tr>
<tr>
<td>MMO</td>
<td>Theater and performance space</td>
<td>Assembly Halls</td>
<td></td>
</tr>
<tr>
<td>P-F</td>
<td></td>
<td>Churches, church schools, and religious facilities</td>
<td>Assembly Halls</td>
</tr>
</tbody>
</table>

All of the uses currently listed in the above zones that fall under the proposed assembly hall definition will be replaced with the term “Assembly Hall” and be permitted in those zones only with a conditional use permit.

**B. SPECIFIC PLAN AMENDMENT**

The intent of the proposed Specific Plan Amendment is to bring the Downtown Specific Plan (DSP) into conformance with RLUIPA’s provisions. The DSP currently prohibits churches in most of its districts, while it permits other assembly hall types of uses by right. Several changes are proposed in the permitted, conditionally permitted, and prohibited uses to address these inconsistencies. The following table summarizes the current and proposed provisions of the DSP:

<table>
<thead>
<tr>
<th>District</th>
<th>Current Code</th>
<th>Proposed Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Permitted</td>
<td>Permitted</td>
</tr>
<tr>
<td></td>
<td>Prohibited</td>
<td>Prohibited with CUP</td>
</tr>
<tr>
<td>Main Street</td>
<td>Clubs, halls, and theaters</td>
<td>Residential units above street-front level*</td>
</tr>
<tr>
<td></td>
<td>Churches</td>
<td>Assembly Halls</td>
</tr>
<tr>
<td>Main Street Transitional</td>
<td>Clubs, halls, and theaters</td>
<td>Churches</td>
</tr>
<tr>
<td>--------------------------</td>
<td>----------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Richmond Street</td>
<td>Clubs, halls, theaters, bed and breakfast hotels, and artist and design studios*</td>
<td>Churches</td>
</tr>
<tr>
<td>North Richmond Street</td>
<td>Clubs, halls, and theaters</td>
<td>Churches</td>
</tr>
<tr>
<td>Grand Avenue</td>
<td>Clubs, halls, and theaters</td>
<td>Churches</td>
</tr>
<tr>
<td>West Grand Avenue Transitional (North)</td>
<td>Clubs, halls, and theaters</td>
<td>Assembly Halls</td>
</tr>
<tr>
<td>West Grand Avenue Transitional (South)</td>
<td>Assembly Halls</td>
<td></td>
</tr>
</tbody>
</table>

* In 2009, the City processed a Specific Plan Text Amendment related to Temporary uses. During the process, residential units on the upper levels were inadvertently deleted from the list of permitted uses, and bed and breakfast hotels and artist studios were added to the permitted uses of some districts. Staff noticed these errors during its research on the current amendments and has corrected them in the proposed ordinance.

All of the uses currently listed in the above districts that fall under the proposed assembly hall definition will be replaced with the term "Assembly Hall" and will be permitted in those districts only with a conditional use permit.
FINDINGS:

Consistency with the El Segundo Municipal Code

Pursuant to ESMC Title 15, Chapter 26 (Amendments), in order to recommend City Council approval of the proposed amendments, the Planning Commission must find that the amendments are necessary to carry out the general purpose of Title 15. The purpose of this Title (ESMC § 15-1-1) is to serve the public health, safety, and general welfare and to provide economic and social advantages resulting from an orderly planned use of land resources. Planning staff believes that the Planning Commission can make the findings in order to recommend City Council approval of the proposed amendment. The findings are discussed in the proposed resolution.

V. GENERAL PLAN CONSISTENCY

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

VI. ENVIRONMENTAL REVIEW

The proposed zone text amendment is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “State CEQA Guidelines”) because it consists only of minor revisions and clarifications to existing zoning regulations and related procedures. It does not have the effect of deleting or substantially changing any regulatory standards or findings required thereof. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment. In addition, any environmental impacts associated with this ordinance are adequately addressed in the General Plan FEIR. Accordingly, this ordinance is consistent with the General Plan FEIR and is exempt from further environmental review requirements under the California Environmental Quality Act. Furthermore, this ordinance constitutes a component of the El Segundo Municipal Code which the Planning Commission determined to be consistent with the FEIR for the City of El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to 14 Cal. Code Regs. § 15168(c)(2).
VII. CONCLUSION

The proposed Zone Text Amendment establishes a new ESMC Title 15 Chapter 13A that establishes standards regarding assembly hall uses. The proposed Chapter would set common standards for all assembly uses including religious institutions, which is consistent with the requirements of the Religious Land Use and Institutionalized Persons Act. Therefore, staff recommends that the Planning Commission adopt Resolution No. 2679, establishing ESMC Title 15 Chapter 13A regulating assembly halls, and amendments to the permitted and conditionally permitted uses in various zones, and to amend the permitted and conditionally permitted uses within the Downtown Specific Plan.

VIII. EXHIBITS

A. Draft Planning Commission Resolution No. 2679, including Draft Council Ordinance

Prepared by: Paul Samaras, Principal Planner

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

__________________________
Greg Carpenter, Director
Department of Planning & Building Safety
RESOLUTION NO. 2679

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING THE EI SEGUNDO MUNICIPAL CODE ("ESMC") ADDING A NEW TITLE 15 CHAPTER 13A REGULATING ASSEMBLY HALLS, AMENDING THE PERMITTED AND CONDITIONALLY PERMITTED USES IN VARIOUS ZONES, AND AMENDING THE PERMITTED AND CONDITIONALLY PERMITTED USES IN THE DOWNTOWN SPECIFIC PLAN.

(EA NO. 884, ZTA NO. 10-05, and SPTA No. 10-02)

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

SECTION 1: The Planning Commission finds and declares that:

A. On September 22, 2000, the Religious Land Use and Institutionalized Persons Act (RLUIPA) was enacted by the Federal government.

B. The RLUIPA is intended to limit the government's ability to impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution.

C. On July 21, 2010, the City of El Segundo initiated an application for Environmental Assessment No. EA-884, Zone Text Amendment No. 10-05, and Specific Plan Text Amendment No. 10-02 to amend the ESMC to establish a new Title 15 Chapter 13A regulating assembly halls;

D. The application was prepared and reviewed by the City’s Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the ESMC;

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

F. The Planning and Building Safety Department completed its review and scheduled the public hearing regarding the application before the Planning Commission for August 26, 2010;

G. On August 26, 2010, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed amendment, including, without limitation, information provided to the
Planning Commission by City staff and public testimony; and

H. This Resolution and its findings are made based upon the evidence presented to the Commission at its August 26, 2010, hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Factual Findings And Conclusions. The Commission finds that the proposed ordinance establishes a new ESMC Title 15 Chapter 13A regulating assembly hall uses including, without limitation, as follows:

A. It affects all zones in the City of El Segundo.

B. It establishes a common definition for all assembly hall uses.

C. It establishes common standards for all assembly hall uses.

D. It establishes objective, content neutral, land use regulations for using facilities designed to accommodate large scale public and private assemblies of people.

SECTION 3: Environmental Assessment. Because of the facts set forth in Section 2, the proposed zone text amendment is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “State CEQA Guidelines”) because it consists only of minor revisions and clarifications to existing zoning regulations and related procedural requirements. It will not have the effect of deleting or substantially changing any regulatory standards or required findings. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment. In addition, any environmental impacts associated with this ordinance are adequately addressed in the General Plan FEIR. Accordingly, this ordinance is consistent with the General Plan FEIR and is exempt from further environmental review requirements under the California Environmental Quality Act. Furthermore, this ordinance constitutes a component of the El Segundo Municipal Code which the Planning Commission determined to be consistent with the FEIR for the City of El Segundo General Plan adopted on December 1, 1992. Accordingly, no further environmental review is required pursuant to 14 Ca. Code Regs. § 15168(c)(2).

SECTION 4: General Plan Findings. As required under Government Code § 65454 the ESMC amendments proposed by the Ordinance are consistent with the El Segundo General Plan as follows:

A. It conforms with the Land Use Element Goals, Objectives and Policies. Specifically, the ordinance is consistent with Goal LU1, Objective LU1-5, in that it creates policies, design standards; helps create a sense of place for the entire City; develops standards that will ensure the compatibility of
assembly hall uses with surrounding uses; and encourages the
construction of high-quality, well designed developments through the
adoption of property development standards.

B. It conforms with the Noise Element Goals Objectives and Policies.
Specifically, it is consistent with Goal N1, Objective N1-2, in that it helps
ensure that City residents are not exposed to excessive noise from
stationary sources.

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

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

B. It is necessary to facilitate the development process and ensure the
orderly development of properties with assembly hall uses that are
compatible with surrounding properties and developments.

SECTION 6: Specific Plan Findings. After considering the above facts, the Planning
Commission finds as follows:

A. The proposed ordinance affects all properties and districts in the
Downtown Specific Plan.

B. The proposed amendment to the Downtown Specific Plan is consistent
with the General Plan land use designation for the properties involved.

SECTION 7: Recommendations. The Planning Commission recommends that the City
Council adopt the ordinance set forth in attached Exhibit “A,” which is incorporated into
this ordinance by reference.

SECTION 8: Reliance On Record. Each and every one of the findings and
determination in this Resolution are based on the competent and substantial evidence,
both oral and written, contained in the entire record relating to the project. The findings
and determinations constitute the independent findings and determinations of the
Planning Commission in all respects and are fully and completely supported by
substantial evidence in the record as a whole.

SECTION 9: Limitations. The Planning Commission’s analysis and evaluation of the
project is based on the best information currently available. It is inevitable that in
evaluating a project that absolute and perfect knowledge of all possible aspects of the
project will not exist. One of the major limitations on analysis of the project is the
Planning Commission’s lack of knowledge of future events. In all instances, best efforts
have been made to form accurate assumptions. Somewhat related to this are the
limitations on the city's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 10: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 11: The Commission secretary is directed to mail a copy of this Resolution to any person requesting a copy.

SECTION 12: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

PASSED AND ADOPTED this 26th day of August, 2010.

David Wagner, Chairperson
City of El Segundo Planning Commission

ATTEST:

Greg Carpenter, Secretary

Wagner   
Fellhauer 
Baldino   
Barbee    
Newman   

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

By: __________________________________________
   Karl H. Berger, Assistant City Attorney
ORDINANCE NO. __________

AN ORDINANCE ADDING A NEW CHAPTER 13A TO TITLE 15 REGULATING ASSEMBLY HALLS, AMENDING THE PERMITTED AND CONDITIONALLY PERMITTED USES IN VARIOUS ZONES, AND AMENDING THE PERMITTED AND CONDITIONALLY PERMITTED USES IN THE DOWNTOWN SPECIFIC PLAN.

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

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

A. This ordinance is intended to establish objective, content neutral, land use regulations for using facilities designed to accommodate large scale public and private assemblies of people;

B. Such gatherings, whether periodic or ongoing, impact surrounding land uses with vehicle and pedestrian traffic; noise; and other, similar, effects caused by large crowds;

C. The City's ability to exercise its powers in accordance with Article XI, § 7 of the California Constitution to regulate land use is well-established. This ordinance is intended to regulate aesthetics, traffic, parking, public peace, and other, similar, matters related to public health, safety, and welfare;

D. Any environmental impacts associated with this ordinance are adequately addressed in the General Plan FEIR. Accordingly, this ordinance is consistent with the General Plan FEIR and is exempt from further environmental review requirements under the California Environmental Quality Act.

E. This ordinance constitutes a component of the El Segundo Development Code which the Planning Commission determined to be consistent with the FEIR for the 1992 El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to 14 Cal. Code Regs. § 15168(c)(2). The Finding of Consistency is attached as Exhibit “A,” and incorporated by reference.

SECTION 2: General Plan Findings. As required under Government Code § 65454 the ESMC amendments proposed by this Ordinance are consistent with the El Segundo General Plan as follows:

A. It conforms with the Land Use Element Goals, Objectives and Policies. Specifically, the Ordinance is consistent with Goal LU1, Objective LU1-5, in that it creates policies, design standards; helps create a sense of place for the entire City; develops standards that will ensure the compatibility of
assembly hall uses with surrounding uses; and encourages the construction of high-quality, well designed developments through the adoption of property development standards.

B. It conforms with the Noise Element Goals Objectives and Policies. Specifically, it is consistent with Goal N1, Objective N1-2, in that it helps ensure that City residents are not exposed to excessive noise from stationary sources.

SECTION 3: Zone Text Amendment Findings. In accordance with ESMC § 15-26-4 and based on the findings set forth in Section 2, the proposed Zone Text Amendment is consistent with the goals, policies, and objectives of the General Plan as follows:

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

B. It is necessary to facilitate the development process and ensure the orderly development of properties with assembly hall uses that are compatible with surrounding properties and developments.

SECTION 4: Specific Plan Findings. After considering the above facts, the City Council finds as follows:

A. This Ordinance affects all properties and districts in the Downtown Specific Plan.

B. This amendment to the Downtown Specific Plan is consistent with the General Plan land use designation for the properties involved.

SECTION 5: ESMC § 15-4B-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of this Title:

A. Any use permitted as a conditionally permitted use in the R-1 Zone.

B. Church, Assembly halls.

C. Private schools.

D. Other similar uses approved by the Director of Community, Economic and Development Services, Planning and Building Safety, as provided by Chapter 22 of this Title."
SECTION 6: ESMC § 15-4C-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the R-3 Zone:

A. Any use permitted in the R-2 Zone.

B. Condominiums and stock cooperatives converted from multiple-family dwellings subject to the requirements of the Subdivision Map Act.

C. Daycare centers.

D. Large family daycare homes pursuant to Section 15-4A-4 of this Chapter.

E. Lodging houses.

F. Multiple-family dwellings.

G. Private clubs, fraternities, sororities and lodges, excepting those the chief activity of which is a service customarily carried on as a business.

H. Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Chapter 22 of this Title."

SECTION 7: ESMC § 15-4C-4 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of this Title:

A. Any use permitted as a conditionally permitted use in the R-2 Zone.

B. Private clubs, fraternities, sororities, and lodges whose chief activity is a service customarily carried on as a business. Assembly halls.

C. Public parking area, developed and maintained as required by this Chapter when the sideline of the lot or parcel on which it is located forms a common boundary with a lot or parcel zoned for commercial or industrial purposes.

D. Senior citizen housing in accordance with California Government Code sections 65913, 65914 and 65915.

E. Senior housing facilities, including, but not limited to, rest homes, convalescent homes, or nursing homes.
F. Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Chapter 22 of this Title."

SECTION 8: ESMC § 15-4D-2 is amended to read as follows:

"PERMITTED USES:

A. The following uses are permitted in the PRD Zone subject to the approval of a PRD plan:

   Single-and multiple-family dwelling units designed as detached, semi-detached, or attached buildings.

B. The following are permitted transitional uses of existing facilities subject to approval of a transitional use PRD plan and time limitations which may be imposed by the Planning Commission or City Council:

   Churches, Assembly halls.

   Daycare centers.

   Private clubs, fraternities, sororities and lodges.

   Private schools.

   Public or private recreation."

SECTION 9: ESMC § 15-5A-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the C-RS Zone:

A. Billiard-pool rooms and bowling alleys.

B. Clubs (private, excluding living quarters).

C.B. Financial institutions.

D.C. General Offices.

E.D. Government buildings (including offices, police and fire stations, parking and related buildings).
F.E. Medical-dental offices.

G.F. Restaurants, delicatessens, and cafés (excluding dancing and entertainment).

H.G. Retail uses providing sales (excluding off site alcohol sales) and services.

I.H. Schools.

J. Theaters.

K. Union offices and halls, or union offices, or halls.

L. Other similar uses approved by the director of community, economic and development servicesDirector of Planning and Building Safety, as provided by chapter 22 of this title."

SECTION 10: ESMC § 15-5A-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by chapter 23 this title:

A. Churches, church schools and religious facilitiesAssembly halls.

B. On site sale and consumption of alcohol at bars.

C. Outdoor dining, exempting cafés, outdoor dining at restaurants and drive-through restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-through restaurant, but not exceeding two hundred (200) square feet of floor area.

D. Service stations, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

E. Video arcades with four (4) or more video or arcade machines.

F. Other similar uses as approved by the director of community, economic and development servicesDirector of Planning and Building Safety, as provided by chapter 22 of this title."

SECTION 11: ESMC § 15-5E-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the MU-N
zone:Zone:

Page 5
A. Business service establishments such as electronic computer facilities and addressing services.

B. General offices of commercial, financial or industrial establishments.

C. Engineering, industrial design, consultation and other offices.

D. Financial institutions.

E. Hotels and motels.

F. Medical-dental offices or facilities.

G. Motion picture/television production facilities (excluding outdoor facilities).

H. Restaurants and cafés.

I. Retail (excluding off site alcohol sales) and whole sales and service.

J. Scientific research and experimental development laboratories.

K. Theaters.

L. Trade union halls, clubs, including service clubs, veterans' organizations, lodges and similar nonprofit organizations.

M-K. Other similar uses approved by the director of community, economic and development services or the director of Planning and Building Safety, as provided by chapter 22 of this title.

SECTION 12: ESMC § 15-5E-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by chapter 23 of this title:

A. Assembly halls.

A-B. Catering services and flight kitchens.

B-C. Drive-through restaurants.

C-D. Helicopter landing facilities subject to the provisions of section 15-2-13 of this title."
D.F. Hospitals.

E.F. Motion picture/television production facilities (outdoor facilities only).

F.G. On site sale and consumption of alcohol at bars.

G.H. Outdoor dining, exempting cafés, outdoor dining at restaurants and drive-through restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-through restaurant, but not exceeding two hundred (200) square feet of floor area.

H.I. Parking facilities, including park and ride lots.

J.J. Recreational facilities (public and commercial).

K.K. Service stations, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

L.M. Video arcades with four (4) or more video or arcade machines.

Other similar uses approved by the director of community, economic and development services Director of Planning and Building Safety, as provided by chapter 22 of this title.”

SECTION 13: ESMC § 15-5F-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the MU-S zone:

A. Business service establishments such as electronic computer facilities and addressing services.

B. Engineering, industrial design, consultation and other offices.

C. Financial institutions.

D. General offices of commercial, financial or industrial establishments.

E. Hotels and motels.

F. Massage establishments that meet the requirements of title 4, chapter 10 of this code, in addition to all other requirements imposed by law."
G. Medical-dental offices or facilities.

H. Motion picture/television production facilities (excluding outdoor facilities).

I. Restaurants and cafés.

J. Retail (excluding off site alcohol sales) and wholesale and service

K. Scientific research and experimental development laboratories.

L. ______ Theatres.

M. Trade union halls, clubs, including service clubs, veterans' organizations, lodges and similar nonprofit organizations.

N.-L. Other similar uses approved by the director of community, economic and development services Director of Planning and Building Safety, as provided by chapter 22 of this title."

SECTION 14: ESMC § 15-5F-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by chapter 23 of this title:

A. Assembly halls.

A-B. Catering services and flight kitchens.

B-C. Drive-through restaurants.

C-D. Freight forwarding.

D-E. Helicopter landing facilities subject to the provisions of section 15-2-13 of this title.

E-F. Hospitals.

F-G. Motion picture/television production facilities (outdoor facilities only).

G-H. On site sale and consumption of alcohol at bars.

H-I. Outdoor dining, exempting cafés, outdoor dining at restaurants and drive-through restaurants where outdoor dining comprises twenty percent (20%) or less of the
total dining area of the restaurant or drive-through restaurant, but not exceeding two hundred (200) square feet of floor area.

I.J. Parking facilities, including park and ride lots.

J.K. Recreational facilities (public and commercial).

K.L. Service stations, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

L.M. Video arcades with four (4) or more video or arcade machines.

M.N. Other similar uses approved by the director of community, economic and development services [Director of Planning and Building Safety, as provided by chapter 22 of this title."

SECTION 15: ESMC § 15-7B-2 is amended to read as follows:

"PERMITTED USES: The following uses are permitted in the GAC Zone:

A. Cafés.

B. General and medical-dental offices.

C. Restaurants, sit down type, excluding facilities with drive-through facilities.

D. Retail sales.

E. Theaters.

F.E. Other similar uses approved by the director of community, economic and development services [Director of Planning and Building Safety, as provided by chapter 22 of this title."

SECTION 16: ESMC § 15-7B-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by chapter 23 of this title:

A. Assembly halls.
A.B. Outdoor dining, exempting outdoor dining at restaurants and drive-thru restaurants where outdoor dining comprises twenty percent (20%) or less of the total dining area of the restaurant or drive-thru restaurant, but not exceeding two hundred (200) square feet of floor area.

B.C. Service station, if a five hundred foot (500') minimum distance from any residential zoned property is provided. This distance criteria does not apply to properties east of Sepulveda Boulevard.

C.D. Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Chapter 22 of this title."

SECTION 17: ESMC § 15-7C-2 is amended to read as follows:

"PERMITTED USES: The following uses would be permitted in the proposed MMO District:

A. Commissary.
B. Craft shops and rentals.
C. Movie and entertainment facilities.
D. Multimedia archive facilities.
E. Multimedia related office and post production facilities.
F. Picture equipment sales.
G. Special effects studios.
H. Studio/sound stage(s) and other support facilities.
I. Theater and performance space.

J.L. Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Chapter 22 of this Title."

SECTION 18: ESMC § 15-7C-5 is amended to read as follows:

"USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of
this Title. Other uses shall be allowed subject to approval by the director of community, economic and development services, as provided by chapter 22 of this title.

A. Assembly halls.

B. Other similar uses approved by the Director of Planning and Building Safety, as provided by Chapter 22 of this title.”

SECTION 19: ESMC § 15-10-4 is amended to read as follows:

“USES SUBJECT TO CONDITIONAL USE PERMIT: The following uses are allowed subject to obtaining a conditional use permit, as provided by Chapter 23 of this Title.

A. Assembly halls.

A.B. Charitable institutions.

B. Churches, church schools, and religious facilities including residential quarters incidental to a church use or other religious facilities.

C. Private recreation.

D. Publicly owned facilities such as warehouses and storage yards.

E. Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Chapter 22 of this Title.”

SECTION 20: A new Chapter 13A, consisting of §§ 15-13A-1 to 15-13A-4 and entitled “Assembly Halls,” is added to Title 15 of the El Segundo Municipal Code (“ESMC”) to read as follows:

“Chapter 13A

ASSEMBLY HALLS

15-13A-1: Definitions.
15-13A-2: Compliance with Permit Requirements
15-13A-3: Parking Requirements
15-13A-4: Compatibility with Surrounding Uses

15-13A-1: Definitions.
Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter:

A. “Assembly Hall” means a building, or portion of a building, used for large scale public or private gatherings of people. For example, and without limitation, assembly halls include private educational facilities; religious institutions; clubs; lodges; theaters; and similar kinds of facilities whether available for public or private use.

15-13A-2: Compliance with Permit Requirements.

Any ancillary uses affiliated with an assembly hall must be specifically identified and permitted by a validly issued conditional use permit pursuant to this chapter or be separately permitted in accordance with the requirements for that zone. For example, and without limitation, a day care center or private school associated with an assembly hall must be identified as an authorized use in the conditional use permit.


A. Off-street parking must be provided in accordance with the requirements set forth in this Title including, without limitation, landscaping requirements.

B. Where an assembly hall is established in a residential zone, the required front yard may not be used for parking vehicles.

15-13A-4: Compatibility with Surrounding Uses.

A. All buildings, structures, and landscaping must be developed and maintained in a manner compatible with development on surrounding properties.

B. For assembly halls located within or adjacent to a residential zone, the Planning Commission may condition hours of operation to ensure compatibility with adjacent residential uses.”

SECTION 21: All references in the ESMC purporting to regulate churches, temples, or other religious institutions, are amended to refer to “assembly halls.”

SECTION 22: Downtown Specific Plan Section VI.A.2 is amended to read as follows:

“Permitted Uses-
a. First floor street-front level, with a minimum building depth of 25 feet:
   i) Retail sales and services
   ii) Restaurants
   iii) Recreational uses
   iv) Governmental offices

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b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Clubs and halls
   iii) Schools
   iv) Theaters
   v) Banks
   vi) Other similar uses approved by the Director of Community Economic and Development Services, as provided by Section V., Administration.

c. Above street-front level:
   i) All uses listed above in a. and b.
   ii) Business tenant/owner-occupied residential units
       ii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration"

SECTION 23: Downtown Specific Plan Section VI.A.5 is amended to read as follows:


a. First floor street-front level, with a minimum building depth of 25 feet:
   a-i) Bars
   b) Outdoor entertainment and dancing
   e-i) Outdoor amplified sound, which exceeds more than four single events in one calendar year
   d-iv) Video arcades with four or more machines
   e-v) Other similar uses approved by the Director of Community, Economic and Development Services, as provided by Section V., Administration

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls.*

SECTION 24: Downtown Specific Plan Section VI.A.6 is amended to read as follows:
"Prohibited Uses -
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:

a. Drive-thru restaurants

c. Churches

d. Service stations

e. Tattoo parlors"

SECTION 25: Downtown Specific Plan Section VI.B.2 is amended to read as follows:

"Permitted Uses -
a. First floor street-front level, above and behind street front level and adjacent to alleys:
   a.i) Retail sales and services
   b.ii) Restaurants
   c.iii) Recreational uses
   d.iv) Government offices
   e.v) General offices
   f.vi) Medical-dental offices
   g.vii) Clubs and halls
   h.viii) Schools
   i.ix) Theaters
   j.x) Banks
   k.x) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review.
   l.x) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

b. Above street-front level:
   i) All uses listed above in a.
   ii) Business tenant/owner-occupied residential units
   iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration."

SECTION 26: Downtown Specific Plan Section VI.B.5 is amended to read as follows:

a. First floor street-front level, with a minimum building depth of 25 feet:
   a.i) Bars
   b.ii) Outdoor entertainment and dancing
   c.iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year
   d.iv) Video arcades with four or more machines
Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls.”

SECTION 27: Downtown Specific Plan Section VI.B.6 is amended to read as follows:

“Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:

a. Drive-thru restaurants
b. Churches
c. Service stations”

c. Service stations”

SECTION 28: Downtown Specific Plan Section VI.C.2 is amended to read as follows:

“Permitted Uses-
a. First floor street-front level, above and behind street front level and adjacent to alleys:
   a.i) Retail sales and services
   b.ii) Restaurants
e.iii) Recreational uses
d.iv) Governmental offices
e.v) General offices
f.vi) Medical-dental offices
g. Club and halls
h.vii) Schools
i. Theaters
j.viii) Banks
k. Bed and Breakfast Hotels
l. Artist and design studios
m.ix) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review
n.x) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.”

b. Above street-front level:
   i) All uses listed above in a.
   ii) Business tenant/owner-occupied residential units
   iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.”

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SECTION 29: Downtown Specific Plan Section VI.C.5 is amended to read as follows:


a. First floor street-front level, with a minimum building depth of 25 feet:
   a. i) Bars
   b. ii) Outdoor entertainment and dancing
   e. iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year
   d. iv) Video arcades with four or more machines
   e. v) Other similar uses approved by the Director of Community, Economic and Development Services, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls"

SECTION 30: Downtown Specific Plan Section VI.C.6 is amended to read as follows:

"Prohibited Uses -
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Uses Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:

a. Drive-thru restaurants
b. Churches
e. b. Service stations"

SECTION 31: Downtown Specific Plan Section VI.D.2 is amended to read as follows:

"Permitted Uses -
a. First floor street-front level, above and behind street front level and adjacent to alleys:
   a. i) Retail sales and services
   b. ii) Restaurants
   e. iii) Recreational uses
   d. iv) Governmental offices
   e. v) General offices
   f. vi) Medical-dental offices
   g. Clubs and halls
   h. vii) Schools
   i. viii) Theaters
   j. viii) Banks
   k. ix) Bed and Breakfast hotels"
Artists and design studios
Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review
Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration

b. Above street-front level:
   i. All uses listed above in a.
   ii. Business tenant/owner-occupied residential units
   iii. Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration

SECTION 32: Downtown Specific Plan Section VI.D.5 is amended to read as follows:

"Uses Subject to a Conditional Use Permit – (Chapter 20.74 of the El-Segundo Municipal Code) (El Segundo Municipal Code Chapter 15-23)
a. First floor street-front level, with a minimum building depth of 25 feet:
   a.i) Bars
   b.ii) Outdoor entertainment and dancing
   e.iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year
   e.iv) Video arcades with four or more machines
   e.v) Other similar uses approved by the Director of Community, Economic and Development Services Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
   i. All uses listed above in a.
   ii. Assembly halls."

SECTION 33: Downtown Specific Plan Section VI.D.6 is amended to read as follows:

"Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Uses Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
a. Drive-thru restaurants
b. Churches
c. Service stations."

SECTION 34: Downtown Specific Plan Section VI.E.2 is amended to read as follows:

"Permitted Uses-
a. First floor street-front level and adjacent to pedestrian access ways, including internal access ways, with a minimum building depth of 25
feet:

i. (i) Retail sales and services  
ii. (ii) Restaurants  
iii. (iii) Recreational uses  
iv. (iv) Government offices  
v. (v) Banks, not to exceed 500 square feet  
vi. (vi) General offices  
vii. (vii) Medical-dental offices  
viii. (viii) Bed and breakfast hotel  
ix. (ix) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review.  
x. (x) Other similar pedestrian oriented retail-service uses and offices, approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.  
   ii) Clubs and halls  
   iii. (iii) Schools and daycare  
   iv) Theaters  
v. (v) Banks  
vii. (vii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration.

c. Above street-front level:
   i) All uses listed above in a.  
   ii) Business tenant/owner-occupied residential units  
   iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration."

SECTION 35: Downtown Specific Plan Section VI.E.5 is amended to read as follows:

a. First floor street-front level, with a minimum building depth of 25 feet:
   a. (i) Bars  
   b. (ii) Outdoor entertainment and dancing  
   e. (iii) Outdoor amplified sound, which exceeds more than four single events in one calendar year  
   e. (iv) Video arcades with four or more machines  
   e. (v) Other similar uses approved by the Director of Community, Economic and Development Services, Planning and Building Safety, as provided by Section V., Administration."
b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls

SECTION 36: Downtown Specific Plan Section VI.E.6 is amended to read as follows:

"Prohibited uses -
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses Subject to an Administrative Use Permit or Uses Subject to a Conditional Use Permit are prohibited. Prohibited uses include, without limitation:
   a. Drive-thru restaurants
   b. Churches
   e-b. Service stations"

SECTION 37: Downtown Specific Plan Section VI.F.2 is amended to read as follows:

"Permitted Uses -
First floor street-front level, with a minimum building depth of 25 feet:
   i) Retail sales and services
   ii) Restaurants
   iii) Recreational uses
   iv) Government offices
   v) Banks
   vi) General offices
   vii) Medical-dental offices
   viii) Clubs and halls
   ix) Theaters
   x) Schools
   xi) Outdoor retail uses such as newsstands, coffee carts and flower stands, up to 200 square feet in area, subject to design review.
   xii) Other similar pedestrian oriented retail-service uses and offices approved by the Director of Planning and Building Safety, as provided by Section V., Administration."

SECTION 38: Downtown Specific Plan Section VI.F.5 is amended to read as follows:

"Uses Subject to a Conditional Use Permit – (El Segundo Municipal Code Chapter 15-23)
   a. First floor street-front level, with a minimum building depth of 25 feet:
      a-i) Bars
      b-ii) Video arcades with four or more machines
      e-iii) Other similar uses approved by the Director of Planning and Building Safety, as provided by Section V., Administration."
b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls."

SECTION 39: Downtown Specific Plan Section VI.F.6 is amended to read as follows:

"Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses,
Uses Subject to an Administrative Use Permit or Uses Subject to a
Conditional Use Permit are prohibited. Prohibited uses include, without
limitation:
a. Drive-thru restaurants
b. Assembly halls
e.b. Service stations
d.c. Tattoo parlors
e.d. Outdoor entertainment and dancing
f.e. Outdoor amplified sound, which exceeds more than four single
   events in one calendar year."

SECTION 40: Downtown Specific Plan Section VI.G.5 is amended to read as follows:

"Uses Subject to a Conditional Use Permit – (El Segundo Municipal Code
Chapter 15-23)
a. First floor street-front level, with a minimum building depth of 25 feet:
   a.i) Bars
   b.i) Bed and Breakfast Inns
e.iii) Video arcades with four or more machines
d.iv) Other similar uses approved by the Director of Planning and
   Building Safety, as provided by Section V., Administration.

b. Above and behind street-front level, and adjacent to alleys:
   i) All uses listed above in a.
   ii) Assembly halls."

SECTION 41: Downtown Specific Plan Section VI.G.6 is amended to read as follows:

"Prohibited Uses-
All other uses which are not Permitted Uses, Permitted Accessory Uses, Uses
Subject to an Administrative Use Permit or Uses Subject to a Conditional Use
Permit are prohibited. Prohibited uses include, without limitation:
a. Drive-thru restaurants
b. Assembly hall uses
e.b. Service stations
g.c. Tattoo parlors
h.d. Outdoor entertainment and dancing
g.c. Tattoo parlors
h.d. Outdoor entertainment and dancing
i.e. Outdoor amplified sound, which exceeds more than four single events in one calendar year."

SECTION 42: CONSTRUCTION. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council’s intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 43: ENFORCEABILITY. Repeal of any provision of the El Segundo Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 44: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 45: If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 46: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.
SECTION 47: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this ___ day of _________, 2010.

______________________________
Eric Busch, Mayor

ATTEST:

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF EL SEGUNDO

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. ___ was duly introduced by said City Council at a regular meeting held on the ___ day of _________, 2010, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the ___ day of _________, 2010, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

______________________________
Cindy Mortesen, City Clerk

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

By: ___________________________
Karl H. Berger, Assistant City Attorney
FINDING OF CONSISTENCY WITH GENERAL PLAN EIR

CITY OF EL SEGUNDO
AMENDMENT TO EL SEGUNDO MUNICIPAL CODE TO AMEND TITLE 15 OF THE
EL SEGUNDO MUNICIPAL CODE AND ESTABLISH A CHAPTER REGULATING
ASSEMBLY HALL USES

August 2010

The City of El Segundo initiated an application that proposing to amend Title 15 of the El Segundo Municipal Code and establish a chapter regulating assembly hall uses. The proposal constitutes a "project" under the California Environmental Quality Act (CEQA). Thus, environmental review is required pursuant to CEQA (Public Resources Code §§ 21000 et seq.), the State CEQA Guidelines (14 Cal. Code of Regs. §§ 15000, et seq.), and the City of El Segundo CEQA Guidelines. This document serves as the project environmental documentation pursuant to CEQA.

Background

In 1992, El Segundo adopted a comprehensive update of its General Plan, which included the Land Use and Economic Development elements. The 1992 General Plan and its subsequent amendments set forth policy for land use development in El Segundo and within its sphere of influence. The circumstances, impacts, and mitigation requirements identified in the General Plan EIR remain applicable to the proposed amendments and the amendments do not raise any new issues and do not cause the level of impacts identified in the General Plan EIR to be exceeded. Specifically, the amendment to the El Segundo Municipal Code establishing Title 15 Chapter 13A (Assembly Halls) will establish a new definition and developments standards for assembly hall uses.

Relationship of the Zoning Text Amendment to the General Plan

The proposed amendment to the El Segundo Municipal Code ("ESMC") implements the goals, policies and programs outlined in the 1992 General Plan, including the Land Use and Noise elements. It is consistent with Goal LU1, Objective LU1-5, of the Land Use element, in that it creates policies design standards; helps create a sense of place for the entire City; develops standards that will ensure the compatibility of assembly hall uses with surrounding uses; and encourages the construction of high-quality, well designed developments through the adoption of property development standards. In addition, it is consistent with Goal N1, Objective N1-2 of the Noise Element, in that it helps ensure that City residents are not exposed to excessive noise from stationary sources. Adoption of the proposed amendment will not provide for any new development beyond that anticipated by land use policy set forth in the 1992 General Plan Update and the subsequent 2005 update of the Land Use Element.
Environmental Analysis

The proposed zone text amendment is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to existing zoning regulations and related procedures. It does not have the effect of deleting or substantially changing any regulatory standards or findings required thereof. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment. In addition, any environmental impacts associated with this ordinance are adequately addressed in the General Plan FEIR. Accordingly, this Ordinance is consistent with the General Plan FEIR and is exempt from further environmental review requirements under the California Environmental Quality Act. Furthermore, this Ordinance constitutes a component of the El Segundo Municipal Code which the Planning Commission determined to be consistent with the FEIR for the City of El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to 14 Cal. Code Regs. § 15168(c)(2).

Findings

Based on the above analysis, the City of El Segundo makes the following findings:

1. In 1992, the City of El Segundo adopted a comprehensive General Plan update and certified a Final EIR.

2. The proposed amendment consists of text changes. The ESMC Title 15 Chapter 13A (Assembly Halls) will be established to regulate assembly hall uses. The new Chapter 13A will set a new definition and new development standards for assembly halls. In addition, the permitted uses and conditionally permitted uses in various zones and the Downtown Specific Plan will be amended to accommodate assembly hall uses.

3. Adoption of proposed amendment will not result in any new or increased environmental effects, and no new mitigation measures are required.

4. Pursuant to Section 15168(c)(2) of the CEQA Guidelines, no new environmental documentation is required for adoption of the amendments to the ESMC.
EL SEGUNDO CITY COUNCIL

AGENDA STATEMENT

MEETING DATE: September 21, 2010
AGENDA HEADING: Special Orders of Business

AGENDA DESCRIPTION:
Consideration and possible action to open a public hearing and receive testimony regarding: 1) approval of an Environmental Assessment for a proposed Statutory Exemption; and 2) adoption of Public Facilities Impact Fees for Police, Fire, Library, and Parks Facilities. Applicant: City Initiated (Fiscal Impact: Increased Fee Revenue from Police, Fire and Library Public Facilities Impact Fees and Establishment of New Parks Impact Fees)

RECOMMENDED COUNCIL ACTION:
1. Open the public hearing;
2. Discussion;
3. Adopt a Resolution establishing Public Facilities Impact Fees; and/or
4. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Resolution
2. Exhibit A - Public Facilities Impact Fee Study
3. Neighboring Jurisdiction Mitigation Fees Comparison Table
4. Development Scenario Comparison Tables
5. Parks Fee Comparison

FISCAL IMPACT:
Amount Budgeted: N/A
Additional Appropriation: N/A
Account Number(s): 702-300-8107-3972; 702-300-8122-3972; 702-300-8132-3972; and new 702-300 Revenue Account for Parks Impact Fee

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. Introduction

As part of the City’s Strategic Planning work program for 2009-2010, the City Council directed Planning staff to oversee the preparation of the Public Facilities Impact Fee Study and to assist the City’s Police, Fire, Library and Parks Departments in making recommendations to Council regarding new and updated public facilities impact fees.

The City retained the services of Willdan Financial Services to prepare the Public Facilities Impact Fee Study. The purpose of this comprehensive fee study is to determine the actual cost of public facilities needed to serve new development and the maximum justified fee levels that can
be imposed on new development to maintain the City's existing public facilities standard of service.

City Staff is recommending that the City adopt public facilities impact fees that are lower than the maximum justified fees identified in the Willdan study.

II. Background

The goal of development impact fees is for applicants proposing new development to pay their fair share of the costs of providing public services and facilities. In December 2005, the City of El Segundo adopted ESMC Chapter 15-27A, "Development Impact Fees" when it updated its traffic congestion mitigation fees. ESMC Chapter 15-27A establishes the City's procedures for imposing development impact fees on applicants seeking to construct development projects in compliance with State law. The traffic congestion mitigation fee rates were based on the recommendations in a traffic impact fee study prepared by MuniFinancial (now Willdan Financial Services).

Currently, the City charges police, fire and library impact fees for development projects that require discretionary planning entitlements. This policy does not impose fees on all new development in the City, since many new construction projects are approved administratively and do not require discretionary approval of the Planning Commission or City Council. As a result, many new construction projects occurring in the City do not contribute any money toward expanded public facilities to service new development.

The current impact fees were established in the mid-1980's and have not been adjusted for inflation. The amount collected from the City's current policy is inadequate to pay for public facilities costs associated with new development. The current police, fire, and library fees are $0.11, $0.14, and $0.03 per square foot respectively. A parks facility fee has never been established or charged for new development in El Segundo. El Segundo is the only city in the survey of local jurisdictions conducted by City Staff to not currently assess a parks development impact fee (Exhibit 5).

The attached Public Facilities Impact Fee Study prepared by Willdan Financial Services (See Exhibit 2) includes the following information: 1) The study explains the background for public facilities financing in California in general and El Segundo in particular; 2) The study identifies the demographic and construction activity assumptions used as a basis in developing the proposed fees; 3) The study then develops a fee in each public facility category that would fund the fair share cost to new development for police, fire, library and parks facilities, land and equipment; 4) The study outlines how the City should implement the new fees, adjust the fees for inflation, and identifies State of California reporting requirements; and 5) The study concludes with making five statutorily required findings of the Mitigation Fee Act that are required adopt the maximum justified public facilities fees contained in the study.

The proposed mitigation fees identified in the study would be used by each Department to fund expanded facilities to serve new development in the City. Each fee is restricted to funding only new facilities and equipment within the category the fee was collected for. All impact fees collected must be deposited into a dedicated account and cannot be commingled with the City's
other funds. Each affected City Department provided a list of future facilities that could be purchased or built with the revenue collected from the fee. The lists of potential future facilities are included in the Willdan study. These facilities are representative of the types of facilities and equipment that are anticipated to serve additional residents and employees. However, the specific facilities can be changed during the planning period to accommodate the demands of new development.

Additionally, impact fees are only collected on net new development. For example, if a single-family home is demolished and a new single-family home is constructed on that same lot, no impact fee is charged because there is a net gain of 0 residential units and no increase in development impacts. Alternatively, if a lot is vacant and it has never been developed, the impact fees would be charged when a new single-family home is constructed on the vacant lot.

III. Analysis

The Willdan Public Facilities Study is based on a 20-year planning horizon. The City’s residential and worker populations, as well as future facilities needs are estimated for the year 2030. The study uses City permit history, Federal Census data, California Department of Finance estimates and Southern California Association of Governments estimates to develop growth projections for the year 2030. The projected residential growth is for 720 new residents which will be housed in 60 new single-family homes and 290 new multi-family housing units. A total of 5,840,000 square feet of new commercial, office, and industrial development is projected to be added by 2030.

To determine the fair share of future planned public facilities for new residents and business the study uses the System Plan method to calculate police, fire and library fees. This method is useful to analyze police, fire and library services as each is part of a system that benefits both existing and new development. The method calculated the impact fee based on: the value of existing facilities plus the cost of planned facilities, divided by demand from existing plus new development. The System Plan method ensures that new development does not pay for existing service deficiencies. The System Plan calculations are located on the following pages of the Willdan study: Police (pages 17 to 20), Library (pages 21 to 24) and Fire (pages 25 to 28).

The study uses the Existing Inventory method for parks. This method assumes that there are no existing service deficiencies for parks. New development will fund the expansion of facilities at the same standard that currently serves existing development. The existing inventory method is calculated based on dividing the current value of existing facilities by the demand from current development to come up with a dollar cost per unit of demand (per resident or worker). For the Existing Inventory method fee calculation for Parks see pages 29 through page 36 in the Willdan Study.

Table E.2 on page six of the Willdan study is a fee schedule summarizing the development impact fees calculated using the above two methods. City Staff compared the Willdan fee schedule against the development impact fees that neighboring jurisdictions currently impose on new development projects. The jurisdictions included in the comparison are: Manhattan Beach, Hermosa Beach, Redondo Beach, Torrance, Hawthorne, City of Los Angeles, Long Beach and Culver City. The data gathered from this comparison survey is summarized in the attached
neighboring jurisdiction mitigation fee comparison table (Exhibit 3). At the completion of the
data gathering process it was clear to Staff that if the City were to impose the development
impact fee schedule in the Willdan study these fees would be highest among the comparison
cities.

The Willdan report states that the City may legally adopt any fee up to the amounts shown on
Table E.2 in the report. Willdan makes a further recommendation that if the City chooses to
adopt lower fees, then the City should consider reducing the fee for each land use by the same
percentage. In reviewing the fee methodology, a fairly high percentage of the justification is
based on the value of land used by existing facilities. If the land is removed from the
methodology, the potential fee levels are significantly lower. This reduction will keep the City’s
development impact fees at a level more consistent with the fees charged by neighboring
jurisdictions.

Staff’s recommendation for the fee reduction is based upon the assumption that the City is
relatively built-out and improvements to City services for future development will likely occur
through the purchase of new equipment and the addition and enhancement of facilities on land
the City already owns and not through the purchase of additional land. The recommended fees
further reduce the recommended impact fees for new single-family and two-family residences by
an additional 50%, to keep those fees in line with the average fees charged to single-family
development in the comparison jurisdictions. The table below summarizes the level of fees
recommended by City Staff for Police, Library, Fire, and Parks impact fees. The recommended
fees are substantially lower than the maximum justified fees identified in the Willdan study.
This approach is consistent with existing Planning and Building Safety fee policy that assesses a
lower fee for single-family home construction.

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>POLICE</th>
<th>LIBRARY</th>
<th>FIRE</th>
<th>PARKS</th>
<th>TOTAL</th>
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</thead>
<tbody>
<tr>
<td>Residential (Per Unit)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SFR, Two-Family</td>
<td>$986</td>
<td>$1,233</td>
<td>$431</td>
<td>$1,662</td>
<td>$4,312</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>$1,314</td>
<td>$1,640</td>
<td>$572</td>
<td>$2,209</td>
<td>$5,735</td>
</tr>
<tr>
<td>Caretaker</td>
<td>$852</td>
<td>$1,064</td>
<td>$371</td>
<td>$1,433</td>
<td>$3,720</td>
</tr>
<tr>
<td>Non-Residential (Per Square Foot)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>$0.45</td>
<td>NA</td>
<td>$0.43</td>
<td>$0.41</td>
<td>$1.29</td>
</tr>
<tr>
<td>Office</td>
<td>$0.52</td>
<td>NA</td>
<td>$0.51</td>
<td>$0.48</td>
<td>$1.51</td>
</tr>
<tr>
<td>Industrial</td>
<td>$0.25</td>
<td>NA</td>
<td>$0.24</td>
<td>$0.23</td>
<td>$0.72</td>
</tr>
</tbody>
</table>

In order to provide a clear comparison of the above recommended development impact fees with
the impact fees charged by neighboring jurisdictions, City Staff developed fee comparison tables
for four development scenarios (Exhibit 4). The development scenarios are: 1) a new single
family residence; 2) a new 6-unit, multi-family structure; 3) a new 10,000 square-foot
commercial building west of Sepulveda; and 4) a new 50,000 square-foot office building east of
Sepulveda. The development scenario comparison tables include the following information: 1) El
Segundo’s current impact fees; 2) the “full cost” recovery fee recommended in the Willdan
study; 3) the “facilities only” impact fee recommended by City Staff; and 4) fees charged by
neighboring jurisdictions. Some jurisdictions charge impact fees for facilities that other jurisdictions do not charge. Therefore, the list of impact fees included in the comparison table is more comprehensive than the impact fees that the City is currently considering. The goal of the fee comparison table is to show the overall cost of impact fees on new development and therefore compare the total package of each jurisdiction’s fees. This is why the “storm drain” and “traffic mitigation” fees are included in the comparisons.

Below each development scenario comparison table (Exhibit 4) is a list ranking the total fees charged by each jurisdiction. The fee ranking list includes the current El Segundo fees, the recommended “facilities only” fees, the “full cost” recovery fees from the Willdan Public Facilities Impact Fee Study, and the total fees charged by neighboring jurisdictions. The list includes an average of all of the neighboring jurisdiction’s fees. Staff also developed an “adjusted average” to take into account that some neighboring jurisdictions have not yet adopted impact fees or do not charge impact fees for certain categories of development. The “adjusted average” is calculated by taking all the jurisdictions that do charge fees for the category of development being evaluated then removing the jurisdictions with the highest and lowest fees from the average calculation. It is clear from the ranking lists that the recommended “Facilities Only” fees will result in a mitigation fee schedule with lower fees than most neighboring jurisdictions that have adopted mitigation fees.

Staff has also developed a Parks Fee comparison (Exhibit 5). Staff compiled the parks information into one exhibit because parks fees is a public facility impact fee that all neighboring jurisdictions currently charge. The City of El Segundo does not currently have a parks impact fee. The staff recommended “Facilities Only” fee reduces the fee by approximately 80% to 90% in comparison to the maximum justified fee in the Willdan study. The calculation of parks fee involves a very large land component therefore the staff recommended method for reducing the impact fee has a greater effect on the parks impact fee than to the recommended fire, police and library impact fees. If the City were to adopt the “full cost” recovery fee identified in the Willdan study the parks impact fee for single family residences would be more than double that of the highest fee in any neighboring jurisdiction.

The Willdan study contains tables that estimate the total revenue for each fee anticipated over the 20-year planning horizon of the study. In the table below, the Willdan fees are identified as the “Full Cost” fees. Staff compiled the total anticipated revenue for the recommended fees and identified this as the “Facilities Only” column in the table below. Staff also calculated an estimate for the maximum revenue that could be collected under the City’s current policy of charging fire, police and library impact fees for projects that require planning entitlements. The current policy is identified as “existing” in the table below. Please note that the “existing” fees are the maximum revenue that could be obtained if every development project required a planning entitlement. In practice, the revenue collected under current policy will be much lower than the estimated $1.8 million. This is because a significant percentage of future development would not require discretionary planning entitlements and therefore would not be subject to the City’s current impact fee policy.
## 20-Year Projected Revenue for Police, Fire, Library, and Parks Impact Fees

<table>
<thead>
<tr>
<th></th>
<th>Existing</th>
<th>Full Cost</th>
<th>Recommended (Facilities Only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>$898,800</td>
<td>$2,969,000</td>
<td>$2,496,200</td>
</tr>
<tr>
<td>Fire</td>
<td>$706,200</td>
<td>$2,664,500</td>
<td>$2,180,600</td>
</tr>
<tr>
<td>Library</td>
<td>$192,600</td>
<td>$625,700</td>
<td>$553,200</td>
</tr>
<tr>
<td>Parks</td>
<td>$0</td>
<td>$14,151,000</td>
<td>$2,641,300</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,797,600</strong></td>
<td><strong>$20,410,200</strong></td>
<td><strong>$7,871,300</strong></td>
</tr>
</tbody>
</table>

**Existing** - Estimate of the maximum amount that could be collected if all new non-residential and multi-family projects involved discretionary planning entitlements and were subject to fees. This estimate will be more than the actual amount collected. The calculation uses new construction assumptions in Willdan Fee Study Table 2.2: of 820,000 square feet of commercial development, 1,800,000 square feet of office development, and 3,220,000 square feet of industrial development.

**Full Cost** - Based on total fees identified in the Willdan Financial Study.

**Recommended (Facilities Only)** - Removes the cost of land from all proposed fees. Fee reduced an additional 50% for new single-family and two-family dwellings.

## IV. Inter-departmental Review/Planning and Building Advisory Group Comments

**Interdepartmental Review**

On August 25, 2010 Planning Staff met with Department Directors from Police, Parks, Fire and Library. The department heads confirmed that they have completed their review of the Willdan Study and the analysis and recommendations produced by the Planning Division. The Directors agreed with the Planning Division's recommended method to adopt development impact fees lower than those identified in the Willdan study and the fees as proposed.

**Planning and Building Advisory Group**

On September 14, 2010 Planning Staff presented the Public Facilities Impact Fee Study to the Planning and Building Advisory Group. This group consists of representatives from major business interests, architects and developers who work within the City. Staff presented the methodology of the fee study and the methods used to develop the City staff recommendation. Discussion followed the Staff presentation.

## V. Environmental Review

In accordance with the Public Resources Code and the California Environmental Quality Act (CEQA) Guidelines, the proposed resolution is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Statutory Exemption 15273 (Rates, Tolls, Fares and Charges). CEQA does not apply to the establishment of the public facilities mitigation fees as the fees are for the purpose of: a) purchasing or leasing supplies, equipment, or materials; and b) obtaining funds for capital projects, necessary to maintain service within existing service areas.
VI. Recommendation

Planning staff recommends that the City Council adopt the Resolution authorizing Public Facility Mitigation Fees as proposed. The Resolution establishes fees below the maximum justified fee as identified in the attached Public Facilities Impact Fee Study. The recommended fee schedule is included in the attached Resolution. If adopted, the proposed impact fees would become effective on November 22, 2010.
RESOLUTION NO. ____

A RESOLUTION ADOPTING DEVELOPMENT IMPACT FEES FOR POLICE, FIRE, LIBRARY, AND PARKS FACILITIES IN ACCORDANCE WITH TITLE 15 CHAPTER 27A OF THE EL SEGUNDO MUNICIPAL CODE.

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

SECTION 1: The City Council finds and declares that:

A. New land development generates impacts on public services and public facilities for which revenues generated through property taxes and other means are generally insufficient to accommodate;

B. Objective LU7-1 in the Land Use Element of the General Plan for the City of El Segundo states that it is the City's objective to provide the highest and most efficient level of public services and public infrastructure financially possible;

C. Policy LU7-1.2 in the Land Use Element of the General Plan for the City of El Segundo states no new development is allowed unless adequate public facilities are in place or otherwise provided;

D. It is the City's intent and desire to have developers pay for their fair share of public costs associated with new development while at the same time facilitating growth that is in the public interest;

E. The imposition of impact fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development. This must be done in order to promote and protect the public health, safety and welfare;

F. The City Council may establish development impact fees for police, fire, library and parks under the provisions of the State of California Mitigation Fee Act (Government Code §§ 66000-66025);

G. This Resolution is adopted pursuant to Title 15 Chapter 27A of the El Segundo Municipal Code (ESMC) for the purposes of calculating development impact fees;

H. The fees established by this Resolution are derived from, are based upon, and do not exceed the costs of providing capital facilities necessitated by the new land developments for which the fees are levied;
I. The report entitled “Public Facilities Impact Fee Study” dated August 30, 2010, prepared by Wildan Financial Services, set forth a reasonable methodology and analysis for the determination of the impact of new development on the need for and costs for additional capital facilities improvements in the City. The Fee Study is attached as Exhibit “A,” and incorporated by reference;

J. City Staff has evaluated the “Public Facilities Impact Fee Study,” prepared by Wildan Financial Services and has recommended a reduced fee schedule identified in Section 3 of this Resolution;

K. Pursuant to Government Code § 66016, the City made data available regarding the cost, or estimated cost, of providing services for the proposed public facility impact fees ten (10) days before the public hearing held on September 21, 2010;

L. On September 21, 2010 the City Council heard public testimony and considered evidence in a public hearing held and noticed in accordance with Government Code §§ 66016 and 66018;

M. After careful consideration, including a review of the documentary and testimonial evidence submitted during the public hearing, the City Council finds that the imposition of impact fees to finance major public facilities is in the best interests of the general welfare of the City and its residents and workers, is equitable, and does not impose an unfair burden on new development;

N. At the recommendation of the City’s Departments and the City Manager, the City Council believes that it is in the public interest to establish the recommended fees to recover the costs of police, fire, library, and parks facilities; and

O. This Resolution relies on the documentary and testimonial evidence submitted to the City during the public hearing held on September 21, 2010 in addition to such additional information that may be in the administrative record.

SECTION 2: Calculation of Development Impact Fees.

A. The “Public Facilities Impact Fee Study” (“Fee Study”), prepared by Wildllan Financial Services calculates fire, library, police and library fees that would fund the fair share cost to new development for additional capital facilities and equipment improvements;
B. The study is based on a 20-year planning horizon. The City's residential and worker populations as well as future facilities needs are estimated for the year 2030;

C. The study determines a fair share of future planned public facilities using the System Plan method to calculate police, fire and library fees. This method is used for police, fire and library as each is part of a system that benefits both existing and new development. Using the System Plan method ensures that new development does not pay for existing service deficiencies;

D. The study uses the Existing Inventory method to calculate the parks fee. This method assumes no existing service deficiencies and sets a fee that will fund the expansion of park facilities at the same standard that currently serves existing development;

E. The level of development fees in the Fee Study is based on a reasonable methodology to determine the impacts and costs of new development. However, based on an evaluation of the development impact fees charged in neighboring jurisdictions, City staff recommends a reduced level of fees be adopted;

F. The City may adopt development impact fees up to the amounts legally justified in the Fee Study. Staff recommends that the City reduce the fees proposed in the Fee Study by removing the cost of land from the System Plan and Existing Inventory method calculations. This will establish the City's development impact fees at a level more consistent with the fees charged by neighboring jurisdictions; and

G. Staff recommends that the impact fees for new single-family and two-family residences be reduced by an additional 50% to keep the development impact fee in line with the average fees charged to single-family development in neighboring jurisdictions.
SECTION 3: Schedule of Development Impact Fees. Based upon the methodology identified in Section 2, the development impact fees are established as follows:

Development Impact Fee Table

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>POLICE</th>
<th>LIBRARY</th>
<th>FIRE</th>
<th>PARKS</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SFR, Two-Family</td>
<td>$986</td>
<td>$1,233</td>
<td>$431</td>
<td>$1,662</td>
<td>$4,312</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>$1,314</td>
<td>$1,640</td>
<td>$572</td>
<td>$2,209</td>
<td>$5,735</td>
</tr>
<tr>
<td>Caretaker</td>
<td>$852</td>
<td>$1,064</td>
<td>$371</td>
<td>$1,433</td>
<td>$3,720</td>
</tr>
<tr>
<td>Non-Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>$0.45</td>
<td>N/A</td>
<td>$0.43</td>
<td>$0.41</td>
<td>$1.29</td>
</tr>
<tr>
<td>Office</td>
<td>$0.52</td>
<td>N/A</td>
<td>$0.51</td>
<td>$0.48</td>
<td>$1.51</td>
</tr>
<tr>
<td>Industrial</td>
<td>$0.25</td>
<td>N/A</td>
<td>$0.24</td>
<td>$0.23</td>
<td>$0.72</td>
</tr>
</tbody>
</table>

SECTION 4: Fee Adjustment. Unless otherwise revised, the fees established by this Resolution will be automatically adjusted on an annual basis concurrently with the adoption of the capital improvement plan (CIP) each fiscal year in September. The method for annual inflation adjustment is established as set forth in Exhibit A, “Public Facilities Impact Fee Study.” The first fee adjustment cannot be made before a minimum of ten (10) months after the effective date of this Resolution.

SECTION 5: Exempt under the California Environmental Quality Act. In accordance with the Public Resources Code (Cal. Pub. Res. Code §§ 21000, et seq.; “CEQA”) and the California Environmental Quality Act (CEQA) Guidelines (Cal. Code Regs. Title 14, Code §§ 15000, et seq.), the proposed resolution is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Statutory Exemption 15273 (Rates, Tolls, Fares and Charges). CEQA does not apply to the establishment of the public facilities mitigation fees as the fees are for the purpose of a) purchasing or leasing supplies, equipment, or materials; and b) obtaining funds for capital projects, necessary to maintain service within existing service areas. This Resolution, therefore, is categorically exempt from further CEQA review under Cal. Code Regs. Title 14, § 15273.

SECTION 6: Effective Date of this Resolution. This resolution will become effective immediately upon adoption. The development impact fees that are established pursuant to Section 3 of this Resolution and imposed upon development projects are effective on the 60th day from the date this resolution is adopted.
SECTION 7: City Clerk. The City Clerk will certify the passage and adoption of this Resolution; will enter the same in the book of original Resolutions of said City; and will make a minute of the passage and adoption thereof in the record of proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.

PASSED AND ADOPTED this 21st day of September 2010.

________________________________________
Eric Busch, Mayor

ATTEST:

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. ___ was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the 21st day of September 2010, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

________________________________________
Cindy Mortensen, City Clerk

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

By: _______________________________________
Karl H. Berger, Assistant City Attorney

P:\Planning & Building Safety\0 Planning - Old\PROJECTS (Planning)\701-725\EA-723\City Council Report and Reso\EA-723.reso.CC.09.21.10.doc
CITY OF EL SEGUNDO

PUBLIC FACILITIES IMPACT FEE STUDY

AUGUST 30, 2010

WILLDAN
Financial Services

EXHIBIT A
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Executive Summary

This report summarizes an analysis of the need for public facilities and capital improvements to support future development within the City of El Segundo through 2030. It is the City’s intent that the costs representing future development’s share of these facilities and improvements be imposed on that development in the form of a development impact fee, also known as a public facilities fee. The public facilities and improvements included in this analysis of the City’s public facilities fee program are divided into the fee categories listed below.

- Police
- Library
- Fire Protection
- Parks

Background and Study Objectives

The primary policy objective of a public facilities fee program is to ensure that new development pays the capital costs associated with growth. The primary purpose of this report is to complete a comprehensive fee study and determine the maximum justified public facilities fee levels to impose on new development to maintain the City’s facilities standard. The City should review and update this report and the calculated fees once every five years to incorporate the best available information.

The City imposes public facilities fees under authority granted by the Mitigation Fee Act, contained in California Government Code Sections 66000 et seq. This report provides the necessary findings required by the Act for adoption of the public facilities fees presented in the fee schedules contained herein.

Demographic Assumptions

To estimate facility needs, this study uses residential and household population data provided by the City of El Segundo, the California Department of Finance (DOF), the U.S. Census, and the Southern California Council of Governments’ (SCAG) 2008 Regional Transportation Plan (RTP). Current year population estimates came from the DOF data. Population and residential dwelling unit projections are based on growth rates derived from the City’s building permit history. Employment projections for 2030 came from the RTP data. Employment square footage was derived using the RTP data and employment density factors from the Natelson Company Employment Density Study Summary Report. The development projections used in this analysis are summarized in Table E.1.
Table E.1: Demographic Assumptions

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2030</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residents(^1)</td>
<td>16,970</td>
<td>17,690</td>
<td>720</td>
</tr>
<tr>
<td>Dwelling Units(^1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family, Two-Family</td>
<td>3,590</td>
<td>3,650</td>
<td>60</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>3,770</td>
<td>4,060</td>
<td>290</td>
</tr>
<tr>
<td>Caretaker</td>
<td>10</td>
<td>30</td>
<td>20</td>
</tr>
<tr>
<td>Total</td>
<td>7,370</td>
<td>7,710</td>
<td>340</td>
</tr>
<tr>
<td>Employment(^2,(^3,(^4))</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>8,130</td>
<td>9,770</td>
<td>1,640</td>
</tr>
<tr>
<td>Office</td>
<td>21,150</td>
<td>25,410</td>
<td>4,260</td>
</tr>
<tr>
<td>Industrial</td>
<td>17,920</td>
<td>21,530</td>
<td>3,610</td>
</tr>
<tr>
<td>Total</td>
<td>47,200</td>
<td>56,700</td>
<td>9,500</td>
</tr>
<tr>
<td>Building Square Feet (000s)(^5)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>4,020</td>
<td>4,840</td>
<td>820</td>
</tr>
<tr>
<td>Office</td>
<td>8,920</td>
<td>10,720</td>
<td>1,800</td>
</tr>
<tr>
<td>Industrial</td>
<td>16,000</td>
<td>19,220</td>
<td>3,220</td>
</tr>
<tr>
<td>Total</td>
<td>28,940</td>
<td>34,780</td>
<td>5,840</td>
</tr>
</tbody>
</table>

Note: All values rounded to nearest ten; totals may not be exact.

\(^1\) California Department of Finance (DOF).
\(^2\) Excludes local government employment.
\(^3\) Assumes percentage of employees by land use remains constant to total from 2009 to 2030. 2030 estimates based on existing ratio of sector by sector employment and rounded to hundreds to account for error.
\(^4\) Estimates by land use type for 2009 based on employment data provided from EDD by North American Industry Classification System (NAICS) category.
\(^5\) Based on employment by land use and occupant density shown in Table 2.1.

Sources: California Department of Finance (DOF), Table E-5, 2009; Southern California Association of Governments (SCAG) 2008 Regional Transportation Plan Growth Forecast; California Employment Development Department (EDD); Employment Density Study Summary Report, prepared by the Natelson Company, October 2001; Willdan Financial Services.

Permit records in the City of El Segundo show the development of 12 caretaker units during the past 10 years. The SCAG RTP data did not include a projection for caretaker units, so development projections in this land use category are based on the historical permit data from the City. Caretaker units are assumed to continue to develop at the rate of 12 units every 10 years, or approximately 1.2 units per year.

Employment projections for 2030 are based on the assumption that the proportion of employees located in each land use category listed remains consistent with the base year.
Facility Standards and Costs of Growth

This fee analysis uses two different facilities standards to determine the costs to accommodate growth. For the parks and recreation facility category, the City’s existing facilities standard is used to determine the costs to accommodate growth. Under this approach, new development funds the expansion of facilities at the same standard currently serving existing development. By definition the existing inventory method results in no facility deficiencies attributable to existing development. This method is often used when a long-range plan for new facilities is not available.

For the police, library and fire facility categories, the system plan facility standard is used. This method is useful when planned facilities need to be analyzed as part of a system that benefits both existing and new development. It is difficult, for example, to allocate a new fire station solely to new development when that station will operate as part of an integrated system of fire stations that together achieve the desired level of service.

The system plan method ensures that new development does not pay for existing deficiencies. This method enables the calculation of the existing deficiency required to bring existing development up to the policy-based standard. The City must secure non-fee funding for that portion of planned facilities required to correct the deficiency to ensure that new development receives the level of service funded by the impact fee.

Fee Schedule Summary

Table E.2 summarizes the schedule of maximum justified public facilities fees based on the analysis contained in this report. The City may adopt any fee up to those shown in the table. If the City adopts a lower fee then it should consider reducing the fee for each land use by the same percentage. This approach would ensure that each new development project would fund the same proportionate share of public facilities costs.

Table E.2: Development Impact Fee Summary

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Police</th>
<th>Library</th>
<th>Fire</th>
<th>Parks</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential</strong></td>
<td>(Fee per Dwelling Unit)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family, Two-Family</td>
<td>$2,294</td>
<td>$2,464</td>
<td>$1,037</td>
<td>$17,141</td>
<td>$22,936</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>$1,527</td>
<td>$1,640</td>
<td>$691</td>
<td>$11,406</td>
<td>$15,264</td>
</tr>
<tr>
<td>Caretaker</td>
<td>$990</td>
<td>$1,064</td>
<td>$448</td>
<td>$7,399</td>
<td>$9,901</td>
</tr>
<tr>
<td><strong>Nonresidential</strong></td>
<td>(Fee per 1,000 Building Square Feet)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>$517</td>
<td>N/A</td>
<td>$521</td>
<td>$2,119</td>
<td>$3,157</td>
</tr>
<tr>
<td>Office</td>
<td>$607</td>
<td>N/A</td>
<td>$612</td>
<td>$2,485</td>
<td>$3,704</td>
</tr>
<tr>
<td>Industrial</td>
<td>$287</td>
<td>N/A</td>
<td>$289</td>
<td>$1,174</td>
<td>$1,750</td>
</tr>
</tbody>
</table>

Note: Fees per dwelling unit, per 1,000 square feet for nonresidential.

Sources: Tables 3.6, 4.6, 5.6 and 6.8; Willdan Financial Services.
1. Introduction

This report presents an analysis of the need for public facilities to accommodate new development in the City of El Segundo. This chapter explains the study approach and summarizes results under the following sections:

- Background and study objectives;
- Public facilities financing in California;
- Public facilities planning and financing in El Segundo;
- Public facility standards; and,
- Organization of the report.

Background and Study Objectives

The primary policy objective of a public facilities fee program is to ensure that new development pays the capital costs associated with growth. The primary purpose of this report is to complete a comprehensive fee study and determine the maximum justified public facilities fee levels to impose on new development to maintain the City's facility standards. The City should review and update this report, as well as the calculated fees, once every five years to incorporate the best available information.

The City imposes public facilities fees under authority granted by the Mitigation Fee Act, contained in California Government Code Sections 66000 et seq. This report provides the necessary findings required by the Act for adoption of the public facilities fees presented in the fee schedules contained herein.

Public Facilities Financing in California

The changing fiscal landscape in California during the past 30 years has steadily undercut the financial capacity of local governments to fund infrastructure. Three dominant trends stand out:

- The passage of a string of tax limitation measures, starting with Proposition 13 in 1978 and continuing through the passage of Proposition 218 in 1996;
- Declining popular support for bond measures to finance infrastructure for the next generation of residents and businesses; and
- Steep reductions in federal and state assistance.

Faced with these trends, many cities and counties have adopted a policy of "growth pays its own way". This policy shifts the burden of funding infrastructure expansion from existing rate and taxpayers onto new development. This funding shift has been accomplished primarily through the imposition of assessments, special taxes, and development impact fees also known as public facilities fees. Assessments and special taxes require approval of property owners and are appropriate when the funded facilities are directly related to the developing property. Development fees, on the other hand, are an appropriate funding source for facilities that benefit all development jurisdiction-wide. Development fees need only a majority vote of the legislative body for adoption.
Public Facilities Financing in El Segundo

The City of El Segundo has a number of existing infrastructure needs, as well as a potential need to expand existing infrastructure to meet the demands of community growth. Existing funding sources have not allowed for master planning at a level sufficient to develop either an exhaustive list of infrastructure projects or a phasing or scheduling plan for such projects. However, preliminary suggestions concerning facility needs are identified and described in the “Facility Needs and Costs” section of each chapter.

There are known infrastructure issues that will best be addressed through master planning efforts. A suggested use of fee revenues would be to fund master planning to more specifically identify capital facilities necessary to serve new development. Fee revenues can fund that portion of master plan costs associated with facilities to serve growth. Upon completion of the master planning effort and the identification of capital facilities needed to accommodate growth, the City should update its public facilities fee program to include these new projects and any financing costs that may be required to construct facilities when needed.

Through the process of preparing master plans, the City may choose to submit planned facilities for consideration of impact fee revenue apportionment. The City of El Segundo has provided a preliminary list of planned facilities, which are accordingly documented in this fee update. New development will pay a fee based on the value of existing and planned facilities through the development horizon. However, new development cannot be required to pay for future projects designed to correct deficiencies in existing facilities. The City will have to secure non-fee funding for that portion of planned facilities required to correct any deficiency in existing facilities.

By their nature, public facilities fee programs are constrained by rates of growth and the timing of revenue collection. Since public facilities fees represent a pay-as-you-go system, cities may confront the problem of only being able to partially fund large projects with fee revenues at the time of project implementation. Therefore, facility needs may require alternative financing options in order to implement projects in a timelier manner. The cost of financing (e.g. interest payments) can legitimately be included in the public facilities fee. By using fee revenues to fund a master planning effort and updating the fee to reflect the identified projects and possible financing costs, the City will maximize its ability to maintain its facilities standard and fund the capital facilities necessary to serve new development.

Finally, all fee-funded capital projects should be programmed through the City’s Capital Improvement Plan (CIP). Using a CIP can help the City of El Segundo identify and direct its fee revenue to public facilities projects that will accommodate future growth. By programming fee revenues to specific capital projects, the City of El Segundo identifies the use for fee revenues as expressly required by the Mitigation Fee Act.

Public Facility Standards

The key public policy issue in public facility fee studies is the identification of facility standards for each category of facilities in a fee program. A facility standard is a public policy that states the amount of facilities required per unit of new development to accommodate the increased service
demand. Examples of facility standards include park acres per capita and wastewater generation per equivalent dwelling unit. Standards also may be expressed in monetary terms such as the total cost of facility investments per capita.

The facility standard assists in documenting statutory findings required for adoption of a public facilities fee. First, the standard documents a reasonable relationship between the type of new development and the total need for new facilities. Where applicable, the same facility standard is applied to both existing and new development to ensure that new development does not fund deficiencies associated with existing development. Second, the facility standard is often used to allocate facility costs to each development project, documenting a reasonable relationship between the amount of the fee and the cost of facilities allocated to each development project.

Types of facility standards and their application in specific situations are discussed below. This section concludes with a description of how facility standards are used in the current study.

Types of Facility Standards
There are three separate components of facility standards:

- **Demand standards** determine the amount of facilities required to accommodate growth, for example, park acres per thousand residents, square feet of library space per capita, or gallons of water per day. Demand standards may also reflect a level of service such as the vehicles-to-capacity (V/C) ratio used in traffic planning.

- **Design standards** determine how a facility should be designed to meet expected demand, for example, parking requirements and technology infrastructure for city office space. Design standards are typically not explicitly evaluated as part of an impact fee analysis but can have a significant impact on the cost of facilities. Our approach incorporates current facility design standards into the fee program to reflect the increasing construction cost of public facilities.

- **Cost standards** are an alternate method for determining the amount of facilities required to accommodate growth based on facility costs per unit of demand. Cost standards are useful when demand standards were not explicitly developed for the facility planning process. Cost standards also enable different types of facilities to be analyzed based on a single measure (cost or value), useful when disparate facilities are funded by a single fee program. Examples include facility costs per capita, per vehicle trip, or cost per gallon of water per day.

New Development Facility Needs and Costs
A number of approaches are used to identify facility needs and costs to serve new development. Often there is a two step process: (1) identify total facility needs, and (2) allocate to new development its fair share of those needs.

There are three common methods for determining new development’s fair share of planned facilities costs: the existing inventory method, the system plan method, and the planned facilities method. Often the method selected depends on the degree to which the community has engaged in comprehensive facility master planning to identify facility needs.

The formula used by each approach and the advantages and disadvantages of each method is summarized below:
Existing Inventory Method

The existing inventory method allocates costs based on the ratio of existing facilities to demand from existing development as follows:

\[
\frac{\text{Current Value of Existing Facilities}}{\text{Existing Development Demand}} = \$ / \text{unit of demand}
\]

Under this method new development funds the expansion of facilities at the same standard currently serving existing development. By definition the existing inventory method results in no facility deficiencies attributable to existing development. This method is often used when a long-range plan for new facilities is not available. Only the initial facilities to be funded with fees are identified in the fee study. Future facilities to serve growth are identified through an annual capital improvement plan and budget process, possibly after completion of a new facility master plan. This method is used only in the parks and recreation facility category of this report.

Planned Facilities Method

The planned facilities method allocates costs based on the ratio of planned facility costs to demand from new development as follows:

\[
\frac{\text{Cost of Planned Facilities}}{\text{New Development Demand}} = \$ / \text{unit of demand}
\]

This method is appropriate when specific planned facilities can be identified that only benefit new development. Examples include street improvements to avoid deficient levels of service or a sewer trunk line extension to a previously undeveloped area. This method is also appropriate when planned facilities would not serve existing development, or if planned facilities represent a level of service that is lower than the current level of service. Under this method new development funds the expansion of facilities at the standards identified by facility planners. This method is not used to calculate any fees in this report.

System Plan Method

This method calculates the fee based on: the value of existing facilities plus the cost of planned facilities, divided by demand from existing plus new development:

\[
\frac{\text{Value of Existing Facilities} + \text{Cost of Planned Facilities}}{\text{Existing + New Development Demand}} = \$ / \text{unit of demand}
\]

This method is useful when planned facilities need to be analyzed as part of a system that benefits both existing and new development. It is difficult, for example, to allocate a new fire station solely to new development when that station will operate as part of an integrated system of fire stations that together achieve the desired level of service. Police substations, civic centers, and regional parks provide examples of similar facilities.

The system plan method ensures that new development does not pay for existing deficiencies. Often facility standards based on policies such as those found in General Plans are higher than existing facility standards. This method enables the calculation of the existing deficiency required
to bring existing development up to the policy-based standard. The local agency must secure non-fee funding for that portion of planned facilities required to correct the deficiency to ensure that new development receives the level of service funded by the impact fee. This method is used to calculate the police, library and fire facilities fees in this report.

Organization of the report

This report is organized as follows:

- **Chapter 1, Introduction (this chapter):** summarizes facilities financing in California, the history of public facilities impact fees in the City of El Segundo, and the general approach;

- **Chapter 2, Demographic Assumptions:** describes the growth forecasts used to estimate future demand and the unit costs used to estimate total facility costs;

- **Chapter 3, Police Facilities:** Summarizes existing police facility inventory, discusses planned police facilities and describes the methodology that underlies the police facilities fee.

- **Chapter 4, Library Facilities:** Summarizes existing library facility inventory, discusses planned library facilities and describes the methodology that underlies the library facilities fee.

- **Chapter 5, Fire Protection Facilities:** Summarizes existing fire facility inventory, discusses planned fire facilities and describes the methodology that underlies the fire facilities fee.

- **Chapter 6, Park and Recreation Facilities:** Summarizes existing parks and recreation facility inventory, discusses planned parks and recreation facilities and describes the methodology that underlies the parks and recreation facilities fee.

- **Chapter 7, Implementation:** Provides guidelines for the implementation and ongoing maintenance of the public facilities fee program.

- **Chapter 8, Mitigation Fee Act Findings:** summarizes the five statutory findings required for adoption of the proposed public facilities fees in accordance with the Mitigation Fee Act (codified in California Government Code Sections 66000 through 66025).
2. Demographic Assumptions

Estimates of existing development and new development growth projections are used to assist in determining the appropriate fee structure. The base year used in this study is 2009, and the planning horizon is 2030.

Use of Growth Forecasts for Impact Fees

Estimates of the existing service population and forecasts of growth are critical assumptions used throughout this report. These estimates are used as follows:

- Estimates of existing development in 2009 are used to determine the existing facility standards in the City.
- Estimates of total development at the 2030 planning horizon are used:
  - To determine the total amount of public facilities required to accommodate growth based on the existing facility standards (see Chapter 1) and
  - To estimate total fee revenues.

To measure existing service population and future growth, residential and worker population data are used for all facility categories with the exception of library facilities, which only use population data. These measures are used because the amount of residents and workers is a reasonable indicator of the level of demand for public facilities. The City builds public facilities primarily to serve these populations and, typically, the greater the population the larger the facility required to provide a given level of service.

Service Population

Different types of new development use public facilities at different rates in relation to each other, depending on the services provided. For all fee categories in this study a specific service population is identified to reflect total demand. The service population weights residential land use types against nonresidential land uses based on the relative demand for services between residents and workers.

Land Use Types

To ensure a reasonable relationship between each fee and the type of development paying the fee, growth projections distinguish between different land use classifications. The land use types used in this analysis are defined below per the City of El Segundo Municipal Code.

- **Single-Family, Two-Family:** A single family dwelling unit is a detached dwelling unit with only one kitchen, designed for occupancy by one family. A two-family dwelling unit is a building designed to be occupied by two (2) families living independently, the structure having only two units. For the purpose of assessing impact fees, single-family and two-family units have been grouped into a single category because the probable occupant density of these types of units is the same, as confirmed by the City’s Planning Division.

- **Multi-Family:** A building or portion thereof designed for occupancy by three (3) or more families living independently in which they may or may not share common entrances and/or other spaces. Individual dwelling units may be owned as
condominiums, or offered for rent. For the purposes of assessing impact fees, senior housing facilities are also considered multi-family units.

- **Caretaker**: A dwelling unit in the Smoky Hollow specific plan area used for a caretaker of the property on which it is located and limited to five hundred (500) square feet in area.

- **Commercial**: All commercial, retail, educational, and hotel/motel development.

- **Office**: All general, professional, and medical office development.

- **Industrial**: All manufacturing and warehouse development.

Some developments may include more than one land use type, such as an industrial warehouse with living quarters (a live-work designation) or a planned unit development with both single and multi-family uses. In these cases the public facilities fee would be calculated separately for each land use type.

The City should have the discretion to impose the public facilities fee based on the specific aspects of a proposed development regardless of the zoning designation where the project will be located. Should the project be located in an area that is not zoned as any of the above stated land use types, the guideline to use is the probable occupant density of the development, either residents per dwelling unit or workers per building square foot, to determine which fee will be charged. The fee imposed should be based on the land use type that most closely represents the probable occupant density of the development.

**Occupant Densities**

Occupant densities ensure a reasonable relationship between the increase in service population and amount of the fee. To do this, they must vary by the estimated service population generated by a particular development project. Developers pay the fee based on the number of additional housing units or building square footage of nonresidential development, so the fee schedule must convert service population estimates to these measures of project size. This conversion is done with average occupant density factors by land use type, shown in Table 2.1.

The residential occupant density factors are derived from the 2000 U.S. Census Bureau’s Tables H-31 through H-33. Table H-31 provides vacant housing units data, while Table H-32 provides information relating to occupied housing. Table H-33 documents the total 2000 population residing in occupied housing. The US Census numbers are adjusted by using the California Department of Finance (DOF) estimates for January 1, 2009, and the most recent State of California data available at the time the research for this report was completed. The occupant density factor for caretaker units was provided by the City of El Segundo.

The nonresidential density factors are based on Employment Density Study Summary Report, prepared for the Southern California Association of Governments, October 2001 by The Natelson Company. The factors used here were derived from the Los Angeles County data set. The industrial density factor represents an average for light industrial, heavy industrial, and warehouse uses likely to occur in the City.

Facility demand is estimated based on service population increases. Developers pay the public facilities fee based on the number of additional housing units or building square footage of
nonresidential development, so the fee schedule must convert service population estimates to these measures of project size. This conversion is done with average occupant density factors by land use type, shown in Table 2.1.

Table 2.1: Occupant Density

<table>
<thead>
<tr>
<th>Type</th>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential</strong></td>
<td></td>
</tr>
<tr>
<td>Single Family, Two-Family</td>
<td>2.78 Residents per dwelling unit</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>1.85    Residents per dwelling unit</td>
</tr>
<tr>
<td>Caretaker</td>
<td>1.20    Residents per dwelling unit</td>
</tr>
<tr>
<td><strong>Nonresidential</strong></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>2.02    Employees per 1,000 square feet</td>
</tr>
<tr>
<td>Office</td>
<td>2.37    Employees per 1,000 square feet</td>
</tr>
<tr>
<td>Industrial</td>
<td>1.12    Employees per 1,000 square feet</td>
</tr>
</tbody>
</table>

Note: Nonresidential occupant density factors derived from Natelson Company data are specific to Los Angeles County.


Demographic Assumptions for City of El Segundo

Table 2.2 summarizes the demographic assumptions used in this analysis. The base year for this study is the year 2009. The existing facilities in 2009 will constitute the existing facilities standard in our study.

The base year residential estimate is calculated using the density factor from Table 2.1, multiplied by the dwelling units identified in the California Department of Finance (DOF) January 1, 2009 estimates. Population projections are based on historical building permit data provided by the City. Employment projections for 2030 were derived from the Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) data. Employment square footage was derived using the RTP data and the employment density factors displayed in Table 2.1. The development projections used in this analysis are summarized in Table 2.2.
Table 2.2: Demographic Assumptions

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2030</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residents</td>
<td>16,970</td>
<td>17,690</td>
<td>720</td>
</tr>
<tr>
<td>Dwelling Units</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family, Two-Family</td>
<td>3,590</td>
<td>3,650</td>
<td>60</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>3,770</td>
<td>4,060</td>
<td>290</td>
</tr>
<tr>
<td>Caretaker</td>
<td>10</td>
<td>30</td>
<td>20</td>
</tr>
<tr>
<td>Total</td>
<td>7,370</td>
<td>7,710</td>
<td>340</td>
</tr>
</tbody>
</table>

Employment\(^2\,\text{3}\,\text{4}\)

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2030</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>8,130</td>
<td>9,770</td>
<td>1,640</td>
</tr>
<tr>
<td>Office</td>
<td>21,150</td>
<td>25,410</td>
<td>4,260</td>
</tr>
<tr>
<td>Industrial</td>
<td>17,920</td>
<td>21,530</td>
<td>3,610</td>
</tr>
<tr>
<td>Total</td>
<td>47,200</td>
<td>56,700</td>
<td>9,500</td>
</tr>
</tbody>
</table>

Building Square Feet (000s)\(^5\)

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2030</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>4,020</td>
<td>4,840</td>
<td>820</td>
</tr>
<tr>
<td>Office</td>
<td>8,920</td>
<td>10,720</td>
<td>1,800</td>
</tr>
<tr>
<td>Industrial</td>
<td>16,000</td>
<td>19,220</td>
<td>3,220</td>
</tr>
<tr>
<td>Total</td>
<td>28,940</td>
<td>34,780</td>
<td>5,840</td>
</tr>
</tbody>
</table>

Note: All values rounded to nearest ten; totals may not be exact.

1 California Department of Finance (DOF).
2 Excludes local government employment.
3 Assumes percentage of employees by land use remains constant to total from 2009 to 2030. 2030 estimates based on existing ratio of sector by sector employment and rounded to hundreds to account for error.
4 Estimates by land use type for 2009 based on employment data provided from EDD by North American Industry Classification System (NAICS) category.
5 Based on employment by land use and occupant density shown in Table 2.1.

Sources: California Department of Finance (DOF), Table E-5, 2009; Southern California Association of Governments (SCAG) 2008 Regional Transportation Plan Growth Forecast; California Employment Development Department (EDD); Employment Density Study Summary Report, prepared by the Nataison Company, October 2001; Willdan Financial Services.

Permit records in the City of El Segundo show the development of 12 caretaker units during the past 10 years. Development projections in this land use category are based on the assumption that caretaker dwelling units will continue to develop at the rate of 12 units every 10 years, or approximately 1.2 units per year.

Employment projections for 2030 are based on the assumption that the proportion of employees located in each land use category listed remains constant relative to the base year.
3. Police Facilities

The purpose of the fee is to ensure that new development funds its fair share of police facilities. The City will use fee revenues to expand general facilities to accommodate new development. Police facilities include, but are not limited to: buildings, vehicles, and capital equipment items. A fee schedule is presented based on the cost of these facilities to ensure that new development provides adequate funding to meet its needs.

### Service Population

Police facilities serve both residents and businesses. Therefore, demand for both services and associated facilities is based on the City's service population, including residents and workers.

Table 3.1 shows the estimated service population in 2009 and 2030. In calculating the service population, workers are weighted less than residents to reflect a lower per capita service demand. Nonresidential buildings are typically occupied less intensively than dwelling units, so it is reasonable to assume that average per-worker demand for services is less than average per-resident demand. The 0.31-weighting factor for workers is based on a ratio of 40 hours at work to the remaining 128 hours spent outside of work.

<table>
<thead>
<tr>
<th></th>
<th>Residents</th>
<th>Workers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing (2009)</strong></td>
<td>16,970</td>
<td>47,200</td>
<td></td>
</tr>
<tr>
<td>Weighting factor¹</td>
<td>1.00</td>
<td>0.31</td>
<td></td>
</tr>
<tr>
<td><strong>Existing Service Population</strong></td>
<td>16,970</td>
<td>14,630</td>
<td><strong>31,600</strong></td>
</tr>
<tr>
<td><strong>New Development (2009-2030)</strong></td>
<td>720</td>
<td>9,500</td>
<td></td>
</tr>
<tr>
<td>Weighting factor¹</td>
<td>1.00</td>
<td>0.31</td>
<td></td>
</tr>
<tr>
<td><strong>New Development Service Population</strong></td>
<td>720</td>
<td>2,950</td>
<td><strong>3,670</strong></td>
</tr>
<tr>
<td><strong>Total 2030 Service Population</strong></td>
<td>17,690</td>
<td>17,580</td>
<td><strong>35,270</strong></td>
</tr>
</tbody>
</table>

**Note:** Totals rounded to nearest ten.

¹ Workers are weighted at 0.31 of residents based on the ratio of 40 working hours per week to 128 non-working hours.

**Sources:** Table 2.2; Willdan Financial Services.

### Facility Standards and Planned Facilities

Police facilities in El Segundo include land, buildings and equipment. Table 3.2 shows that the City currently owns 2.44 acres of land, which serves as the site of the Civic Center Police Station. This facility consists of approximately 33,000 square feet of building space. The Police
Department owns approximately $6.8 million worth of vehicles, computers and equipment, bringing the total value of police facilities in El Segundo to approximately $18.3 million. Itemized calculations of police facility values appear in Appendix A. The inventory of police vehicles is shown in Appendix Table A.1. An inventory of computer equipment is shown in Appendix Table A.2, and an inventory of communications and miscellaneous equipment is shown in Appendix Table A.3.

**Table 3.2: Existing Police Facilities**

<table>
<thead>
<tr>
<th>Inventory</th>
<th>Unit Cost¹</th>
<th>Units</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land (acres)²</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Civic Center Police Station</td>
<td>2.44</td>
<td>$1,630,000 acres</td>
<td>$3,977,000</td>
</tr>
<tr>
<td>Buildings (square feet)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buildings (square feet)</td>
<td>32,868</td>
<td>$230</td>
<td>$7,560,000</td>
</tr>
<tr>
<td>Equipment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicles (See Appendix A.1)</td>
<td></td>
<td></td>
<td>$1,967,000</td>
</tr>
<tr>
<td>Computers (See Appendix A.2)</td>
<td></td>
<td></td>
<td>628,000</td>
</tr>
<tr>
<td>Communications and Miscellaneous (See Appendix A.3)</td>
<td></td>
<td></td>
<td>4,211,000</td>
</tr>
<tr>
<td>Subtotal - Vehicles, Computers, Communications and Misc.</td>
<td></td>
<td></td>
<td>$6,806,000</td>
</tr>
<tr>
<td>Total Value - Existing Facilities</td>
<td></td>
<td></td>
<td>$18,343,000</td>
</tr>
</tbody>
</table>

Note: Total values rounded to nearest thousand.

¹ Unit costs based on market value.
² Land value of $1.63 million per acre based on a recent appraisal of parcels within the City.

Sources: Tables A.1, A.2 and A.3; City of El Segundo; Willdan Financial Services.

The cost of land per acre is based on the average of two appraisals of similarly located parcels within the City on February 2010. These appraisals were chosen because they are representative of the types of land that the City would purchase in the future.

**Facility Needs and Costs**

Table 3.3 presents the list of police facility improvements planned for the City of El Segundo, as identified by the City of El Segundo Police Department. Expected police capital infrastructure projects include: adding a new gymnasium to the existing station, the construction of a parking structure for the Police and Fire Departments, and numerous additions to the fleet. Together, planned police facility costs amount to approximately $10.2 million.
Table 3.3: Police Department Planned Facilities

<table>
<thead>
<tr>
<th>Planned Facility</th>
<th>Quantity</th>
<th>Units</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gymnasium addition to existing station</td>
<td>3,000</td>
<td>Sq. Ft.</td>
<td>$500</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Parking Structure for Police, Fire Department</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>7,000,000</td>
</tr>
<tr>
<td>Armored Bearcat (Armored van)</td>
<td>1</td>
<td>400,000</td>
<td>400,000</td>
<td></td>
</tr>
<tr>
<td>Trailerable Patrol Boat</td>
<td>1</td>
<td>150,000</td>
<td>150,000</td>
<td></td>
</tr>
<tr>
<td>Narcotics detection dog/vehicle</td>
<td>1</td>
<td>50,000</td>
<td>50,000</td>
<td></td>
</tr>
<tr>
<td>Explosives detection dog/vehicle</td>
<td>1</td>
<td>50,000</td>
<td>50,000</td>
<td></td>
</tr>
<tr>
<td>Flat top DUI patrol Dodge Charger</td>
<td>2</td>
<td>40,000</td>
<td>80,000</td>
<td></td>
</tr>
<tr>
<td>SWAT Van</td>
<td>1</td>
<td>300,000</td>
<td>300,000</td>
<td></td>
</tr>
<tr>
<td>BMW Motorcycle</td>
<td>3</td>
<td>53,333</td>
<td>160,000</td>
<td></td>
</tr>
<tr>
<td>Command Post Vehicle</td>
<td>1</td>
<td>500,000</td>
<td>500,000</td>
<td></td>
</tr>
</tbody>
</table>

Total Cost of Planned Police Facilities                    | $10,190,000

Source: City of El Segundo Police Department.

Planned police facilities are likely to serve both existing residents and new development. As a result, this study uses the system plan approach to calculating new development's fair share of planned facility costs. This is done by taking the total value of existing and planned facilities in 2030 and dividing it by the total 2030 service population to obtain a facility standard per capita. This calculation appears in Table 3.4.

Table 3.4: Existing and Planned Police Facilities

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Facilities Value</td>
<td>$18,343,000</td>
</tr>
<tr>
<td>Planned Facilities Costs</td>
<td>10,190,000</td>
</tr>
<tr>
<td>Total Facilities Value in 2030</td>
<td>$28,533,000</td>
</tr>
<tr>
<td>Service Population in 2030</td>
<td>35,270</td>
</tr>
<tr>
<td>Cost per Resident</td>
<td>$809</td>
</tr>
<tr>
<td>Cost per Worker</td>
<td>251</td>
</tr>
</tbody>
</table>

Sources: Tables 3.1, 3.2 and 3.3; City of El Segundo Police Department; Willdan Financial Services.

Table 3.5 shows the estimated fee revenue generated by the police facilities fee. This fee is projected to generate approximately $3 million in revenue by 2030. Projected fee revenue falls short of the total cost of planned police facilities in the City of El Segundo. The remaining $7.2 million in planned facility costs must be funded by non-impact fee sources.
Table 3.5: Estimated Police Facilities Fee Revenue

<table>
<thead>
<tr>
<th>Cost Per Capita</th>
<th>$ 809</th>
</tr>
</thead>
<tbody>
<tr>
<td>Growth in Service Population (2009-2030)</td>
<td>3,670</td>
</tr>
<tr>
<td>Anticipated Fee Revenue</td>
<td>$ 2,969,000</td>
</tr>
<tr>
<td>Total Cost of Planned Police Facilities</td>
<td>$ 10,190,000</td>
</tr>
<tr>
<td>Additional Funding Required</td>
<td>$ 7,221,000</td>
</tr>
</tbody>
</table>

Note: Anticipated fee revenue rounded to hundreds.

Sources: Tables 3.3 and 3.4; Willdan Financial Services.

Fee Schedule

Table 3.6 shows the police facilities fee schedule, which is based on the assumption that El Segundo will be charging new development no more than its fair share of planned facility costs. The cost per capita is converted to a fee per unit of new development based on dwelling unit and building space densities (persons per dwelling unit (DU) for residential development and workers per 1,000 square feet of building space for nonresidential development). The total fee includes an administrative charge to fund costs that include impact fee related administrative costs, such as: revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Table 3.8: Police Facilities Fee

<table>
<thead>
<tr>
<th>Land Use</th>
<th>A</th>
<th>B</th>
<th>C = A x B</th>
<th>D</th>
<th>E = C + D</th>
<th>F = E / 1,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cost Per Capita</td>
<td>Density</td>
<td>Admin Charge 1, 2</td>
<td>Total Fee</td>
<td>Fee per Sq. Ft.</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family, Two-Family</td>
<td>$ 809</td>
<td>2.78</td>
<td>$ 2,249</td>
<td>45</td>
<td>$ 2,294</td>
<td></td>
</tr>
<tr>
<td>Multi-Family</td>
<td>809</td>
<td>1.85</td>
<td>1,497</td>
<td>30</td>
<td>1,527</td>
<td></td>
</tr>
<tr>
<td>Caretaker</td>
<td>899</td>
<td>1.20</td>
<td>971</td>
<td>19</td>
<td>990</td>
<td></td>
</tr>
<tr>
<td>Nonresidential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>$ 251</td>
<td>2.02</td>
<td>$ 507</td>
<td>10</td>
<td>$ 517</td>
<td>$ 0.52</td>
</tr>
<tr>
<td>Office</td>
<td>251</td>
<td>2.37</td>
<td>595</td>
<td>12</td>
<td>607</td>
<td>0.81</td>
</tr>
<tr>
<td>Industria</td>
<td>251</td>
<td>1.12</td>
<td>281</td>
<td>6</td>
<td>287</td>
<td>0.29</td>
</tr>
</tbody>
</table>

Note: Fees rounded to nearest whole dollar.

1 Fee per dwelling unit, or per 1,000 square feet of nonresidential space.

2 Administration fee equal to 2.0 percent of base fee to fund impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 2.1 and 3.4; Willdan Financial Services.
4. Library Facilities

This chapter provides the documentation to enable the City impose a public facilities fee to fund library facilities. The City would use fee revenues to help fund expanded library facilities to serve new development.

Service Population

Residents are the primary users of libraries in the City of El Segundo. Therefore, demand for libraries and associated facilities are based on the City's residential population, rather than a combined resident-worker service population. Estimates of the existing service population and projected growth are shown in Table 4.1.

<table>
<thead>
<tr>
<th>Table 4.1: Library Facilities Service Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residents</td>
</tr>
<tr>
<td>Existing (2009)</td>
</tr>
<tr>
<td>New Development (2009-2030)</td>
</tr>
<tr>
<td><strong>Total (2030)</strong></td>
</tr>
</tbody>
</table>

Note: Values rounded to nearest ten.

Sources: Table 2.2, Willdan Financial Services.

Facility Inventories and Standards

The City Library is located at Library Park. This land is listed in the parkland inventory in Chapter 6, so the value of that land is not included in this chapter, to avoid double counting. The City of El Segundo currently owns nearly $7 million worth of building and annex facilities. Library collections are also an important component of a library system's facilities and are a significant investment. Collections include books, online databases, audio-visual materials, periodical subscriptions, and other documents. The City owns approximately $6.9 million dollars worth of collections, as shown in Table 4.2. Itemized costs for existing library collections and equipment are shown in Appendix Tables A.4 and A.5, respectively.
Table 4.2: Existing Library Facilities

<table>
<thead>
<tr>
<th>Existing Facilities</th>
<th>Inventory</th>
<th>Unit Cost</th>
<th>Units</th>
<th>Total Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land†</td>
<td>3.40</td>
<td>$</td>
<td>acres</td>
<td>$</td>
</tr>
<tr>
<td>Building + Annex (sq. ft.)</td>
<td>30,329</td>
<td>230</td>
<td>sq. ft.</td>
<td>6,976,000</td>
</tr>
<tr>
<td>Collections (See Appendix A.4)</td>
<td></td>
<td></td>
<td></td>
<td>6,892,000</td>
</tr>
<tr>
<td>Furniture/Shelving/Equipment (See Appendix A.5)</td>
<td></td>
<td></td>
<td></td>
<td>277,000</td>
</tr>
<tr>
<td>Total Facilities</td>
<td></td>
<td></td>
<td></td>
<td>$ 14,145,000</td>
</tr>
</tbody>
</table>

Note: Total values rounded to nearest thousand.

† The library is located at Library Park, which is included in the parkland inventory in Chapter 6. The value of that land is not included in this inventory to avoid double counting.

Sources: Tables A.4 and A.5; City of El Segundo; Willdan Financial Services

Facility Needs and Costs

The City of El Segundo plans to expand its library facilities by adding $1.2 million worth of equipment and building expansions through 2030. The planned facilities are shown in Table 4.3.
Table 4.3: Planned Library Facilities

<table>
<thead>
<tr>
<th>Planned Facility</th>
<th>Units</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expansion to the children's library (approximately 2,000 sq. ft.)</td>
<td>2,000</td>
<td>$300</td>
<td>$600,000</td>
</tr>
<tr>
<td>Additional internet computers</td>
<td>20</td>
<td>$2,000</td>
<td>$40,000</td>
</tr>
<tr>
<td>Tables for internet computers</td>
<td>2</td>
<td>$3,500</td>
<td>$7,000</td>
</tr>
<tr>
<td>Wiring for additional internet computers and expanded Wi-Fi</td>
<td>1</td>
<td>$18,000</td>
<td>$18,000</td>
</tr>
<tr>
<td>Wi-Fi expansion</td>
<td>1</td>
<td>$10,000</td>
<td>$10,000</td>
</tr>
<tr>
<td>Switch for new internet computers</td>
<td>1</td>
<td>$8,000</td>
<td>$8,000</td>
</tr>
<tr>
<td>Additional Envisionware internet licenses</td>
<td>1</td>
<td>$20,000</td>
<td>$20,000</td>
</tr>
<tr>
<td>Chairs for internet computers</td>
<td>20</td>
<td>$400</td>
<td>$8,000</td>
</tr>
<tr>
<td>Online download computers</td>
<td>4</td>
<td>$2,000</td>
<td>$8,000</td>
</tr>
<tr>
<td>Download computer station table</td>
<td>1</td>
<td>$2,500</td>
<td>$2,500</td>
</tr>
<tr>
<td>Chairs for download computer station table</td>
<td>4</td>
<td>$400</td>
<td>$1,600</td>
</tr>
<tr>
<td>E-book readers for checkout</td>
<td>50</td>
<td>$250</td>
<td>$12,500</td>
</tr>
<tr>
<td>E-books for checkout</td>
<td>600</td>
<td>$75</td>
<td>$45,000</td>
</tr>
<tr>
<td>Study rooms (approximately 700 sq. ft.)</td>
<td>700</td>
<td>$300</td>
<td>$210,000</td>
</tr>
<tr>
<td>Tables for study rooms</td>
<td>5</td>
<td>$2,000</td>
<td>$10,000</td>
</tr>
<tr>
<td>Chairs for study rooms</td>
<td>20</td>
<td>$750</td>
<td>$15,000</td>
</tr>
<tr>
<td>Game room stations, inc. game console, TV, security</td>
<td>3</td>
<td>$3,000</td>
<td>$9,000</td>
</tr>
<tr>
<td>Chairs for game room</td>
<td>6</td>
<td>$400</td>
<td>$2,400</td>
</tr>
<tr>
<td>Video game software for game room</td>
<td>25</td>
<td>$50</td>
<td>$1,250</td>
</tr>
<tr>
<td>Additional Children's Library internet computers</td>
<td>5</td>
<td>$2,000</td>
<td>$10,000</td>
</tr>
<tr>
<td>Children's Library early literacy computers</td>
<td>4</td>
<td>$2,000</td>
<td>$8,000</td>
</tr>
<tr>
<td>Stools for Children's Library computers</td>
<td>9</td>
<td>$250</td>
<td>$2,250</td>
</tr>
<tr>
<td>Self-service checkout machine</td>
<td>1</td>
<td>$54,000</td>
<td>$54,000</td>
</tr>
<tr>
<td>Wiring and maintenance for self-service checkout machine</td>
<td>1</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Radio Frequency Identification (RFID) security system</td>
<td>1</td>
<td>$13,000</td>
<td>$13,000</td>
</tr>
<tr>
<td>RFID library material tags for checkout</td>
<td>1</td>
<td>$105,000</td>
<td>$105,000</td>
</tr>
<tr>
<td>RFID library material tag protectors</td>
<td>1</td>
<td>$7,000</td>
<td>$7,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$1,232,500</td>
</tr>
</tbody>
</table>

Source: City of El Segundo Public Library.

These improvements are likely to benefit both members of the existing service population and new development, since both groups will be using the existing and new facilities. Accordingly, this study uses the system plan approach to calculate new development's fair share of new library facilities. This is done by dividing the total value of existing and planned facilities in 2030 by the total 2030 service population to calculate a standard per resident. This calculation appears in Table 4.4.
Table 4.4: Existing and Planned Library Facilities

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Facility Value</td>
<td>$14,145,000</td>
</tr>
<tr>
<td>Planned Facility Costs</td>
<td>$1,232,500</td>
</tr>
<tr>
<td>Total Facility Value in 2030</td>
<td>$15,377,500</td>
</tr>
<tr>
<td>Service Population in 2030</td>
<td>17,690</td>
</tr>
<tr>
<td>Cost per Capita</td>
<td>$869</td>
</tr>
</tbody>
</table>

Sources: Table 6.1; City of El Segundo Public Library; Willdan Financial Services.

Table 4.5 shows the total revenue that the library facilities fee is expected to generate through the 2030 planning horizon. Multiplying the per capita facility standard by the growth in service population produces an estimated $626,000 in revenue. It is important to note that this revenue estimate falls short of the City’s $1.2 million in planned facilities. As a result, approximately $607,000 worth of library facilities will have to be funded by non-impact fee sources, or new development will have paid too high a fee.

Table 4.5: Estimated Library Facilities Fee Revenue

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost Per Capita</td>
<td>$869</td>
</tr>
<tr>
<td>Growth in Service Population (2009-2030)</td>
<td>720</td>
</tr>
<tr>
<td>Anticipated Fee Revenue</td>
<td>$626,700</td>
</tr>
<tr>
<td>Total Cost of Planned Library Facilities</td>
<td>$1,232,500</td>
</tr>
<tr>
<td>Additional Funding Required</td>
<td>$606,800</td>
</tr>
</tbody>
</table>

Note: Total anticipated fee revenue rounded to nearest hundred.

Sources: Tables 4.1, 4.3 and 4.4; Willdan Financial Services.

Fee Schedule

Table 4.6 presents the library facilities fee schedule based on the planned facilities method. The cost per capita is converted to a fee per unit of new development based on dwelling unit densities. The total fee includes an administrative charge to fund costs that include: revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.
### Table 4.6: Library Facilities Fee

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Cost Per Capita</th>
<th>Density</th>
<th>Admin Charge$^1$</th>
<th>Total Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family, Two-Family</td>
<td>$869</td>
<td>2.78</td>
<td>$2,416</td>
<td>$2,464</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>869</td>
<td>1.85</td>
<td>1,608</td>
<td>1,640</td>
</tr>
<tr>
<td>Caretaker</td>
<td>869</td>
<td>1.20</td>
<td>1,043</td>
<td>1,064</td>
</tr>
</tbody>
</table>

Note: Fees rounded to nearest whole dollar.

$^1$ Administration fee equal to 2.0 percent of base fee to fund impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 2.1 and 4.4; Willdan Financial Services.
5. Fire Protection Facilities

The purpose of this development impact fee is to ensure that new development funds its fair share of fire protection facilities. A fee schedule is presented based on the facilities needed to ensure that new development fund its fair share of the City's facility needs.

Service Population

Fire protection facilities serve both residents and businesses. Therefore, demand for services and associated facilities are based on the City's service population including residents and workers.

Table 5.1 shows the estimated service population for 2009 and 2030. In calculating the service population, residents are given a weight of 1.0 and workers are weighted at 0.69 to reflect lower per capita service usage. Nonresidential buildings are typically occupied less intensively than dwelling units, so it is reasonable to assume that average per-worker usage of services is less than average per-resident usage.

Table 5.1: Fire Facilities Service Population

<table>
<thead>
<tr>
<th></th>
<th>Residents</th>
<th>Workers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing (2009)</td>
<td>16,970</td>
<td>47,200</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.00</td>
<td>0.69</td>
<td></td>
</tr>
<tr>
<td>Existing Service Population</td>
<td>16,970</td>
<td>32,570</td>
<td>49,540</td>
</tr>
<tr>
<td>New Development (2009-2030)</td>
<td>720</td>
<td>9,500</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.00</td>
<td>0.69</td>
<td></td>
</tr>
<tr>
<td>New Development Service Population</td>
<td>720</td>
<td>6,560</td>
<td>7,280</td>
</tr>
<tr>
<td>Total 2030 Service Population</td>
<td>17,690</td>
<td>39,130</td>
<td>56,820</td>
</tr>
</tbody>
</table>

\(^1\) Workers are weighted at 0.69 of residents based on an survey of worker demand on fire services conducted in the City of Phoenix. Totals rounded to nearest ten.

Sources: Specific Infrastructure Financing Plan: Equivalent Land Use Derivation and Projection, City of Phoenix Planning Department, November 6, 1996; Table 2.2; Willdan Financial Services.

The 0.69 per-worker weighting used here is derived from a study carried out in the City of Phoenix. This study is one of the best sources of this data currently available. Data from that study was used to calculate a per capita factor that is independent of land use patterns. Relative demand for fire service between residents and workers does not vary substantially on a per capita basis across communities, ensuring that this data can be used for all of the communities which must document a public facilities fee for fire stations.
Facility Inventories, Plans and Standards

Table 5.2 shows existing fire facilities in the City of El Segundo. The City owns 2.19 acres of land and two fire stations totaling almost 32,000 square feet. In addition to land and buildings, the City of El Segundo owns approximately $6.9 million worth of vehicles and equipment. Appendix Tables A.6, A.7 and A.8 summarize the inventories of fire suppression, administration, paramedics and prevention equipment and vehicles, respectively.

Table 5.2: Existing Fire Facilities Standard

<table>
<thead>
<tr>
<th></th>
<th>Inventory</th>
<th>Unit Cost</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land (acres)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Station #1</td>
<td>1.32</td>
<td>$1,630,000</td>
<td>$2,151,600</td>
</tr>
<tr>
<td>Fire Station #2 Complex</td>
<td>0.87</td>
<td>1,630,000</td>
<td>1,418,100</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>2.19</td>
<td></td>
<td>$3,569,700</td>
</tr>
<tr>
<td><strong>Buildings (sq. ft.)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Station #1</td>
<td>17,800</td>
<td>$230</td>
<td>$4,094,000</td>
</tr>
<tr>
<td>Hose Tower</td>
<td>105</td>
<td>230</td>
<td>24,200</td>
</tr>
<tr>
<td>Fire Station #2 Complex</td>
<td>13,959</td>
<td>230</td>
<td>3,210,600</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>31,864</td>
<td></td>
<td>$7,328,800</td>
</tr>
<tr>
<td><strong>Fire Department Vehicles</strong></td>
<td></td>
<td></td>
<td>$5,177,800</td>
</tr>
<tr>
<td>(See Appendix Table A.6)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Fire Department Computer Equipment</strong></td>
<td></td>
<td></td>
<td>$237,900</td>
</tr>
<tr>
<td>(See Appendix Table A.7)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Fire Department Communications Equipment</strong></td>
<td></td>
<td></td>
<td>$423,100</td>
</tr>
<tr>
<td>(See Appendix Table A.7)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Fire Department Misc. Equipment</strong></td>
<td></td>
<td></td>
<td>$1,017,400</td>
</tr>
<tr>
<td>(See Appendix Table A.8)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Existing Facilities</strong></td>
<td></td>
<td></td>
<td>$17,754,700</td>
</tr>
</tbody>
</table>

Note: Total values rounded to nearest hundred.

1 Land value of $1.63 million per acre based on an recent appraisal of parcels within the City.

Sources: Tables A.6, A.7 and A.8; City of El Segundo

Facility Needs and Costs

The City of El Segundo plans to add approximately $3 million worth of fire facilities to its inventory by 2030. These facility expansions are summarized in Table 5.3, and include additions to Fire Station #1, along with new equipment and furnishings.
Table 5.3: Fire Department Planned Facilities

<table>
<thead>
<tr>
<th>Planned Facility</th>
<th>Quantity</th>
<th>Units</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addition to Fire Station #1 for offices and storage</td>
<td>3,100</td>
<td>Sq. Ft.</td>
<td>$500</td>
<td>$1,550,000</td>
</tr>
<tr>
<td>Addition to Fire Station #1 apparatus bay</td>
<td>2,800</td>
<td>Sq. Ft.</td>
<td>$500</td>
<td>$1,400,000</td>
</tr>
<tr>
<td>Sedans with radios and emergency warning devices</td>
<td>2</td>
<td>35,000</td>
<td>$500</td>
<td>$70,000</td>
</tr>
<tr>
<td>Computers</td>
<td>3</td>
<td>2,000</td>
<td>$500</td>
<td>$6,000</td>
</tr>
<tr>
<td>Office furniture sets</td>
<td>3</td>
<td>4,000</td>
<td>$500</td>
<td>$12,000</td>
</tr>
<tr>
<td><strong>Total Cost of Planned Fire Facilities</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$3,038,000</strong></td>
</tr>
</tbody>
</table>

Source: City of El Segundo Fire Department.

These improvements are likely to benefit both members of the existing service population and new development, since both groups will be placing calls to the expanded station. Accordingly, this study uses the system plan approach to calculate new development’s fair share of new fire facilities. This is done by dividing the total value of existing and planned facilities in 2030 by the total 2030 service population to calculate a standard per resident and per worker. This calculation appears in Table 5.4.

Table 5.4: Existing and Planned Fire Facilities

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Facility Value</td>
<td>$17,754,700</td>
</tr>
<tr>
<td>Planned Facility Costs</td>
<td>$3,038,000</td>
</tr>
<tr>
<td><strong>Total Facility Value in 2030</strong></td>
<td>$20,792,700</td>
</tr>
<tr>
<td>Service Population in 2030</td>
<td>56,820</td>
</tr>
<tr>
<td>Cost per Resident</td>
<td>$366</td>
</tr>
<tr>
<td>Cost per Worker</td>
<td>253</td>
</tr>
</tbody>
</table>

Sources: Tables 5.1, 5.2 and 5.3; City of El Segundo Fire Department; Willdan Financial Services.

Table 5.5 shows the total revenue that the fire facilities fee is expected to generate through the 2030 planning horizon. Multiplying the per capita facility standard by the growth in service population produces an estimated $2.7 million in revenue. It is important to note that this revenue estimate falls short of the City’s $3 million in planned facilities. As a result, approximately $374,000 worth of fire protection facilities will have to be funded by non-impact fee sources, or new development will have paid too high a fee.
Table 5.5: Estimated Fire Facilities Fee Revenue

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost Per Capita</td>
<td>$366</td>
<td></td>
</tr>
<tr>
<td>Growth in Service Population (2009-2030)</td>
<td>7,280</td>
<td></td>
</tr>
<tr>
<td>Anticipated Fee Revenue</td>
<td>$2,664,500</td>
<td></td>
</tr>
<tr>
<td>Total Cost of Planned Fire Facilities</td>
<td>$3,038,000</td>
<td></td>
</tr>
<tr>
<td>Additional Funding Required</td>
<td>$373,500</td>
<td></td>
</tr>
</tbody>
</table>

Note: Total anticipated fee revenue rounded to nearest hundred.

Sources: Tables 5.1, 5.3 and 5.4; Willdan Financial Services.

Fee Schedule

Table 5.6 shows the fire facilities fee schedule based on the existing standard. The cost per capita is converted to a fee per unit of new development based on dwelling unit and building space densities (persons per dwelling unit (DU) for residential development and workers per 1,000 square feet of building space for nonresidential development). The total fee includes an administrative charge to fund impact fee program administrative costs including: revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Table 5.6: Fire Facilities Fee

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Cost Per Capita</th>
<th>Density</th>
<th>$C = A x B</th>
<th>Admin Charge 1, 2</th>
<th>$E = C + D</th>
<th>$F = E / 1,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family, Two-Family</td>
<td>$366</td>
<td>2.78</td>
<td>$1,017</td>
<td>$20</td>
<td>$1,037</td>
<td></td>
</tr>
<tr>
<td>Multi-Family</td>
<td>366</td>
<td>1.85</td>
<td>677</td>
<td>14</td>
<td>691</td>
<td></td>
</tr>
<tr>
<td>Caretaker</td>
<td>366</td>
<td>1.20</td>
<td>439</td>
<td>9</td>
<td>448</td>
<td></td>
</tr>
<tr>
<td>Nonresidential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>$253</td>
<td>2.02</td>
<td>$511</td>
<td>$10</td>
<td>$521</td>
<td>$0.52</td>
</tr>
<tr>
<td>Office</td>
<td>253</td>
<td>2.37</td>
<td>600</td>
<td>12</td>
<td>612</td>
<td>0.61</td>
</tr>
<tr>
<td>Industrial</td>
<td>253</td>
<td>1.12</td>
<td>283</td>
<td>6</td>
<td>289</td>
<td>0.29</td>
</tr>
</tbody>
</table>

Note: Fees rounded to nearest whole dollar.

1 Fee per dwelling unit, or per 1,000 square feet of nonresidential space.
2 Administration fee equal to 2.0 percent of base fee to fund impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 2.1 and 5.5; Willdan Financial Services.
6. Park and Recreation Facilities

The purpose of the fee is to ensure that new development funds its fair share of park facilities. The City will use fee revenues to expand park facilities to serve new development. This analysis documents fees based on the guidelines set forth in the Mitigation Fee Act.

Service Population

Facility standards for parks are typically expressed as a ratio of park facilities per 1,000 residents. Recognizing that park facilities within the City are used by workers as well as residents, the City of El Segundo conducted a survey to determine the level of park facility use by nonresidents, and found that workers in the City used City parks at approximately 17 percent of the rate of resident use. The survey was conducted by asking users of the Campus El Segundo Fields and Recreation Park facilities whether they worked in the City, lived in the City or both on both. The survey was repeated for weekdays and weekends; levels of park use were weighted accordingly. Accordingly demand for parks and associated facilities are based on the City's combined resident-worker service population. A detailed summary of the survey can be found in Appendix B.

Table 6.1 provides estimates of the resident and worker population with a projection for the year 2030.

<table>
<thead>
<tr>
<th>Table 6.1: Parks Service Population</th>
<th>Residents</th>
<th>Workers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing (2009)</td>
<td>16,970</td>
<td>47,200</td>
<td></td>
</tr>
<tr>
<td>Weighting factor(^1)</td>
<td>1.00</td>
<td>0.17</td>
<td></td>
</tr>
<tr>
<td>Existing Service Population</td>
<td>16,970</td>
<td>8,020</td>
<td>24,990</td>
</tr>
<tr>
<td>New Development (2009 - 2030)</td>
<td>720</td>
<td>9,500</td>
<td></td>
</tr>
<tr>
<td>Weighting factor(^1)</td>
<td>1.00</td>
<td>0.17</td>
<td></td>
</tr>
<tr>
<td>New Development Service Population</td>
<td>720</td>
<td>1,620</td>
<td>2,340</td>
</tr>
<tr>
<td>Total 2030 Service Population</td>
<td>17,690</td>
<td>9,640</td>
<td>27,330</td>
</tr>
</tbody>
</table>

Note: Service population totals rounded to nearest ten.

\(^1\) Workers are weighted at 0.17 of residents based on a survey of use at Recreation Park and Campus El Segundo Fields submitted by the City.

Sources: City of El Segundo; Tables 2.1 and B.1; Willdan Financial Services.
Facility Standards

The City owns and operates various park and recreation facilities throughout the City. The City's inventory of parks facilities includes a total of 74.76 acres, and is summarized in Table 6.2. An inventory of existing recreation facilities is shown below in Table 6.3.

### Table 6.2: Parkland Inventory

<table>
<thead>
<tr>
<th>Name</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Parkland (acres)</strong></td>
<td></td>
</tr>
<tr>
<td>Recreation Park</td>
<td>20.40</td>
</tr>
<tr>
<td>Hilltop Park</td>
<td>1.20</td>
</tr>
<tr>
<td>Campus El Segundo Athletic Fields</td>
<td>4.96</td>
</tr>
<tr>
<td>Candy Cane Park</td>
<td>0.10</td>
</tr>
<tr>
<td>Acacia Park</td>
<td>0.50</td>
</tr>
<tr>
<td>Library Park</td>
<td>3.40</td>
</tr>
<tr>
<td>Camp Eucalyptus</td>
<td>0.30</td>
</tr>
<tr>
<td>The Lakes Golf Course</td>
<td>28.00</td>
</tr>
<tr>
<td>Holly Kansas Park</td>
<td>0.40</td>
</tr>
<tr>
<td>Holly Valley Park</td>
<td>0.20</td>
</tr>
<tr>
<td>Dog Park</td>
<td>1.90</td>
</tr>
<tr>
<td>Cutlers Park</td>
<td>0.10</td>
</tr>
<tr>
<td>Imperial Parkway: Memory Row</td>
<td>7.70</td>
</tr>
<tr>
<td>Imperial Parkway: Btw Dog Park and Main</td>
<td>4.80</td>
</tr>
<tr>
<td>Sycamore Parkette</td>
<td>0.80</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>74.76</strong></td>
</tr>
</tbody>
</table>

Source: City of El Segundo.
Table 6.3: Recreation Facilities Inventory

<table>
<thead>
<tr>
<th>Facility</th>
<th>Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Checkout Building</td>
<td>3,880</td>
</tr>
<tr>
<td>Urho Saan Swim Stadium</td>
<td>16,270</td>
</tr>
<tr>
<td>Camp Eucalyptus Building</td>
<td>1,815</td>
</tr>
<tr>
<td>The Lakes Facility</td>
<td>7,552</td>
</tr>
<tr>
<td>Clubhouse</td>
<td>11,623</td>
</tr>
<tr>
<td>Concession Stand</td>
<td>584</td>
</tr>
<tr>
<td>Scorer’s Booth</td>
<td>100</td>
</tr>
<tr>
<td>Main Complex</td>
<td>510</td>
</tr>
<tr>
<td>Joslyn Center</td>
<td>7,667</td>
</tr>
<tr>
<td>Elevator Tower and Shed</td>
<td>510</td>
</tr>
<tr>
<td>Office and Shop</td>
<td>510</td>
</tr>
<tr>
<td>Campus El Segundo Athletic Fields Facility</td>
<td>1,442</td>
</tr>
<tr>
<td>Teen Center</td>
<td>5,480</td>
</tr>
<tr>
<td>Raquetball Courts</td>
<td>1,870</td>
</tr>
<tr>
<td>Announcer’s Booth</td>
<td>110</td>
</tr>
<tr>
<td>Hardball Concession Stand</td>
<td>1,000</td>
</tr>
<tr>
<td>Softball Concession Stand</td>
<td>640</td>
</tr>
<tr>
<td>Total Recreation Facilities</td>
<td>61,563</td>
</tr>
</tbody>
</table>

Source: City of El Segundo.

Table 6.4 shows the existing standard of parkland per person served in the City of El Segundo.

Table 6.4: Parkland Standards

<table>
<thead>
<tr>
<th>Type of Acreage</th>
<th>Acres</th>
<th>Standard per 1,000 service population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acres of Parkland</td>
<td>74.76</td>
<td>2.99</td>
</tr>
<tr>
<td>Existing Service Population</td>
<td>24,990</td>
<td></td>
</tr>
</tbody>
</table>

Standard (acres per 1,000 service population)

Note: Facility standard rounded to the hundredths.

Sources: Tables 6.1 and 6.2, Willdan Financial Services.
Park Facility Standards

Park facility standards establish a reasonable relationship between new development and the need for expanded park facilities. Information regarding the City's existing inventory of existing parks facilities was obtained from City staff.

The most common measure used to calculate new development's demand for parks is the ratio of park acres per resident. In general, facility standards may be based on the Mitigation Fee Act (using a city's existing inventory of park facilities), or an adopted policy standard contained in a master facility plan or general plan.

Mitigation Fee Act

The Mitigation Fee Act does not dictate use of a particular type or level of facility standard for public facilities fees. To comply with the findings required under the law, facility standards must not burden new development with any cost associated with facility deficiencies attributable to existing development.1 A simple and clearly defensible approach to calculating a facility standard is to use the city's existing ratio of park acreage per 1,000 residents. Under this approach, new development is required to fund new park facilities at the same level as existing residents have provided those same types of facilities to date.

Unit Costs for Land Acquisition and Improvements

Unit costs represent the land costs and level of improvements that existing development has provided to date. Using unit costs to determine a facility standard ensures that the cost of facilities to serve new development is not artificially increased, and that new development is not unfairly burdened relative to existing development.

The unit costs used to estimate the total investment in parkland facilities are shown in Table 6.5. All costs are expressed in 2009 dollars. Land acquisition costs and improvement costs are based on the City's experience with park development and information from a recent market analysis of land values in El Segundo.

---

1 See the benefit and burden findings in Chapter 8, Mitigation Fee Act Findings.
### Table 6.5: Parkland Unit Costs

<table>
<thead>
<tr>
<th></th>
<th>Cost Per Acre</th>
<th>Share</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Park Improvements</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Special Use Facilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Urho Saari Swim Stadium</td>
<td>$ 5,369,000</td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td>$ 5,369,000</td>
<td></td>
</tr>
<tr>
<td><strong>Golf Course Building</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Sq. Ft.</td>
<td>5,500</td>
<td></td>
</tr>
<tr>
<td>Cost per Sq. Ft.</td>
<td>$ 189</td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td>$ 1,039,500</td>
<td></td>
</tr>
<tr>
<td><strong>Camp Eucalyptus</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Sq. Ft.</td>
<td>1,270</td>
<td></td>
</tr>
<tr>
<td>Cost per Sq. Ft.</td>
<td>$ 189</td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td>$ 240,000</td>
<td></td>
</tr>
<tr>
<td><strong>Recreation Facilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Checkout Building, Clubhouse, Scorer's Booth, Office, Racquetball Courts, Announcer's Booth, Hardball and Softball Concession Stands, Offices and Concession Stands at Campus El Segundo Athletic Fields, Teen Center, Concession stand, Main Complex, Joslyn Center, Elevator Tower)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Sq. Ft.</td>
<td>35,926</td>
<td></td>
</tr>
<tr>
<td>Cost per Sq. Ft.</td>
<td>$ 189</td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td>$ 6,790,000</td>
<td></td>
</tr>
<tr>
<td><strong>Park Equipment and Vehicles (Table A.9)</strong></td>
<td>$ 887,600</td>
<td></td>
</tr>
<tr>
<td><strong>Total Special Use Facilities</strong></td>
<td>$ 14,326,100</td>
<td></td>
</tr>
<tr>
<td><strong>Improved Park Acres</strong></td>
<td></td>
<td>74.78</td>
</tr>
<tr>
<td><strong>Special Use Facilities Cost per Improved Acre</strong></td>
<td>$ 191,600</td>
<td></td>
</tr>
<tr>
<td><strong>Standard Park Improvements</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$ 200,000</td>
<td></td>
</tr>
<tr>
<td><strong>Park Improvements Per Acre Subtotal</strong></td>
<td>$ 391,600</td>
<td>19%</td>
</tr>
<tr>
<td><strong>Land Acquisition</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$ 1,630,000</td>
<td>81%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$ 2,021,600</td>
<td>100%</td>
</tr>
</tbody>
</table>

**Note:** Total facility cost estimates rounded to nearest hundred.

1. Recreation facilities only include special use facilities (such as recreation centers and pools) that are not part of standard park improvements.

2. Improvement costs are estimated at $200,000 per acre for site improvements (curbs, gutters, water, sewer, and electrical access), plus basic park and school field amenities such as basketball or tennis court, restroom, parking, tot lot, irrigation, turf, open green space, pedestrian paths, and picnic tables. Excludes special use facilities such as recreation centers and pools.

3. Land value of $1.63 million per acre is based on a recent appraisal of parcels within the City.

**Sources:** Tables 6.2 and 6.3; City of El Segundo; Willdan Financial Services.
Total Needs and Costs

The total investment in park facilities needed to serve growth is calculated by multiplying the facility standards developed in Table 6.5 by growth in residents. The total value of the needs for park facilities is based on the average unit costs for land acquisition and improvements shown in Table 6.5. To accommodate the increase in service population through 2030 at the existing standard, new development would need to fund facilities estimated to cost approximately $14.1 million as shown in Table 6.6.

Table 6.6: Park Facilities to Accommodate New Development

<table>
<thead>
<tr>
<th></th>
<th>Mitigation Fee Act</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Parkland</strong></td>
<td></td>
</tr>
<tr>
<td>Facility Standard (acres/1,000 service population)</td>
<td>2.99</td>
</tr>
<tr>
<td>Service Population Growth (2009-2030)</td>
<td>2,340</td>
</tr>
<tr>
<td>Facility Needs (acres)</td>
<td>7.00</td>
</tr>
<tr>
<td><strong>Average Unit Cost (per acre)</strong></td>
<td>$1,630,000</td>
</tr>
<tr>
<td><strong>Total Cost of Facilities</strong></td>
<td>$11,410,000</td>
</tr>
</tbody>
</table>

AND

**Improvements**

<table>
<thead>
<tr>
<th></th>
<th>Mitigation Fee Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facility Standard (acres/1,000 service population)</td>
<td>2.99</td>
</tr>
<tr>
<td>Service Population Growth (2009-2030)</td>
<td>2,340</td>
</tr>
<tr>
<td>Facility Needs (acres)</td>
<td>7.00</td>
</tr>
<tr>
<td><strong>Average Unit Cost (per acre)</strong></td>
<td>$391,600</td>
</tr>
<tr>
<td><strong>Subtotal - Improvements</strong></td>
<td>$2,741,000</td>
</tr>
<tr>
<td><strong>Total Facilities</strong></td>
<td>$14,151,000</td>
</tr>
</tbody>
</table>

Note: Total facility cost estimates rounded to thousands.

Sources: Tables 6.1, 6.4, and 6.5; Willdan Financial Services.

The $14.1 million in facility improvements must be used to enhance, upgrade, or expand new park facilities. Intensifying development of existing parks is another reasonable method for accommodating growth that could be used in conjunction with the expansion of improved park acreage. The use of fee revenues would be identified through planned parkland acquisition and improvement projects described in the most recently adopted version of annual capital improvement budget.

The City anticipates that the park fees would be the primary revenue source to fund new development's investment in park facilities. Expected parks capital infrastructure projects include the development of new and improved parkland facilities and the construction of a new aquatics center. Table 6.7 shows the share of costs that could be allocated on a per capita basis for both
land acquisition and improvement.

**Table 6.7: Park Facilities Investment Per Capita**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Parkland</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parkland Investment</td>
<td>$1,630,000</td>
<td></td>
</tr>
<tr>
<td>(per acre)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Standard</td>
<td>2.99</td>
<td></td>
</tr>
<tr>
<td>(acres per 1,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>service population)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Investment Per</td>
<td>$4,874,000</td>
<td></td>
</tr>
<tr>
<td>1,000 capita</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Investment Per Resident</td>
<td>$4,874</td>
<td></td>
</tr>
<tr>
<td>Investment Per Worker</td>
<td>829</td>
<td></td>
</tr>
</tbody>
</table>

| **Improvements**         |             |     |
| Parkland Improvements    | 391,600     |     |
| (per acre)               |             |     |
| Facility Standard        | 2.99        |     |
| (acres per 1,000         |             |     |
| service population)      |             |     |
| Total Investment Per     | $1,171,000  |     |
| 1,000 capita             |             |     |
| Investment Per Resident  | $1,171      |     |
| Investment Per Worker    | 199         |     |

Note: Total investment estimates rounded to nearest thousand. Investment per capita rounded to nearest whole dollar.

Sources: Tables 6.5, and 6.6; Willdan Financial Services.

**Fee Schedule**

In order to calculate fees by land use type, the investment in park facilities is determined on a per resident basis for both land acquisition and improvement. These investment factors (shown in Table 6.7) are based on the unit cost estimates and facility standards.

Table 6.8 shows the park facilities fee based on the existing standard. The fee includes a component for park improvements based on the City’s existing standard. The investment per capita is converted to a fee per dwelling unit. The total fee includes an administrative charge of two percent (2%) to fund costs that include revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.
### Table 6.8: Park Facilities Fee Schedule

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Cost Per Capita</th>
<th>Density</th>
<th>Base Fee(^1)</th>
<th>Admin Charge(^1,2)</th>
<th>Total Fee(^1)</th>
<th>Fee per Sq. Ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family, Two-Family</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parkland</td>
<td>$ 4,874</td>
<td>2.78</td>
<td>$ 13,550</td>
<td>$ 271</td>
<td>$ 13,821</td>
<td></td>
</tr>
<tr>
<td>Improvements</td>
<td>1,171</td>
<td>2.78</td>
<td>3,255</td>
<td>65</td>
<td>3,320</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$ 17,141</td>
<td></td>
</tr>
<tr>
<td>Multi-Family</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parkland</td>
<td>$ 4,874</td>
<td>1.85</td>
<td>$ 9,017</td>
<td>$ 180</td>
<td>$ 9,197</td>
<td></td>
</tr>
<tr>
<td>Improvements</td>
<td>1,171</td>
<td>1.85</td>
<td>2,166</td>
<td>43</td>
<td>2,209</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$ 11,406</td>
<td></td>
</tr>
<tr>
<td>Caretaker</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parkland</td>
<td>$ 4,874</td>
<td>1.20</td>
<td>$ 5,849</td>
<td>$ 117</td>
<td>$ 5,966</td>
<td></td>
</tr>
<tr>
<td>Improvements</td>
<td>1,171</td>
<td>1.20</td>
<td>1,405</td>
<td>28</td>
<td>1,433</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$ 7,399</td>
<td></td>
</tr>
<tr>
<td><strong>Nonresidential</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parkland</td>
<td>$ 829</td>
<td>2.02</td>
<td>$ 1,675</td>
<td>$ 34</td>
<td>$ 1,709</td>
<td>$ 1.71</td>
</tr>
<tr>
<td>Improvements</td>
<td>199</td>
<td>2.02</td>
<td>402</td>
<td>8</td>
<td>410</td>
<td>0.41</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$ 2,119</td>
<td>$ 2.12</td>
</tr>
<tr>
<td>Office</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parkland</td>
<td>$ 829</td>
<td>2.37</td>
<td>$ 1,965</td>
<td>$ 39</td>
<td>$ 2,004</td>
<td>$ 2.00</td>
</tr>
<tr>
<td>Improvements</td>
<td>199</td>
<td>2.37</td>
<td>472</td>
<td>9</td>
<td>481</td>
<td>0.48</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$ 2,485</td>
<td>$ 2.49</td>
</tr>
<tr>
<td>Industrial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parkland</td>
<td>$ 829</td>
<td>1.12</td>
<td>$ 928</td>
<td>$ 19</td>
<td>$ 947</td>
<td>$ 0.95</td>
</tr>
<tr>
<td>Improvements</td>
<td>199</td>
<td>1.12</td>
<td>223</td>
<td>4</td>
<td>227</td>
<td>0.23</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$ 1,174</td>
<td>$ 1.17</td>
</tr>
</tbody>
</table>

Note: Fees rounded to nearest whole dollar.

1 Fee per dwelling unit, or per 1,000 square feet of nonresidential space.

2 Administration fee equal to 2.0 percent of base fee to fund impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 2.1 and 6.7; Willdan Financial Services.
7. Implementation

Impact Fee Program Adoption Process

Impact fee program adoption procedures are found in the California Government Code section 66016. Adoption of an impact fee program requires the City Council to follow certain procedures including holding a public meeting. Data, such as an impact fee report, must be made available at least 10 days prior to the public meeting. The City's legal counsel should be consulted for any other procedural requirements as well as advice regarding adoption of an enabling ordinance and/or a resolution. After adoption there is a mandatory 60-day waiting period before the fees go into effect.

Inflation Adjustment

The City has kept its impact fee program up to date by periodically adjusting the fees for inflation. Such adjustments should be completed regularly to ensure that new development will fully fund its share of needed facilities. To maintain consistency with other City documents, we recommend that the fees be adjusted for inflation annually, concurrent with the time frame when City staff presents the preliminary CIP to the City Council.

There are no inflation indices that are specific to City of El Segundo. We recommend that the following indices be used for adjusting fees for inflation:

- Buildings, Improvements – Engineering News Record's Building Cost Index (BCI) – Los Angeles, CA
- Equipment – Consumer Price Index, All Items, 1982-84=100 for All Urban Consumers (CPI-U) – for the West Urban Region, Size B/C

Due to the highly variable nature of land costs, there is no particular index that captures fluctuations in land values. We recommend that the City adjust land values based on a periodic appraisal of the type of land comparable to the City's existing inventory.

While fee updates using inflation indices are appropriate for periodic updates to ensure that fee revenues keep up with increases in the costs of public facilities, the City will also need to conduct more extensive updates of the fee documentation and calculation (such as this study) when significant new data on growth forecasts and/or facility plans become available. Note that decreases in index value will result in decreases to fee amounts.

The steps necessary to update fees for inflation are explained below:

For all of the fee categories except the park facilities fees, the steps are as follows:

1. For each facility type (land, buildings, equipment), identify the percent change in facility value since the last update, based on changes in each inflation index or for each type of land.
2. Modify the value of each facility, existing and planned (if applicable) by the percent change identified in Step 1.
3. Depending on fee methodology for each particular fee category calculate the total value of existing facilities (existing inventory method), the value of existing facilities
plus planned facilities (system plan method), or the value of planned facilities
(planned facilities method) using the updated figures from Step 2.

4. Recalculate the cost per capita for each fee category by dividing the results of Step 3
by either the existing service population if the fee is calculated using the existing
inventory method, by the future service population if the fee is calculated using the
system plan method, or by the growth in service population if the fee is calculated
using the planned facilities method. Both the existing and future service populations
are identified in the first table of every chapter in this report.

5. Calculate the cost per worker (if applicable) for fee categories that are charged to
nonresidential development. The cost per worker is equal to the cost per capita
calculated in Step 4 multiplied by 0.31 for police, by 0.69 for fire and by 0.17 for
parks.

6. Update the fee schedule by multiplying the cost per capita and the cost per worker
calcuated in Step 5 by the density factors listed in Table 2.1 to determine the base
fee for each land use.

To update the park facility fees for inflation, the steps are as follows:

1. For each facility type (land, improvements), identify the percent change in facility
value since the last update, based on changes in each inflation index or for each type
of land.

2. Modify the value of land acquisition and improvements shown in Table 6.6 by the
percent change identified in Step 1.

3. Using Table 6.6 as a guide, recalculate the cost per resident and cost per worker
using the adjusted values for land acquisition and improvements calculated in Step 2.

4. Update the fee schedule by multiplying the costs per capita calculated in Step 3 by
the density factors listed in Table 2.1 to determine the base fee for each land use.
The total fee for a given land use is equal to the cost per capita for land (from step
three) multiplied by the occupant density, added to the cost per capita for
improvements (also from step three) multiplied by the occupant density. See Table
6.8 for reference.

Once all of the fees have been inflated, multiply the sum of all the fees, per land use, by two
percent (2%) to determine the administrative charge. Future updates to the fee program should
review the administrative fee to ensure that it fully covers the cost of administering the fee
program.

Reporting Requirements
The City complies with the annual and five-year reporting requirements of the Mitigation Fee Act
found in Government Code Sections 66001 and 66006. For facilities to be funded by a
combination of public fees and other revenues, identification of the source and amount of these
non-fee revenues is essential. Identification of the timing of receipt of other revenues to fund the
facilities is also important.

Programming Revenues and Projects with the CIP
The City maintains a ten-year Capital Improvements Program (CIP) to plan for future
infrastructure needs. The CIP identifies costs and phasing for specific capital projects. The use of
the CIP in this manner documents a reasonable relationship between new development and the
use of those revenues.
The City may decide to alter the scope of the planned projects or to substitute new projects as long as those new projects continue to represent an expansion of the City's facilities. If the total cost of facilities varies from the total cost used as a basis for the fees, the City should consider revising the fees accordingly.
8. Mitigation Fee Act Findings

Public facilities fees are one-time fees typically paid when a building permit is issued and imposed on development projects by local agencies responsible for regulating land use (cities and counties). To guide the widespread imposition of public facilities fees the State Legislature adopted the Mitigation Fee Act (the Act) with Assembly Bill 1600 in 1987 and subsequent amendments. The Act, contained in California Government Code Sections 66000 through 66025, establishes requirements on local agencies for the imposition and administration of fee programs. The Act requires local agencies to document five findings when adopting a fee.

The five statutory findings required for adoption of the maximum justified public facilities fees documented in this report are presented in this chapter and supported in detail by the report that follows. All statutory references are to the Act.

Purpose of Fee

- Identify the purpose of the fee (§66001(a)(1) of the Act).

Development impact fees are designed to ensure that new development will not burden the existing service population with the cost of facilities required to accommodate growth per Policy LU7-1.2 of the 1992 General Plan. The purpose of the fees proposed by this report is to implement this policy by providing a funding source from new development for capital improvements to serve that development. The fees advance a legitimate City interest by enabling the City to provide services to new development.

Use of Fee Revenues

- Identify the use to which the fees will be put. If the use is financing facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in §65403 or §66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the facilities for which the fees are charged (§66001(a)(2) of the Act).

Fees proposed in this report, if enacted by the City, would be used to fund expanded facilities to serve new development. Facilities funded by these fees are designated to be located within the City. Fees addressed in this report have been identified by the City to be restricted to funding the following facility categories: police, library, fire, and parks and recreation.

Benefit Relationship

- Determine the reasonable relationship between the fees’ use and the type of development project on which the fees are imposed (§66001(a)(3) of the Act).

We expect that the City will restrict fee revenue to the acquisition of land, construction of facilities and buildings, and purchase of related equipment, furnishings, and vehicles used to serve new development. Facilities funded by the fees are expected to provide a citywide network of facilities accessible to the additional residents and workers associated with new development. Under the Act, fees are not intended to fund planned facilities needed to correct existing deficiencies. Thus,
a reasonable relationship can be shown between the use of fee revenue and the new
development residential and non-residential use classifications that will pay the fees.

Burden Relationship

- Determine the reasonable relationship between the need for the public facilities and
  the types of development on which the fees are imposed (§66001(a)(4) of the Act).

Facilities need is based on a facility standard that represents the demand generated by new
development for those facilities. Facilities demand is determined as follows:

- The service population is established based upon the number of residents and
  workers, which correlates to the demand for police facilities, fire protection facilities,
  and parks and recreation facilities; and,

- The service population for library facilities is established solely on the number of
  residents, as worker demand on these facilities is nominal.

For each facility category, demand is measured by a single facility standard that can be applied
across land use types to ensure a reasonable relationship to the type of development. For most
facility categories service population standards are calculated based upon the number of
residents associated with residential development and the number of workers associated with
non-residential development. To calculate a single, per capita standard, one worker is weighted
less than one resident based on an analysis of the relative use demand between residential and
non-residential development.

The standards used to identify growth needs are also used to determine if planned facilities will
partially serve the existing service population by correcting existing deficiencies. This approach
ensures that new development will only be responsible for its fair share of planned facilities, and
that the fees will not unfairly burden new development with the cost of facilities associated with
serving the existing service population.

Chapter 2, Demographic Assumptions provides a description of how service population and
growth forecasts are calculated. Facility standards are described in the Facility Standards
sections of each facility category chapter.

Proportionality

- Determine how there is a reasonable relationship between the fees amount and the
  cost of the facilities or portion of the facilities attributable to the development on which
  the fee is imposed (§66001(b) of the Act).

The reasonable relationship between each facilities fee for a specific new development project
and the cost of the facilities attributable to that project is based on the estimated new
development growth the project will accommodate. Fees for a specific project are based on the
project's size. Larger new development projects can result in a higher service population resulting
in higher fee revenue than smaller projects in the same land use classification. Thus, the fees
ensure a reasonable relationship between a specific new development project and the cost of the
facilities attributable to that project.
See Chapter 2, Demographic Assumptions, or the Service Population section in each facility category chapter for a description of how service populations is determined for different types of land uses. See the Fee Schedule section of each facility category chapter for a presentation of the proposed facilities fees.
Appendix A: Vehicle and Equipment Inventories

All vehicle and equipment inventories in this appendix document replacement cost, as provided by City of El Segundo in 2009.

<table>
<thead>
<tr>
<th>Description</th>
<th>Unit</th>
<th>Year Acquired</th>
<th>Replacement Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sedan Patrol, Crown Victoria</td>
<td>4</td>
<td>04/05</td>
<td>$132,800</td>
</tr>
<tr>
<td>Speed Monitoring &amp; Traffic Safety Equip.</td>
<td>1</td>
<td>05/06</td>
<td>45,000</td>
</tr>
<tr>
<td>2001 Ford Truck (Animal Control)</td>
<td>1</td>
<td>00/01</td>
<td>64,000</td>
</tr>
<tr>
<td>Sport Utility, Chevrolet Suburban (donated)</td>
<td>1</td>
<td>05/06</td>
<td>102,000</td>
</tr>
<tr>
<td>Mutual Aid Emergency Resp Veh.</td>
<td>1</td>
<td>06/07</td>
<td>320,000</td>
</tr>
<tr>
<td>Sedan, Grand Marquis</td>
<td>1</td>
<td>06/07</td>
<td>29,000</td>
</tr>
<tr>
<td>Dodge Caravan</td>
<td>1</td>
<td>06/07</td>
<td>20,000</td>
</tr>
<tr>
<td>Jeep Wrangler Sport RH-Drive</td>
<td>1</td>
<td>06/07</td>
<td>24,000</td>
</tr>
<tr>
<td>Ford 500 SEL, Blue Metallic</td>
<td>1</td>
<td>06/07</td>
<td>25,000</td>
</tr>
<tr>
<td>Ford 500 SEL, Black w/Shale cloth</td>
<td>2</td>
<td>06/07</td>
<td>50,000</td>
</tr>
<tr>
<td>Sedan, Impala 9C3 Blue/Ntrl</td>
<td>1</td>
<td>06/07</td>
<td>23,000</td>
</tr>
<tr>
<td>Sedan, Impala 9C3 Black/Ebony</td>
<td>1</td>
<td>06/07</td>
<td>23,000</td>
</tr>
<tr>
<td>Sedan, Impala 9C3 Silverton/Ebony</td>
<td>1</td>
<td>06/07</td>
<td>23,000</td>
</tr>
<tr>
<td>Sport Utility, Dodge Durango</td>
<td>2</td>
<td>06/07</td>
<td>52,000</td>
</tr>
<tr>
<td>2009 Ford F-150</td>
<td>1</td>
<td>08/09</td>
<td>32,500</td>
</tr>
<tr>
<td>Sedan, Chevy Impala</td>
<td>2</td>
<td>04/05</td>
<td>60,000</td>
</tr>
<tr>
<td>2009 Ford Explorer</td>
<td>3</td>
<td>08/09</td>
<td>84,000</td>
</tr>
<tr>
<td>2009 Nissan Altima Hybrid</td>
<td>2</td>
<td>08/09</td>
<td>60,000</td>
</tr>
<tr>
<td>Sport Utility, Ford Explorer</td>
<td>1</td>
<td>02/03</td>
<td>29,000</td>
</tr>
<tr>
<td>Motorcycle, BMW R1200</td>
<td>5</td>
<td>06/07</td>
<td>126,000</td>
</tr>
<tr>
<td>2008 Sedan, Crown Victoria</td>
<td>9</td>
<td>08/09</td>
<td>270,000</td>
</tr>
<tr>
<td>Utility Parking Enforcement</td>
<td>1</td>
<td>02/03</td>
<td>5,000</td>
</tr>
<tr>
<td>Sedan, RSVP</td>
<td>2</td>
<td>02/03</td>
<td>12,000</td>
</tr>
<tr>
<td>Sedan Patrol K-9</td>
<td>1</td>
<td>00/01</td>
<td>6,500</td>
</tr>
<tr>
<td>Buick Regal LS</td>
<td>2</td>
<td>02/03</td>
<td>45,100</td>
</tr>
<tr>
<td>Sedan, Ford Escort</td>
<td>1</td>
<td>88/89</td>
<td>24,000</td>
</tr>
<tr>
<td>Sedan, Buick Regal</td>
<td>2</td>
<td>94/95</td>
<td>52,000</td>
</tr>
<tr>
<td>Crime Scene Van (Chevrolet)</td>
<td>1</td>
<td>95/96</td>
<td>29,000</td>
</tr>
<tr>
<td>Van-12 passenger, Ford</td>
<td>1</td>
<td>96/97</td>
<td>35,000</td>
</tr>
<tr>
<td>Swat Van (Grumman)</td>
<td>1</td>
<td>93/94</td>
<td>64,500</td>
</tr>
<tr>
<td>Police Vehicles Funding</td>
<td>1</td>
<td>05/06</td>
<td>100,000</td>
</tr>
</tbody>
</table>

Total $1,567,400

Note: Figures have been rounded.

Sources: City of El Segundo Equipment Replacement Schedule, 09/10; City of El Segundo.
# Table A.2: Police Computer Equipment Inventory

<table>
<thead>
<tr>
<th>Description</th>
<th>Units</th>
<th>Year Acquired</th>
<th>Unit Cost</th>
<th>Total Replacement Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-Function machine, HP OfficeJet 9130</td>
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<td>$1,200</td>
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<td>Printer, HP Color LaserJet 3800N</td>
<td>1</td>
<td>06/07</td>
<td>1,800</td>
<td>1,800</td>
</tr>
<tr>
<td>Scanners, Dell F1-5220c Color Workgroup</td>
<td>1</td>
<td>07/08</td>
<td>1,500</td>
<td>1,500</td>
</tr>
<tr>
<td>Switch, Dell PowerConnect 5324</td>
<td>1</td>
<td>05/06</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Printer, Epson Stylus Pro4800</td>
<td>1</td>
<td>05/06</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Printer, HP4200N w/Duplexer</td>
<td>6</td>
<td>04/05</td>
<td>1,800</td>
<td>10,800</td>
</tr>
<tr>
<td>Computer, Dell Optiplex 755 Ultra Small</td>
<td>36</td>
<td>07/08</td>
<td>1,800</td>
<td>64,800</td>
</tr>
<tr>
<td>Computer, Dell Optiplex 760</td>
<td>8</td>
<td>08/09</td>
<td>1,800</td>
<td>14,400</td>
</tr>
<tr>
<td>Dell Optiplex 755 /Evidence Mgmt</td>
<td>1</td>
<td>07/08</td>
<td>1,800</td>
<td>1,800</td>
</tr>
<tr>
<td>Computer, Dell Optiplex 3X620 19&quot;flat</td>
<td>7</td>
<td>05/06</td>
<td>1,800</td>
<td>12,600</td>
</tr>
<tr>
<td>Dell, Latitude D620 w/f. GGB</td>
<td>1</td>
<td>06/07</td>
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<td>2,500</td>
</tr>
<tr>
<td>Dell, Latitude E5500</td>
<td>5</td>
<td>08/09</td>
<td>2,500</td>
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<tr>
<td>Server rack for above</td>
<td>1</td>
<td>01/02</td>
<td>6,000</td>
<td>6,000</td>
</tr>
<tr>
<td>Auto cte computer/software</td>
<td>3</td>
<td>08/09</td>
<td>6,667</td>
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<tr>
<td>Dell Precision M90</td>
<td>1</td>
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<td>3,400</td>
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<tr>
<td>Computer, Laptop</td>
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<td>07/08</td>
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<tr>
<td>Switch, Asante 99-00748-01</td>
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<td>03/04</td>
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<tr>
<td>Mobile data-2 K-9/Anima Control</td>
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<tr>
<td>Printer, Color, Xerox Phaser 6250DX</td>
<td>1</td>
<td>04/05</td>
<td>4,600</td>
<td>4,600</td>
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<tr>
<td>Tablettop Live-Scan System</td>
<td>1</td>
<td>06/07</td>
<td>11,000</td>
<td>11,000</td>
</tr>
<tr>
<td>Video System in PD vehicle</td>
<td>1</td>
<td>04/05</td>
<td>4,900</td>
<td>4,900</td>
</tr>
<tr>
<td>Server, Dell Power Edge 1850</td>
<td>1</td>
<td>05/06</td>
<td>6,000</td>
<td>6,000</td>
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<tr>
<td>Switch, PowerConnect 5324 (Sea)</td>
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<td>06/07</td>
<td>6,500</td>
<td>6,500</td>
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<tr>
<td>Dell Optiplex GX270T, 26&quot; Panel</td>
<td>7</td>
<td>04/05</td>
<td>4,400</td>
<td>30,800</td>
</tr>
<tr>
<td>Superloader Quantum</td>
<td>1</td>
<td>03/04</td>
<td>8,200</td>
<td>8,200</td>
</tr>
<tr>
<td>Dual Quad Core Xeon E5430 Server</td>
<td>1</td>
<td>08/09</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Mobile Data Computer M5 (1)</td>
<td>1</td>
<td>05/06</td>
<td>12,000</td>
<td>12,000</td>
</tr>
<tr>
<td>Software, Accident Reconstruction</td>
<td>1</td>
<td>06/07</td>
<td>8,500</td>
<td>8,500</td>
</tr>
<tr>
<td>Server, Dell Power Edge 2650</td>
<td>2</td>
<td>04/05</td>
<td>10,000</td>
<td>20,000</td>
</tr>
<tr>
<td>Server Module, AVL Status Mapping</td>
<td>1</td>
<td>03/04</td>
<td>17,000</td>
<td>17,000</td>
</tr>
<tr>
<td>Mobile Data Computer (15)</td>
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<td>100,000</td>
</tr>
<tr>
<td>Mobile Data Computer (15)</td>
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<td>108,000</td>
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<tr>
<td>Printer, HP LaserJet 4059N</td>
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<td>09/00</td>
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<td>4,800</td>
</tr>
<tr>
<td>Image Master copying system</td>
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<td>01/02</td>
<td>1,800</td>
<td>1,800</td>
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<tr>
<td>Printer, HP LaserJet 4000 TN</td>
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<td>08/99</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Fax machine</td>
<td>2</td>
<td>09/00</td>
<td>2,400</td>
<td>4,800</td>
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<tr>
<td>Switch, Dell 24-Port</td>
<td>5</td>
<td>02/07</td>
<td>2,500</td>
<td>12,500</td>
</tr>
<tr>
<td>LCD 20&quot; monitor (Doc. Irrag)</td>
<td>1</td>
<td>01/02</td>
<td>3,600</td>
<td>3,600</td>
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<tr>
<td>MDC, Sierra wireless (3)</td>
<td>1</td>
<td>01/02</td>
<td>4,400</td>
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<tr>
<td>Scanners, Tabletop Fujitsu (4)</td>
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<td>01/02</td>
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<tr>
<td>Server, Dell Power Edge 2500</td>
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<tr>
<td>Server, Dell Power Edge 2650 (2)</td>
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<td>10,000</td>
<td>10,000</td>
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<tr>
<td>Mainframe-IBM AS/400</td>
<td>1</td>
<td>93/94</td>
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<td>44,000</td>
</tr>
</tbody>
</table>

| Total                                            |       |               |           | $627,900               |

---

Note: Figures have been rounded.

Sources: City of El Segundo Equipment Replacement Schedule, 09/10. City of El Segundo.
<table>
<thead>
<tr>
<th>Description</th>
<th>Units</th>
<th>Year Acquired</th>
<th>Unit Cost</th>
<th>Total Replacement Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Refrigerator - Frigidaire (22 cf)</td>
<td>1</td>
<td>03/04</td>
<td>1,100</td>
<td></td>
</tr>
<tr>
<td>Refrigerator - Amana</td>
<td>1</td>
<td>06/00</td>
<td>1,600</td>
<td></td>
</tr>
<tr>
<td>Range - Maytag</td>
<td>1</td>
<td>06/00</td>
<td>1,600</td>
<td></td>
</tr>
<tr>
<td>Freezer - True Food Reach In</td>
<td>1</td>
<td>08/09</td>
<td>3,500</td>
<td></td>
</tr>
<tr>
<td>Numb John Mobile Platform</td>
<td>1</td>
<td>07/08</td>
<td>4,000</td>
<td></td>
</tr>
<tr>
<td>Benelli LE ML Shot Gun (2)</td>
<td>1</td>
<td>06/07</td>
<td>3,500</td>
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<tr>
<td>Refrigerator - True Food Refrig./Freezer</td>
<td>1</td>
<td>06/09</td>
<td>4,500</td>
<td></td>
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<tr>
<td>Remington 700 w/ Rail &amp; accessories</td>
<td>2</td>
<td>06/09</td>
<td>4,800</td>
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<tr>
<td>Toshiba 20&quot; DVD/VHS TV (7)</td>
<td>1</td>
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</tr>
<tr>
<td>Duplex Card Printer/DD Card Maker</td>
<td>1</td>
<td>08/09</td>
<td>4,900</td>
<td></td>
</tr>
<tr>
<td>Alcohol Analyzers w/ memory &amp; printer</td>
<td>1</td>
<td>05/06</td>
<td>4,000</td>
<td></td>
</tr>
<tr>
<td>E2R Rider K-9 Kennel</td>
<td>1</td>
<td>07/08</td>
<td>5,200</td>
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<tr>
<td>Animal Catch Kit</td>
<td>1</td>
<td>09/09</td>
<td>1,800</td>
<td></td>
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<tr>
<td>Helmet Radio Kit (S)</td>
<td>1</td>
<td>03/04</td>
<td>9,000</td>
<td></td>
</tr>
<tr>
<td>Benchtop Downdraft Workstation</td>
<td>1</td>
<td>07/08</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td>Nikon D300 2 Camera/accessories</td>
<td>1</td>
<td>08/09</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>M-3 Tactical light/pouches (75)</td>
<td>1</td>
<td>01/02</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>Shotgun (Border Patrol model)</td>
<td>1</td>
<td>01/02</td>
<td>8,000</td>
<td></td>
</tr>
<tr>
<td>Forensic Evidence Drying Cabinet</td>
<td>1</td>
<td>07/08</td>
<td>7,000</td>
<td></td>
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<tr>
<td>Personal Escape Masks (CBRN) (72)</td>
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<td>04/05</td>
<td>12,000</td>
<td></td>
</tr>
<tr>
<td>Digital Flash CM-850</td>
<td>1</td>
<td>07/08</td>
<td>7,700</td>
<td></td>
</tr>
<tr>
<td>Video Camera/Backlight Ctr.</td>
<td>1</td>
<td>09/00</td>
<td>20,000</td>
<td></td>
</tr>
<tr>
<td>Wheel Loader Weigher</td>
<td>1</td>
<td>07/08</td>
<td>9,600</td>
<td></td>
</tr>
<tr>
<td>Gas Masks, Advantage (75)</td>
<td>1</td>
<td>01/02</td>
<td>13,000</td>
<td></td>
</tr>
<tr>
<td>Reflectors Tastor Station Bluetooth</td>
<td>1</td>
<td>06/07</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>Laser Gun X200 w/Audio-Video (8)</td>
<td>1</td>
<td>06/07</td>
<td>12,000</td>
<td></td>
</tr>
<tr>
<td>Surveillance wires &amp; system</td>
<td>1</td>
<td>01/02</td>
<td>14,000</td>
<td></td>
</tr>
<tr>
<td>Chair, Dispatch (6) Black Galaxy Style 5000</td>
<td>1</td>
<td>07/08</td>
<td>11,400</td>
<td></td>
</tr>
<tr>
<td>Bullet Trap</td>
<td>1</td>
<td>06/97</td>
<td>65,000</td>
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<tr>
<td>Proffesional III (traffic - 4)</td>
<td>1</td>
<td>07/08</td>
<td>18,000</td>
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<tr>
<td>Glock 21 gun Magazines (95)</td>
<td>1</td>
<td>03/02</td>
<td>47,000</td>
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<td>Communications Generator</td>
<td>1</td>
<td>08/99</td>
<td>100,000</td>
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<td>Cardiovascular Machine</td>
<td>1</td>
<td>05/06</td>
<td>40,000</td>
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<tr>
<td>Taser Gun X200 w/Audio Video (20)</td>
<td>1</td>
<td>06/07</td>
<td>34,000</td>
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<tr>
<td>Mobile ALPR System</td>
<td>1</td>
<td>08/07</td>
<td>35,000</td>
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<tr>
<td>SWAT Bulletproof Vests (16)</td>
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<td>40,000</td>
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<tr>
<td>Taser Gun X200 w/Audio Video (40)</td>
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<td>07/08</td>
<td>65,000</td>
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<tr>
<td>Video/Digital Evidence Mgmt. System</td>
<td>1</td>
<td>08/09</td>
<td>180,000</td>
<td></td>
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<tr>
<td>Typewriter</td>
<td>3</td>
<td>09/91</td>
<td>3,000</td>
<td></td>
</tr>
<tr>
<td>VCR Encore &quot;Go Video&quot;</td>
<td>1</td>
<td>04/95</td>
<td>1,000</td>
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<tr>
<td>Multicord Satellite Station</td>
<td>1</td>
<td>09/06</td>
<td>1,800</td>
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<tr>
<td>Cutting Torch - Steely</td>
<td>1</td>
<td>04/95</td>
<td>3,500</td>
<td></td>
</tr>
<tr>
<td>Sights/ mounts SWAT (8)</td>
<td>1</td>
<td>01/02</td>
<td>3,500</td>
<td></td>
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<tr>
<td>Security Camera-East Lot</td>
<td>1</td>
<td>09/99</td>
<td>4,000</td>
<td></td>
</tr>
<tr>
<td>Chair/pinnet</td>
<td>1</td>
<td>09/91</td>
<td>4,800</td>
<td></td>
</tr>
<tr>
<td>Sheeter</td>
<td>1</td>
<td>02/93</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td>Walk-Through Metal Detector</td>
<td>1</td>
<td>04/95</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td>Elliptical, PRECOR</td>
<td>1</td>
<td>02/03</td>
<td>5,000</td>
<td></td>
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<tr>
<td>Lab Vest - Labconco</td>
<td>1</td>
<td>05/96</td>
<td>6,000</td>
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<tr>
<td>Scott Air Packs (2)</td>
<td>1</td>
<td>09/97</td>
<td>7,000</td>
<td></td>
</tr>
<tr>
<td>Projector, Toshiba LCD</td>
<td>1</td>
<td>06/97</td>
<td>8,000</td>
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<tr>
<td>Sony Color Monitors (11)</td>
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<td>09/00</td>
<td>9,000</td>
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<tr>
<td>Tasers guns (22)</td>
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<td>01/02</td>
<td>9,000</td>
<td></td>
</tr>
<tr>
<td>Video Camera System</td>
<td>1</td>
<td>07/98</td>
<td>200,000</td>
<td></td>
</tr>
<tr>
<td>Mobile Radios (1) Motorola XTL5000</td>
<td>1</td>
<td>05/06</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td>Mobile Radios (1), Motorola XTL 5000 UHF</td>
<td>1</td>
<td>06/07</td>
<td>6,000</td>
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</tr>
<tr>
<td>Mobile Radios (3), Motorola XTL 5000 UHF</td>
<td>1</td>
<td>06/07</td>
<td>14,000</td>
<td></td>
</tr>
<tr>
<td>Mobile Radios (3), Motorola XTS 5000 UHF</td>
<td>1</td>
<td>06/07</td>
<td>14,000</td>
<td></td>
</tr>
<tr>
<td>Motorcycle Radio (5), Motorola</td>
<td>1</td>
<td>03/04</td>
<td>17,500</td>
<td></td>
</tr>
<tr>
<td>Mobile Radios (5), Motorola XTS 5000 UHF</td>
<td>1</td>
<td>05/07</td>
<td>26,000</td>
<td></td>
</tr>
<tr>
<td>Mobile Radios (5), Motorola XTL 5000 UHF</td>
<td>1</td>
<td>05/07</td>
<td>28,000</td>
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</tr>
<tr>
<td>Mobile Radios (9), Motorola XTL 5000 UHF</td>
<td>1</td>
<td>05/07</td>
<td>35,000</td>
<td></td>
</tr>
<tr>
<td>Mobile Radios (9), Motorola</td>
<td>1</td>
<td>04/95</td>
<td>40,000</td>
<td></td>
</tr>
<tr>
<td>Mobile Radios (12), Motorola XTS 5000</td>
<td>1</td>
<td>05/06</td>
<td>44,000</td>
<td></td>
</tr>
<tr>
<td>Airlink GSM Modems</td>
<td>1</td>
<td>03/05</td>
<td>25,000</td>
<td></td>
</tr>
<tr>
<td>Mobile Radios (13), Motorola XTL 5000 UHF</td>
<td>1</td>
<td>05/07</td>
<td>50,000</td>
<td></td>
</tr>
<tr>
<td>Mobile Radios (15), Motorola XTS5000 UHF</td>
<td>1</td>
<td>05/07</td>
<td>64,000</td>
<td></td>
</tr>
<tr>
<td>Mobile Radios (16), Motorola XTS 5000</td>
<td>1</td>
<td>05/06</td>
<td>64,000</td>
<td></td>
</tr>
<tr>
<td>Mobile Radios (19), Motorola XTS 5000 UHF</td>
<td>1</td>
<td>06/07</td>
<td>86,000</td>
<td></td>
</tr>
<tr>
<td>Motorola XTS3000 Portables (75)</td>
<td>1</td>
<td>08/01</td>
<td>225,000</td>
<td></td>
</tr>
<tr>
<td>Motorola Spectra A3</td>
<td>1</td>
<td>08/99</td>
<td>2,500</td>
<td></td>
</tr>
<tr>
<td>Mobile</td>
<td>2</td>
<td>03/90</td>
<td>6,000</td>
<td></td>
</tr>
<tr>
<td>Cordless XLT Headsets (10 sets)</td>
<td>1</td>
<td>01/02</td>
<td>4,500</td>
<td></td>
</tr>
<tr>
<td>Radio Work Station</td>
<td>1</td>
<td>02/03</td>
<td>35,000</td>
<td></td>
</tr>
<tr>
<td>Motorola Wireless Dispatch Sys.</td>
<td>1</td>
<td>09/00</td>
<td>2,500,000</td>
<td></td>
</tr>
</tbody>
</table>

Total Equipment: $ 4,211,200

Note: Figures have been rounded to nearest hundred

Source: City of El Segundo Equipment Replacement Schedule, 5/4/10, City of El Segundo.
### Table A.4: Library Collections

<table>
<thead>
<tr>
<th>Item</th>
<th>Average Price</th>
<th>Total Collection</th>
<th>Collection's Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>DVD</td>
<td>$ 30</td>
<td>7,000</td>
<td>$ 210,000</td>
</tr>
<tr>
<td>VHS</td>
<td>20</td>
<td>500</td>
<td>10,000</td>
</tr>
<tr>
<td>Music CD</td>
<td>17</td>
<td>2,000</td>
<td>44,200</td>
</tr>
<tr>
<td>Book on Tape</td>
<td>80</td>
<td>890</td>
<td>71,200</td>
</tr>
<tr>
<td>Book on CD</td>
<td>45</td>
<td>916</td>
<td>41,200</td>
</tr>
<tr>
<td>Magazine or Journal Print</td>
<td>5</td>
<td>5,880</td>
<td>29,400</td>
</tr>
<tr>
<td>Newspaper Print</td>
<td>1.00</td>
<td>1,800</td>
<td>1,800</td>
</tr>
<tr>
<td>Microfilm or Microfiche</td>
<td>7</td>
<td>80,822</td>
<td>565,800</td>
</tr>
<tr>
<td>Maps, Pamphlets, Photos</td>
<td>10</td>
<td>27,500</td>
<td>275,000</td>
</tr>
<tr>
<td>Reference Books</td>
<td>200</td>
<td>6,500</td>
<td>1,300,000</td>
</tr>
<tr>
<td>Fiction Books</td>
<td>30</td>
<td>27,000</td>
<td>810,000</td>
</tr>
<tr>
<td>Non-Fiction Books</td>
<td>88</td>
<td>23,000</td>
<td>2,024,000</td>
</tr>
<tr>
<td>Children's Books</td>
<td>26</td>
<td>56,325</td>
<td>1,464,500</td>
</tr>
<tr>
<td>Electronic Database Subscriptions</td>
<td>3,000</td>
<td>15</td>
<td>45,000</td>
</tr>
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</table>

Total - Library Collections 240,748 $6,892,100

*Note: Total values rounded to nearest hundred.*

*Source: El Segundo Public Library.*
### Table A.5: Library Equipment and Furnishings

<table>
<thead>
<tr>
<th>Description</th>
<th>Units</th>
<th>Year Acquired</th>
<th>Unit Cost</th>
<th>Total Replacement Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projector, Epson</td>
<td>1</td>
<td>05/06</td>
<td>$2,600</td>
<td>$2,600</td>
</tr>
<tr>
<td>Projector, LCD Multimedia (Panasonic)</td>
<td>1</td>
<td>07/08</td>
<td>1,600</td>
<td>1,600</td>
</tr>
<tr>
<td>Media Return, M700-R</td>
<td>1</td>
<td>03/04</td>
<td>2,169</td>
<td>2,200</td>
</tr>
<tr>
<td>Audio System/Matsui Room</td>
<td>1</td>
<td>03/04</td>
<td>8,000</td>
<td>8,000</td>
</tr>
<tr>
<td>Tables</td>
<td>1</td>
<td>06/07</td>
<td>8,000</td>
<td>8,000</td>
</tr>
<tr>
<td>Reading Chairs</td>
<td>15</td>
<td>06/07</td>
<td>733</td>
<td>11,000</td>
</tr>
<tr>
<td>3M Security System</td>
<td>1</td>
<td>02/03</td>
<td>14,000</td>
<td>14,000</td>
</tr>
<tr>
<td>Canon Microfilm Scanner</td>
<td>1</td>
<td>08/09</td>
<td>9,000</td>
<td>9,000</td>
</tr>
<tr>
<td>Audio Visual Material Return</td>
<td>1</td>
<td>93/94</td>
<td>1,650</td>
<td>1,700</td>
</tr>
<tr>
<td>Audio Visual System</td>
<td>1</td>
<td>91/92</td>
<td>23,595</td>
<td>23,600</td>
</tr>
<tr>
<td>Printer, Dell 3100CN Laser Color</td>
<td>1</td>
<td>06/07</td>
<td>1,600</td>
<td>1,600</td>
</tr>
<tr>
<td>Printer, HP LaserJet 2055DN</td>
<td>1</td>
<td>08/09</td>
<td>1,600</td>
<td>1,600</td>
</tr>
<tr>
<td>Bar Code Scanners &amp; Resensitizer</td>
<td>1</td>
<td>03/04</td>
<td>1,600</td>
<td>1,600</td>
</tr>
<tr>
<td>Printer, Canon Fileprint</td>
<td>1</td>
<td>08/09</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Computer, Dell Optiplex 755 Ultra Small</td>
<td>40</td>
<td>07/08</td>
<td>1,818</td>
<td>72,700</td>
</tr>
<tr>
<td>Laptop, Dell Latitude D630</td>
<td>1</td>
<td>07/08</td>
<td>1,800</td>
<td>1,800</td>
</tr>
<tr>
<td>Computer, Dell Optiplex GX620 19*flat</td>
<td>13</td>
<td>05/06</td>
<td>1,800</td>
<td>23,400</td>
</tr>
<tr>
<td>Bar Code Scanners (17)</td>
<td>1</td>
<td>07/08</td>
<td>2,500</td>
<td>2,500</td>
</tr>
<tr>
<td>Computer, Dell Optiplex GX280T, 17&quot;</td>
<td>1</td>
<td>04/05</td>
<td>1,600</td>
<td>1,600</td>
</tr>
<tr>
<td>Computer, Dell Optiplex GX620 Mini Tower a</td>
<td>1</td>
<td>06/07</td>
<td>2,400</td>
<td>2,400</td>
</tr>
<tr>
<td>Computer, Gateway Profile SMX-C</td>
<td>1</td>
<td>04/05</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Switch, PowerConnect 5324 (3ea)</td>
<td>1</td>
<td>06/07</td>
<td>3,500</td>
<td>3,500</td>
</tr>
<tr>
<td>Millennium System Expansion Software</td>
<td>1</td>
<td>02/03</td>
<td>50,000</td>
<td>50,000</td>
</tr>
<tr>
<td>Battery backup RS232 - (2)</td>
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<td>02/03</td>
<td>1,700</td>
<td>1,700</td>
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<tr>
<td>Cisco Firewall PIX</td>
<td>1</td>
<td>00/01</td>
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<tr>
<td>OCLC Interfaces (2)</td>
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<td>92/93</td>
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<td>9,000</td>
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<tr>
<td>OPAC Web Server</td>
<td>1</td>
<td>00/01</td>
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</table>

Total - Library Equipment: $277,100

Note: Total replacement cost figures rounded to nearest hundred.

Sources: City of El Segundo Equipment Replacement Schedule, 09/10; City of El Segundo.
### Table A.6: Fire Department Vehicles

<table>
<thead>
<tr>
<th>Description</th>
<th>Unit</th>
<th>Year Acquired</th>
<th>Replacement Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Vehicles</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sedan, Crown Victoria</td>
<td>1</td>
<td>06/07</td>
<td>$28,000</td>
</tr>
<tr>
<td>Truck, crew cab</td>
<td>1</td>
<td>97/98</td>
<td>50,000</td>
</tr>
<tr>
<td>Generator, Tempest Honda 2000 Watt</td>
<td>2</td>
<td>07/08</td>
<td>3,600</td>
</tr>
<tr>
<td>Generator (TR)</td>
<td>1</td>
<td>00/01</td>
<td>3,500</td>
</tr>
<tr>
<td>Hydraulic Rescue (Jaws of Life)</td>
<td>2</td>
<td>00/01</td>
<td>58,000</td>
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<tr>
<td>Aerial Ladder</td>
<td>1</td>
<td>94/95</td>
<td>921,400</td>
</tr>
<tr>
<td>Fire Engine (E33)</td>
<td>1</td>
<td>08/09</td>
<td>771,000</td>
</tr>
<tr>
<td>Ford Excursion/Command Center</td>
<td>1</td>
<td>02/03</td>
<td>105,000</td>
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<td>Fire Engine (E34)</td>
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<td>92/93</td>
<td>448,000</td>
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<tr>
<td>Truck, USAR</td>
<td>1</td>
<td>05/06</td>
<td>800,000</td>
</tr>
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<td>Fire Engine (E31)</td>
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<td>99/00</td>
<td>575,000</td>
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<tr>
<td>Fire Engine (E32)</td>
<td>1</td>
<td>92/93</td>
<td>448,000</td>
</tr>
<tr>
<td>Truck, Communications</td>
<td>1</td>
<td>89/90</td>
<td>-</td>
</tr>
<tr>
<td>Power Blower (E33)</td>
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<td>00/01</td>
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</tr>
<tr>
<td>Generator</td>
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</tr>
<tr>
<td>Power Blower (T32)</td>
<td>1</td>
<td>91/92</td>
<td>2,600</td>
</tr>
<tr>
<td>Generator, Honda</td>
<td>1</td>
<td>96/97</td>
<td>3,500</td>
</tr>
<tr>
<td>Sedan</td>
<td>2</td>
<td>98/99</td>
<td>31,500</td>
</tr>
<tr>
<td>Technical Rescue Truck</td>
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<td>95/96</td>
<td>320,000</td>
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<tr>
<td>Rescue Ambulance (R31)</td>
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<td>03/04</td>
<td>251,100</td>
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<td>Rescue Ambulance</td>
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<td>96/97</td>
<td>179,500</td>
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<td>Truck, Ford Super Cab</td>
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<td>00/01</td>
<td>59,000</td>
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<tr>
<td>2008 Ford Escape Hybrid</td>
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<td>08/09</td>
<td>35,000</td>
</tr>
<tr>
<td>Sedan, Grand Marquis</td>
<td>1</td>
<td>00/01</td>
<td>26,300</td>
</tr>
<tr>
<td>Crew Cab Truck</td>
<td>1</td>
<td>99/00</td>
<td>52,000</td>
</tr>
<tr>
<td>Generator</td>
<td>1</td>
<td>99/00</td>
<td>1,800</td>
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<tr>
<td><strong>Total - Equipment and Apparatus</strong></td>
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<td></td>
<td>$5,177,800</td>
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Note: Equipment replacement costs rounded to nearest hundred.

Sources: City of El Segundo Equipment Replacement Schedule, 09/10; City of El Segundo.
### Table A.7: Fire Department Computer, Communications Equipment

<table>
<thead>
<tr>
<th>Description</th>
<th>Unit</th>
<th>Year Acquired</th>
<th>Replacement Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Communications</strong></td>
<td></td>
<td></td>
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<td>Printer, HP LJ 4200DTN</td>
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<td>Computer, Dell File Server</td>
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<td>Computer, Dell Optiplex 755 &quot;EMWIN&quot;</td>
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Note: Equipment replacement costs rounded to nearest hundred.

Sources: City of El Segundo Equipment Replacement Schedule, 09/10; City of El Segundo.
### Table A.8: Fire Department Other Misc. Equipment

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<th>Description</th>
<th>Unit</th>
<th>Year Acquired</th>
<th>Replacement Cost</th>
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# Table A.9: Parks Equipment and Vehicles

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<th>Unit Cost</th>
<th>Total Replacement Cost</th>
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<td>FY91-92</td>
<td>17,350</td>
<td>34,700</td>
</tr>
<tr>
<td>Truck, GMC TC7500 w/Arboretch 12&quot; Chipper</td>
<td>1</td>
<td>FY08-09</td>
<td>98,000</td>
<td>98,000</td>
</tr>
<tr>
<td>Aerial Tower Truck</td>
<td>1</td>
<td>FY97-98</td>
<td>130,000</td>
<td>130,000</td>
</tr>
<tr>
<td>Utility Vehicle, John Deere HPX Gator</td>
<td>1</td>
<td>FY04-05</td>
<td>10,200</td>
<td>10,200</td>
</tr>
<tr>
<td>Truck</td>
<td>1</td>
<td>FY92-93</td>
<td>28,000</td>
<td>28,000</td>
</tr>
<tr>
<td>Utility Trailer</td>
<td>3</td>
<td>FY02-03</td>
<td>5,433</td>
<td>16,300</td>
</tr>
<tr>
<td>Wood Chipper</td>
<td>1</td>
<td>FY01-02</td>
<td>33,000</td>
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</tr>
<tr>
<td>Generator</td>
<td>1</td>
<td>FY92-93</td>
<td>2,000</td>
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</tr>
<tr>
<td>Line Striper, Jiffy 7500</td>
<td>1</td>
<td>FY03-04</td>
<td>1,800</td>
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</tr>
<tr>
<td>Lawn Comber</td>
<td>1</td>
<td>FY97-98</td>
<td>1,500</td>
<td>1,500</td>
</tr>
<tr>
<td>Mower</td>
<td>1</td>
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<td>4,200</td>
<td>4,200</td>
</tr>
<tr>
<td>Computer, Optiplex GX280, 17&quot; panel</td>
<td>1</td>
<td>FY04-05</td>
<td>1,800</td>
<td>1,800</td>
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<tr>
<td>Computer, Dell Optiplex 755 Ultra Small</td>
<td>14</td>
<td>FY07-08</td>
<td>1,800</td>
<td>25,200</td>
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<tr>
<td>Computer, Dell; printer; firewall</td>
<td>1</td>
<td>FY07-08</td>
<td>3,600</td>
<td>3,600</td>
</tr>
<tr>
<td>Computer, GX520 Minitowers</td>
<td>2</td>
<td>FY05-06</td>
<td>2,300</td>
<td>4,600</td>
</tr>
<tr>
<td>Printer, HP2200DN</td>
<td>1</td>
<td>FY02-03</td>
<td>1,200</td>
<td>1,200</td>
</tr>
<tr>
<td>Printer, HP LaserJet 4000TN</td>
<td>1</td>
<td>FY98-99</td>
<td>1,800</td>
<td>1,800</td>
</tr>
<tr>
<td>Fax, Panafax DX2000</td>
<td>1</td>
<td>FY03-04</td>
<td>2,600</td>
<td>2,600</td>
</tr>
<tr>
<td>HP 2200DTN Printer</td>
<td>1</td>
<td>FY02-03</td>
<td>1,700</td>
<td>1,700</td>
</tr>
<tr>
<td>Computer, Dell Optiplex GX620 19&quot;flat</td>
<td>1</td>
<td>FY05-06</td>
<td>1,800</td>
<td>1,800</td>
</tr>
</tbody>
</table>

**Total Equipment and Vehicles**

$887,600

Note: Totals replacement costs rounded to nearest hundred.

Sources: City of El Segundo Equipment Replacement Schedule, 08/09; City of El Segundo.

WILLDAN Financial Services
Appendix B: Worker Demand Survey for Parks

The worker demand weighting for parks and recreation facilities were developed during various user intercept surveys carried out by staff at the City of El Segundo in March 2010. The following appendix describes the methodology used to arrive at the worker demand weighting factors.

Park Survey

The parks intercept survey was administered to all willing park-goers at Campus El Segundo Fields and Recreation Park on Tuesday, March 16th, Wednesday, March 17th, and Sunday, March 21st. On the two weekdays, the survey was administered during the interval from 11:45AM to 1:15PM and then the interval from 6:00PM to 7:00PM. On Sunday, the survey was administered from 9:15AM-10:15AM, from 12:15PM-1:15PM and from 6:30PM to 7:30PM. The parks surveyed are listed in the table below. Park users were asked if they came to the park that day because of proximity to work, home, both or neither.

The staff at the City of El Segundo initially tabulated the results of the survey. The results of the weekday surveys (Tuesday, March 16th and Wednesday, March 17th) need to be multiplied by five to weight the results to represent the five weekdays. Results from the weekend survey (Sunday, March 21st) need to be multiplied by two in order to represent total visits for both weekend days.

Willedan Financial Services constructed weights by considering worker and resident responses alone. Respondents suggesting that they were at the parks for both or neither reasons were not included in the total. The resulting estimate of total proximity to work responses were then divided by the current estimate of employees working within the City of El Segundo to derive park visits per employee. Park visits per resident were estimated by dividing the responses by the current resident population. The resulting weighting factor for worker park use based on survey results is estimated at 0.17.

The tabulation of survey results appears in Table B.1 below.
### Table B.1: City Of El Segundo Park Users Survey

<table>
<thead>
<tr>
<th>Number of patrons at park because of:</th>
<th>Work</th>
<th>Residence</th>
<th>Both</th>
<th>Neither</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Survey Date: Tuesday, March 16, 2010, 11:45 am to 1:15 pm</strong></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Recreation Park</td>
<td>37</td>
<td>30</td>
<td>13</td>
<td>19</td>
</tr>
<tr>
<td>Campus El Segundo Fields</td>
<td>6</td>
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<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>43</td>
<td>31</td>
<td>13</td>
<td>29</td>
</tr>
<tr>
<td><strong>Survey Date: Tuesday, March 16, 2010, 6:00 pm to 7:00 pm</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreation Park</td>
<td>5</td>
<td>15</td>
<td>12</td>
<td>6</td>
</tr>
<tr>
<td>Campus El Segundo Fields</td>
<td>3</td>
<td>52</td>
<td>10</td>
<td>29</td>
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<tr>
<td>Total</td>
<td>8</td>
<td>67</td>
<td>22</td>
<td>34</td>
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<tr>
<td><strong>Survey Date: Wednesday, March 17, 2010, 11:45 am to 1:15 pm</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreation Park</td>
<td>28</td>
<td>12</td>
<td>6</td>
<td>15</td>
</tr>
<tr>
<td>Campus El Segundo Fields</td>
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<td>2</td>
<td>1</td>
<td>23</td>
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<tr>
<td>Total</td>
<td>35</td>
<td>14</td>
<td>7</td>
<td>38</td>
</tr>
<tr>
<td><strong>Survey Date: Wednesday, March 17, 2010, 6:00 pm to 7:00 pm</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Recreation Park</td>
<td>12</td>
<td>41</td>
<td>11</td>
<td>37</td>
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<tr>
<td>Campus El Segundo Fields</td>
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<td>83</td>
<td>3</td>
<td>42</td>
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<td>79</td>
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<tr>
<td>Adjustment Factor</td>
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<td>5</td>
<td>5</td>
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</tr>
<tr>
<td>Weighted Weekday Visits</td>
<td>133</td>
<td>295</td>
<td>70</td>
<td>225</td>
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<tr>
<td><strong>Survey Date: Sunday, March 21, 2010, 9:15 am to 10:15 am</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreation Park</td>
<td>-</td>
<td>25</td>
<td>7</td>
<td>14</td>
</tr>
<tr>
<td>Campus El Segundo Fields</td>
<td>8</td>
<td>7</td>
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<td>37</td>
</tr>
<tr>
<td>Total</td>
<td>8</td>
<td>32</td>
<td>9</td>
<td>51</td>
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<tr>
<td><strong>Survey Date: Sunday, March 21, 2010, 12:15 pm to 1:15 pm</strong></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreation Park</td>
<td>5</td>
<td>38</td>
<td>12</td>
<td>36</td>
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<tr>
<td>Campus El Segundo Fields</td>
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<td>26</td>
<td>8</td>
<td>129</td>
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<tr>
<td>Total</td>
<td>11</td>
<td>64</td>
<td>20</td>
<td>165</td>
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<tr>
<td><strong>Survey Date: Sunday, March 21, 2010, 6:30 pm to 7:30 pm</strong></td>
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</tr>
<tr>
<td>Recreation Park</td>
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<td>34</td>
<td>6</td>
<td>32</td>
</tr>
<tr>
<td>Campus El Segundo Fields</td>
<td>10</td>
<td>6</td>
<td>5</td>
<td>209</td>
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<td>Total</td>
<td>12</td>
<td>40</td>
<td>11</td>
<td>241</td>
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<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Weighted Weekend Visits</td>
<td>21</td>
<td>91</td>
<td>27</td>
<td>305</td>
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<tr>
<td>Weekend and Weekday Weighted Visits</td>
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<td>386</td>
<td>97</td>
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<td>Allocation of &quot;Both&quot; Response</td>
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<td>48</td>
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<tr>
<td></td>
<td>202</td>
<td>434</td>
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<td></td>
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<tr>
<td>Employees or Residents</td>
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<td>17,000</td>
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<td></td>
</tr>
<tr>
<td>1,000 Visits per worker or resident</td>
<td>4.27</td>
<td>25.53</td>
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<td></td>
</tr>
</tbody>
</table>

### 1,000 Visits Per Capita
- Workers: 4.27
- Residents: 25.53
- Worker Weighting Factor: 0.17

Note: These parks were selected based on their similarity to future parks to be built.

Sources: City of El Segundo, Wildan Financial Services.
### EXHIBIT 3 – Neighboring Jurisdiction Mitigation Fees Comparison Table

<table>
<thead>
<tr>
<th>General Notes</th>
<th>Manhattan Beach</th>
<th>Hermosa Beach</th>
<th>Redondo Beach</th>
<th>Torrance</th>
<th>Hawthorne</th>
<th>City of Los Angeles</th>
<th>Long Beach</th>
<th>Culver City</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fire</strong></td>
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<tr>
<td>SFR</td>
<td>$1.03/unit</td>
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<td>N/A</td>
<td>Exempt</td>
<td>N/A</td>
<td>$2.094/unit</td>
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<tr>
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<td></td>
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<td></td>
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<td>$1.63 to 5.48 per square foot</td>
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<td></td>
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<td>$1.162 to 1.685 per square foot</td>
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<tr>
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<td><strong>Traffic Mitigation</strong></td>
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<td>Exempt</td>
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<tr>
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<td>$2.55/unit</td>
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<td>$1,125/unit</td>
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<td></td>
<td>$1 per square foot (first 5,000 square feet is exempt)</td>
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<td>$2.564 per trip E. of Sepulveda</td>
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<td>$2.564 per trip E. of Sepulveda</td>
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<tr>
<td>Industrial</td>
<td>$2.564 per trip E. of Sepulveda</td>
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<td>Full Cost El Segundo</td>
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<td>Redondo Beach</td>
<td>Torrance</td>
<td>Hawthorne</td>
<td>City of Los Angeles</td>
<td>Long Beach</td>
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<tr>
<td><strong>Parks</strong></td>
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<td>$3,500 to 6,732/unit based on zone</td>
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</tbody>
</table>

*The State Quilty Act was first established in 1966. It provided provisions in the State Subdivision Map Act for the dedication of parkland and/or payment of in-lieu fees as a condition of approval of certain types of residential development projects. The legislation was initiated in response to California’s increased rate of urbanization and the need to preserve open space and provide parks and recreation facilities for growing communities. The State Quilty Act allows local agencies to establish ordinances requiring residential subdivision developers to pay impact fees that can be used to purchase and develop land and/or recreational facilities.
### Exhibit Four – Development Scenario Comparison Tables

#### Single-Family Residence Total Cost of Development Residential

<table>
<thead>
<tr>
<th></th>
<th>El Segundo Current</th>
<th>El Segundo Full Cost</th>
<th>El Segundo Facilities Only (with 50% reduction)</th>
<th>Manhattan Beach</th>
<th>Hermosa Beach</th>
<th>Redondo Beach</th>
<th>Torrance</th>
<th>Hawthorne</th>
<th>Los Angeles</th>
<th>Long Beach</th>
<th>Culver City</th>
<th>Neighbor Average</th>
<th>Neighbor Adjusted Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<td>Fire</td>
<td>$0</td>
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<td>$431</td>
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<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
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<td>$0</td>
<td>$0</td>
<td>$0</td>
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<td>$0</td>
<td>$196</td>
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<td>$105</td>
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<td>$0</td>
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<td>$0</td>
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<td>$6,517</td>
<td>$7,500</td>
<td>$550</td>
<td>$2,921</td>
<td>$2,332</td>
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<td>$3,604</td>
<td>$5,196</td>
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<tr>
<td>Total</td>
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<td>$4,417</td>
<td>$0</td>
<td>$6,517</td>
<td>$7,500</td>
<td>$550</td>
<td>$5,112</td>
<td>$2,332</td>
<td>$6,821</td>
<td>$0</td>
<td>$3,604</td>
<td>$5,196</td>
</tr>
</tbody>
</table>

**Notes:**
- **Average** is for all neighboring cities excluding El Segundo. The number of cities included in comparison in parentheses.
- **Adjusted Average** removes high and low and any exempt/not applicable from calculating the average. The number of cities included in comparison in parentheses.
- **Facilities Only** removes all land costs from proposed fees. For new single family and two family residences this fee is recommended to be reduced by 50%.

#### SINGLE FAMILY Total Fees Ranking

1. El Segundo Full Cost ($23,041)
2. Redondo Beach ($7,500)
3. Long Beach ($6,821)
4. Hermosa Beach ($6,517)
   - Adjusted Average $5,196
5. Hawthorne ($5,112)
6. **El Segundo Facilities Only with 50% reduction ($4,417)**
   - Average $3,604
7. Los Angeles ($2,332)
8. Torrance ($550)
9. El Segundo Current Fee ($105)
   - Manhattan Beach ($0)
   - Culver City ($0)
**Total Cost of Development Residential (MF)** Calculation based on one 2,000 square-foot unit in a 6-unit multi-family structure

<table>
<thead>
<tr>
<th></th>
<th>El Segundo Current</th>
<th>El Segundo Facilities Only</th>
<th>Manhattan Beach</th>
<th>Hermosa Beach</th>
<th>Redondo Beach</th>
<th>Torrance</th>
<th>Hawthorne</th>
<th>Los Angeles</th>
<th>Long Beach</th>
<th>Culver City</th>
<th>Neighbor Average</th>
<th>Neighbor Adjusted Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$2,094</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Fire</td>
<td>$280 ($0.14/sf)</td>
<td>$69</td>
<td>$572</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<tr>
<td>Police</td>
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<tr>
<td>Storm Drain</td>
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<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$134</td>
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<tr>
<td>Traffic Mitigation</td>
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<td>$69</td>
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<td>$0</td>
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<td>$754</td>
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<td>$1,166</td>
<td>$1,125</td>
<td>$1,166</td>
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<tr>
<td>Parks</td>
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<td>$11,406</td>
<td>$2,209</td>
<td>$1,817</td>
<td>$14,096</td>
<td>$7,500</td>
<td>$2,077</td>
<td>$6,723</td>
<td>$3,473</td>
<td>$10,000</td>
<td>$6,729 (8 cities)</td>
<td>$6,320 (6 cities)</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>$1,817</strong></td>
<td><strong>$14,096</strong></td>
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<td><strong>$2,644</strong></td>
<td><strong>$3,617</strong></td>
<td><strong>$7,477</strong></td>
<td><strong>$5,513</strong></td>
<td><strong>$11,166</strong></td>
<td><strong>$6,729 (8 cities)</strong></td>
</tr>
</tbody>
</table>

**Notes:**
- **Average** is for all neighboring cities excluding El Segundo. The number of cities included in comparison in parentheses.
- **Adjusted Average** removes high and low and any exempt/not applicable from calculating the average. The number of cities included in comparison in parentheses.
- **Facilities Only** removes all land costs from proposed fees.

**MULTIFAMILY Total Fees Ranking**
1) El Segundo Full Cost ($15,333)
2) Hermosa Beach ($14,096)
3) Culver City ($11,166)
4) Redondo Beach ($7,500)
5) Los Angeles ($7,477)
   **Average** $6,729
   **Adjusted Average** $6,320
6) El Segundo Facilities Only ($5,804)
7) Long Beach ($5,513)
8) Hawthorne ($3,617)
9) Torrance ($2,644)
10) Manhattan Beach ($1,817)
11) El Segundo Current Fee ($629)
### Total Cost of Development Commercial 10,000 square-foot building west of Sepulveda

<table>
<thead>
<tr>
<th></th>
<th>El Segundo Current</th>
<th>El Segundo Full Cost</th>
<th>El Segundo Facilities Only</th>
<th>Manhattan Beach</th>
<th>Hermosa Beach</th>
<th>Redondo Beach</th>
<th>Torrance</th>
<th>Hawthorne</th>
<th>Los Angeles</th>
<th>Long Beach</th>
<th>Culver City</th>
<th>Neighbor Average</th>
<th>Neighbor Adjusted Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$54,847</td>
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<td>$0</td>
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<tr>
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</tr>
<tr>
<td>($0.14/sf)</td>
<td>($0.52/sf)</td>
<td>($0.43/sf)</td>
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<td></td>
<td>($0.257/sf)</td>
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<td>Police</td>
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<td>($0.45/sf)</td>
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<td></td>
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<td></td>
<td>($0.442/sf)</td>
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</tr>
<tr>
<td>($0.03/sf)</td>
<td>($0.03/sf)</td>
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<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>($0.03/sf)</td>
<td></td>
<td></td>
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<tr>
<td>Storm Drain</td>
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<td>Traffic Mitigation</td>
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<td>$4,300</td>
<td>$4,300</td>
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<tr>
<td>($0.43/sf)</td>
<td>($0.43/sf)</td>
<td>($0.43/sf)</td>
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<td>($3.00/sf)</td>
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<td>($0.442/sf)</td>
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<tr>
<td>($2.12/sf)</td>
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<td>($0.41/sf)</td>
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<td><strong>Total</strong></td>
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<td><strong>$5,000</strong></td>
<td><strong>$16,940</strong></td>
<td><strong>$37,835</strong></td>
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</tbody>
</table>

*Notes:  Average is for all neighboring cities excluding El Segundo. The number of cities included in comparison in parentheses.*

*Adjusted Average removes high and low and any exempt/not applicable from calculating the average. The number of cities included in comparison in parentheses.*

*Facilities Only removes all land costs from proposed fees.*

### NEIGHBORHOOD COMMERCIAL Total Fees Ranking

1) Torrance ($54,847)
2) Hawthorne ($38,680)
   *Adjusted Average $37,835*
3) Long Beach ($36,990)
4) El Segundo Full Cost ($35,900)
5) El Segundo Facilities Only ($17,200)
   *Average $16,940*
6) El Segundo Current Fee ($7,100)
7) Culver City ($5,000)
   Manhattan Beach ($0)
   Hermosa Beach ($0)
   Redondo Beach ($0)
   Los Angeles ($0)
### Total Cost of Development Office 50,000 square-foot building east of Sepulveda (50 new PM Peak Trips)

<table>
<thead>
<tr>
<th></th>
<th>El Segundo Current</th>
<th>El Segundo Full Cost</th>
<th>El Segundo Facilities Only</th>
<th>Man. Beach</th>
<th>Hermosa Beach</th>
<th>Redondo Beach</th>
<th>Torrance</th>
<th>Hawthorne</th>
<th>Los Angeles</th>
<th>Long Beach</th>
<th>Culver City</th>
<th>Neighbor Average</th>
<th>Neighbor Adjusted Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<td>$16,250</td>
<td>$538</td>
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<td>$0</td>
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<td>$0</td>
<td>$8,000</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
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<td>$30,500</td>
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<td>$0</td>
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<td>$0</td>
<td>$11,700</td>
<td>$0</td>
<td>$26,900</td>
<td>$0</td>
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</tr>
<tr>
<td>Library</td>
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<td>$0</td>
<td>$0</td>
<td>$0</td>
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<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Storm Drain</td>
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<td>$0</td>
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<td>$45,000</td>
<td>$121,303</td>
<td>$180,924</td>
</tr>
</tbody>
</table>

**Notes:**
- **Average** is for all neighboring cities excluding El Segundo. The number of cities included in comparison in parentheses.
- **Adjusted Average** removes high and low and any exempt/not applicable from calculating the average. The number of cities included in comparison in parentheses.
- **Facilities Only** removes all land costs from proposed fees.

### REGIONAL OFFICE Total Fees Ranking
1. Los Angeles ($382,650)
2. El Segundo Full Cost ($313,700)
3. Torrance ($250,173)
4. El Segundo Facilities Only ($203,700)
5. Long Beach ($193,150)
   - Adjusted Average: $180,924
6. El Segundo Current Fee ($142,200)
   - Average: $121,303
7. Hawthorne ($99,450)
8. Culver City ($45,000)
   - Manhattan Beach (MB) ($0)
   - Hermosa Beach (HB) ($0)
   - Redondo Beach ($0)
## Exhibit 5 - Parks Fee Comparison

<table>
<thead>
<tr>
<th>Proposed Full Cost Recovery Fee</th>
<th>Recommended Facilities Only Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family (SF)/Two Family – $17,141 per unit</td>
<td>Single Family/Two Family – $1,662 per unit (with 50% reduction)</td>
</tr>
<tr>
<td>Multifamily (MF) – $11,406 per unit</td>
<td>Multifamily – $2,209 per unit</td>
</tr>
<tr>
<td>Commercial - $2.12 per square foot</td>
<td>Commercial - $0.41 per square foot</td>
</tr>
<tr>
<td>Office - $2.49 per square foot</td>
<td>Office - $0.48 per square foot</td>
</tr>
<tr>
<td>Industrial - $1.17 per square foot</td>
<td>Industrial - $0.23 per square foot</td>
</tr>
</tbody>
</table>

NOTE: No neighboring jurisdiction has a parks fee for non-residential projects.

### Parks Fee Neighboring Jurisdiction Average

<table>
<thead>
<tr>
<th></th>
<th>Manhattan Beach</th>
<th>Hermosa Beach</th>
<th>Redondo Beach</th>
<th>Torrance</th>
<th>Hawthorne</th>
<th>Los Angeles</th>
<th>Long Beach</th>
<th>Culver City</th>
<th>Average</th>
<th>Adjusted Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>SF</td>
<td>$0</td>
<td>$6,517</td>
<td>$7,500</td>
<td>$550</td>
<td>$2,921</td>
<td>$2,352</td>
<td>$4,497</td>
<td>$0</td>
<td>$3,040 (8 cities)</td>
<td>$4,067 (4 cities)</td>
</tr>
<tr>
<td>MF</td>
<td>$1,817</td>
<td>$14,096</td>
<td>$7,500</td>
<td>$550</td>
<td>$2,077</td>
<td>$3,500-6,723</td>
<td>$3,473</td>
<td>$5,000-10,000</td>
<td>$5,474 (10 cities)</td>
<td>$5,011 (8 cities)</td>
</tr>
</tbody>
</table>

Notes: Average is for all neighboring cities excluding El Segundo. The number of cities included in comparison in parentheses. Adjusted Average removes high and low and any exempt/not applicable from calculating the average. The number of cities included in comparison in parentheses. Facilities Only removes all land costs from proposed fees.

### Single-Family Ranking

1. El Segundo Full Cost ($17,141)
2. Redondo Beach ($7,500)
3. Hermosa Beach ($6,517)
4. Long Beach ($4,497)
5. Hawthorne ($2,921)
6. Los Angeles ($2,352)
7. El Segundo Facilities Only ($1,662)
8. Torrance ($550)
9. Manhattan Beach ($0)
10. Culver City ($0)

### Multi-family Ranking

1. Hermosa Beach ($14,096)
2. El Segundo Full Cost ($11,406)
3. Culver City-High ($10,000)
4. Redondo Beach ($7,500)
5. Los Angeles-High ($6,723)
6. Culver City-Low ($5,000)
7. Los Angeles-Low ($3,500)
8. Long Beach ($3,473)
9. El Segundo Facilities Only ($2,209)
10. Hawthorne ($2,077)
11. Manhattan Beach ($1,817)
12. Torrance ($550)

El Segundo Current Fee ($0)
AGENDA DESCRIPTION:
Consideration and possible action (Continued Public Hearing) regarding the Fiscal Year 2010-2011 Budget (including all City Revenues and Expenditures), Five-Year Capital Improvement Plan and Adoption of Resolutions approving Appropriation Limit, Preliminary Budget as amended, and Capital Improvement Plan as amended. (Copies of the Fiscal Year 2010-2011 Preliminary Budget can be found in the Library, City Clerk’s office, and on the City’s website.) (Fiscal Impact $106,476,600 in total appropriations; $95,666,700 in total estimated revenues and prior year designations of $10,809,900.) (Fiscal Impact: $106,476,600)

RECOMMENDED COUNCIL ACTION:


3. Adopt the Resolution approving and adopting the Appropriations Limit for fiscal year 2010-2011, as presented.

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

ATTACHED SUPPORTING DOCUMENTS:
1) Exhibit A Fiscal Year 2010-2011 Change List of Budget Revisions in all Funds
2) Resolution approving and adopting the Operating and Five-Year Capital Improvement Budget for Fiscal Year 2010-2011 and the Appropriation Limit for Fiscal Year 2010-2011

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $106,476,600 in Total Appropriations; $95,666,700 in total Revenues and prior year designations of $10,809,900.
Additional Appropriation: N/A
Account Number(s): 

ORIGINATED BY: Angelina Garcia, Fiscal Services Manager
REVIEWED BY: Deborah Cullen, Director of Finance
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
Initial planning for the FY 2010-2011 budget started early in FY 2009-2010. Staff identified an approximate budget gap of $8.7 million and two Strategic Planning Sessions were held to identify a series of options for balancing the FY 2010-2011 budget deficit.

At the Strategic Planning Sessions in May and July many options were discussed and the following items were approved by Council to be included in the FY 2010-2011 budget:

Shortfall:  ($8,720,900)

- Transfer from Equipment Replacement Fund (Communication Center excess funds)
- $1,400,000
- Withdraw from Other Post Employment Benefit Trust
- $750,000
- 5% Employee Concessions
- $1,500,000
- Reduction of Nonpersonnel Costs
- $1,474,300

Deficit:  ($3,596,600)

Council directed the City Manager to work with staff to bridge the adjusted shortfall with an emphasis on protecting the current workforce and minimal impact on services. The following is a summary of the reductions made to decrease the FY 10-11 deficit:

<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>TOTAL SAVINGS</th>
<th>NON-PERSONNEL</th>
<th>SALARIES</th>
<th>BENEFITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elected Officials</td>
<td>$ 83,000</td>
<td>32,892</td>
<td>3,400</td>
<td>46,708</td>
</tr>
<tr>
<td>Administrative Support</td>
<td>467,250</td>
<td>444,325</td>
<td>(119,975)</td>
<td>142,900</td>
</tr>
<tr>
<td>Police</td>
<td>242,620</td>
<td>11,308</td>
<td>583,457</td>
<td>(352,145)</td>
</tr>
<tr>
<td>Fire</td>
<td>1,601,100</td>
<td>47,050</td>
<td>1,323,500</td>
<td>230,550</td>
</tr>
<tr>
<td>Communications Center</td>
<td>916,950</td>
<td>(845,750)</td>
<td>1,218,600</td>
<td>544,100</td>
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<tr>
<td>Planning /Building Safety</td>
<td>985,550</td>
<td>830,683</td>
<td>95,800</td>
<td>59,067</td>
</tr>
<tr>
<td>Public Works</td>
<td>615,530</td>
<td>42,788</td>
<td>526,842</td>
<td>45,900</td>
</tr>
<tr>
<td>Recreation and Parks</td>
<td>103,600</td>
<td>292,325</td>
<td>(114,867)</td>
<td>(73,858)</td>
</tr>
<tr>
<td>Library</td>
<td>(21,550)</td>
<td>32,220</td>
<td>32,650</td>
<td>(86,420)</td>
</tr>
<tr>
<td>Nondepartment</td>
<td>(375,850)</td>
<td>7,650</td>
<td>-</td>
<td>(383,500)</td>
</tr>
<tr>
<td>Transfers to Other Funds</td>
<td>200,000</td>
<td>200,000</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Less: 5% Concessions:  1,500,000  - 1,500,000

Total General Fund Expenditures:  $6,318,200  1,095,491  5,049,407  173,302

Summary of Assumptions used to prepare FY 2010-2011 Budget:

- Existing Memorandum of Understanding with Police Management Association, Police Officers Association, Firefighters' Association and Supervisory & Professional Employees Association which is 50% of the full-time workforce. Required salary increases ranging from 2% to 5% depending on bargaining group total $688,000.
- No raises have been included for the remaining employee groups, which include the
Management/Confidential Group, City Employees’ Association and Police Support Services Employees’ Association.

- Continued Vacancies – Currently, the City is operating with approximately 10% fewer employees for savings of approximately $3,000,000.
- Employee Concessions – Effective August 1, 2010, employee concessions of 5% have been incorporated into the budget. These concessions are estimated at $1,500,000.
- An increase in Workers’ Compensation charges of $105,000 over the prior year
- Health Benefits – Average 11% increase or $481,000
- Annual Other Post Employment Benefits (OPEB) payment – Funded at 100%; $2,000,000 for FY 2010-2011
- El Segundo Unified School District funding - $250,000 cash payment and continue funding crossing guard contract ($80,000) and in-kind contributions ($617,500 estimated for FY 2010-2011)
- Capital Funding - $150,000
- City-wide new technology projects – No funding
- No increase in PERS pension rates for the first 9 months of FY 2010-2011.
- The Fiscal Year 2009/10 budget included a zero-growth assumption for non-personnel costs. In other words, there were no increases in any non-personnel expenditure accounts for inflation/growth. Departments have further reduced their budgeted FY 2010-2011 non-personnel expenditures by an additional $900,000. The major categorical reductions are as follows:
  - Supplies – Total decrease of $129,675 or 13.3% compared to the prior year adopted budget;
  - Contractual Services – Total decrease of $250,800 or 12.8% compared to the prior year adopted budget
  - Professional & Technical Services – Total decrease of $944,654 or 46% compared to the prior year adopted budget. The prior year budget included $520,000 for the general plan update, which has been postponed.
  - Meetings & Travel – Total decrease of $41,527 or 30% compared to the prior year adopted budget
  - Training & Education – Total decrease of $54,125 or 24.7% compared to the prior year adopted budget
  - Dues and Subscriptions – Total decrease of $17,451 or 19.5% compared to the prior year adopted budget
- The Fire Department’s overtime has decreased approximately $450,000 from the prior year’s budget. This is in addition to the $661,000 in overtime reductions taken in FY 2009-2010, which amounts to over $1.1 million in overtime reductions over the last two years. The reduction in overtime is achievable by not backfilling most absences.

On September 7, 2010 the City Council conducted a Public Hearing on the FY 2010-2011 Operating Budget and the Five-Year Capital Improvement Project Budget.

Revisions from the Preliminary Budget are attached to this report and have been included in the final budget to be adopted.
Incorporate “Exhibit A – FY 2010-2011 Change List of Budget Revisions in all Funds” into the Adopted Budget.

**Budget Revenue Revisions between Preliminary and Adopted**

**General Fund**
No adjustments were made to the General Fund Revenues.

**Other Funds**
The summary of changes includes adjustments to the CIP Fund, CDBG Fund and Facilities Maintenance Fund to balance transfers-in to the General Fund’s and to transfer-out. An increase of $1,372,392 was also made to the Equipment Replacement Fund to account for charges from other departments that had not been finalized in the preliminary budget.

**Budget Expenditure Revisions between Preliminary and Adopted**

**General Fund**
The summary of changes in General Fund expenditures include overtime savings of $23,600, and an increase of $158,600 in additional Equipment Replacement Charges charged to a majority of the General Fund departments.

**Other Funds**
The following budget revisions had not been finalized in time to include in the preliminary budget.

The summary of changes in other fund expenditures include an adjustment for capital outlay in the Capital Improvements Fund of $2,444,000, as well as adjustments to the Water Fund for increases in purchase of potable and recycled water totaling $1,476,590 and a decrease to capital outlay of $660,000.

The Equipment Replacement Fund shows an increase in asset purchases of $924,950 and a decrease in the transfer to the General Fund of $880,550.

**Adopt the Resolution approving and adopting Appropriations Limit for FY 2010-2011.**

Article XIII-B of the California State Constitution, commonly referred to as the Gann Appropriations Limit, was adopted by California voters in 1980 and placed limits on the total tax proceeds that State and local agencies can appropriate and spend each year. Based upon the California Constitution and applicable law, staff has presented the City Council with an Appropriations Limit for FY 2010-2011 as adjusted by the factors identified in the attached Resolution. The Appropriations Limit for FY 2010-2011 will be $222,296,005.
Capital Improvement Projects

The FY 2010-2011 Capital Improvement Projects recommended from the Capital Improvement Program Advisory Committee total $1,010,000.
Residential Sound Insulation Program improvements total $12,649,500.

General Fund

This budget as presented contains General Fund appropriations inclusive of transfers of 56,010,156 and General Fund estimated revenues inclusive of transfers of $52,413,550 with a deficit of $3,596,606 to be filled by the use of General Fund Reserves until employee concessions are finalized.

All Funds

Enterprise Funds
The Water Fund reports FY 2010-2011 budgeted revenues of $20,385,700 and expenditures of $20,385,700. This fund’s budget is balanced.

The Wastewater Fund reports FY 2010-2011 budgeted revenues of $3,500,100 and expenditures of $3,007,500. This fund’s budget has a slight surplus to be set aside for capital projects.

The Golf Course reports FY 2010-2011 budgeted revenues of $2,037,000 and expenditures of $2,369,100. This fund’s budget will be balanced with prior year designated fund reserves.

Internal Service Funds
The Workers’ Compensation Fund reports FY 2010-2011 budgeted revenues of $1,977,000 and expenditures of $2,010,500 funded at a 70% confidence level with retained earnings.

The General Liability Fund reports FY 2010-2011 budgeted revenues of $1,169,600 and expenditures of 1,160,700 funded at a 70% confidence level with retained earnings.

The Equipment Replacement fund reports FY 2010-2011 budgeted revenues of $1,372,400 and expenditures of $5,510,100 funded at a 70% of total replacement cost value with retained earnings.

The revised FY 2010-2011 budget is balanced. Total appropriations for all funds are $106,476,600. Total estimated revenues for all funds are $95,666,700, with prior year designations of $10,809,900, for a total of $106,476,600.
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<thead>
<tr>
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<th>Inc (Dec)</th>
<th>Balance</th>
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<tr>
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<td>(500)</td>
<td></td>
</tr>
<tr>
<td>6207</td>
<td>13,045</td>
<td></td>
</tr>
</tbody>
</table>

**General Fund:**

- **Elected Official - City Council**
  - Adjust Equipment Replacement Charge: 6207, (2,000)

- **Elected Official - City Treasurer**
  - Adjust Equipment Replacement Charge: 6207, (600)
  - Eliminate Meetings and Travel: 6213, (600)
  - Increase Training and Education: 6223, 1,000

- **Elected Official - City Clerk**
  - Adjust Equipment Replacement Charge: 6207, 300

- **Planning & Building Safety**
  - Adjustment - Reduction of Postage Costs: 6253, (3,300)
  - Adjustment - Decrease Reimbursable Overtime: 4103, (23,628)
  - Adjust Equipment Replacement Charge: 6207, (48,330)

- **City Manager - IS & HR**
  - Adjust Equipment Replacement Charge: 6207, 63,700

- **Finance**
  - Adjust Equipment Replacement Charge: 6207, (10,525)

- **Human Resources**
  - Adjust Equipment Replacement Charge: 6207, (2,450)

- **Non-Department**
  - Adjustment - Decrease Community Promotion: 6406, (35,000)
  - Adjustment - Decrease Community Promotion: 6407, (31,700)
  - Adjustment - Increase Vacation/Sick Leave Payout: 6235, (33,222)
  - Adjust Equipment Replacement Charge: 6207, 12,700

- **Police Department**
  - Adjustment - Reduction of Equipment Leasing Costs: 6260, (10,100)
  - Transfer Charge to Comm Center: 6279, (39,400)
  - Adjustment - no longer fund this item: 6207, (650)
  - Adjust Equipment Replacement Charge: 6207, 58,830

- **Communications Center**
  - Transfer Charge from PD: 6207, 39,400

- **Fire Department**
  - Adjustment - Increase uniform replacement per actual usage: 4215, 9,300
  - Adjustment - decrease in projected operating supplies usage: 5204, (7,000)
  - Adjustment - Increase in gas utility for FS #2 projected: 6101, 10,800
  - Adjustment - Decrease in professional/technical contracts: 6214, (1,500)
  - Adjustment - Correction to Equipment purchases: 8104, (30,850)
  - Adjustment - Computer Software not intended to be purchased: 8109, (26,000)
  - Adjustment - Decrease in public education expenditures: 6257, (500)
  - Adjust Equipment Replacement Charge: 6207, 13,045

- **Public Works Department**
  - Adjustment - Service Cost increases: various, 17,000
<table>
<thead>
<tr>
<th>Account</th>
<th>Inc (Dec)</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>6207</td>
<td>62,300</td>
<td></td>
</tr>
</tbody>
</table>

**Recreation & Parks Department**
- Adjust Equipment Replacement Charge: 6207 8,430
- Eliminate Software Maintenance Costs: 6207 (9,950)

**Library Services**
- Adjust Equipment Replacement Charge: 6207 3200
- Adjust Equipment Leasing Costs: 6260 3,900
- Adjust Professional/Technical Services Contracts: 6214 13,500

Total General Fund Adjustments: $0 $108,841,518

**All Other Funds**
- Adjustment - Elimination of costs not available for reimbursement: 6312 (2,600)

**State Gas Tax Fund (106)**
- Adjustment - Increase Transfer to CIP for Curb and Sidewalk Repair: 9301 (207,600)

**Capital Improvement Fund (301)**
- Revision upon finalization of CIPAC Plan: (2,394,000)

**Water (501) Fund**
- Adjust Equipment Replacement Charge: 6207 6,296
- Adjust Portable Water for increase in water rates: 6285 787,840
- Adjust Reclaimed Water for increase in water rates: 6285 688,750
- Revision of Capital Outlay upon finalization of CIPAC Plan: (560,004)

**Waste Water (502) Fund**
- Adjust Equipment Replacement Charge: 6207 (3,404)

**Golf Fund (503)**
- Adjust Equipment Replacement Charge: 6207 (13,600)

**Equipment Replacement Fund (601)**
- Increase in estimated replacements to be funded: 8105 107,725
- Increase in estimated replacements to be funded: 8106 455,345
- Increase in estimated replacements to be funded: 8107 103,060
- Increase in estimated replacements to be funded: 8108 11,970
- Decrease in Transfer to General Fund Estimate: 9001 (880,550)

**Workers' Compensation Fund**
- Adjustment to increase Professional/Technical charges per amended contract: 6214 (500,000)

**Vacation Accrual Account (404)**
- Correct beginning balance error: (111,000)

Total Revised City Appropriations - All Other Funds inclusive of Transfers Out: ($2,364,907) ($2,364,907)

Total Revised City Appropriations - All Funds inclusive of Transfers Out: ($2,364,907) $106,476,611
CITY OF EL SEGUNDO
EXHIBIT A CHANGE LIST OF REVENUE BUDGET REVISIONS - ALL FUNDS
FISCAL YEAR 2010-2011 ADOPTED BUDGET

<table>
<thead>
<tr>
<th>FISCAL YEAR 2009-2010 BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account</td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>Preliminary Estimated Revenues inclusive of Transfers in Correction to Schedule</td>
</tr>
<tr>
<td>ADJUSTMENTS:</td>
</tr>
<tr>
<td><strong>Capital Improvement Fund (301)</strong></td>
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<tr>
<td>Transfer in from General Fund</td>
</tr>
<tr>
<td>Transfer in from Gas Tax based on CIPAC</td>
</tr>
<tr>
<td><strong>CDBG (111)</strong></td>
</tr>
<tr>
<td>Transfer in from General Fund</td>
</tr>
<tr>
<td><strong>Facilities Maintenance Fund (405)</strong></td>
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<tr>
<td>Transfer in from General Fund</td>
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<tr>
<td><strong>Water Fund (501)</strong></td>
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<tr>
<td>Increase in revenues due to water rate increases</td>
</tr>
<tr>
<td>Increase in revenues due to water rate increases</td>
</tr>
<tr>
<td><strong>Equipment Replacement Fund</strong></td>
</tr>
<tr>
<td>Adjust to account for Charges to Depts</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Prior Year Designation Fund Reserves</td>
</tr>
<tr>
<td>Total Revised Estimated Revenues inclusive of Transfers in</td>
</tr>
</tbody>
</table>
RESOLUTION NO. __

A RESOLUTION ADOPTING THE 2010-2011 FINAL OPERATING BUDGET FOR THE CITY OF EL SEGUNDO AND ADOPTING THE 2010-2011 CAPITAL IMPROVEMENT BUDGET.

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

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

A. The City Council has reviewed the proposed final Operating Budget ("Budget") and Capital Improvement Plan ("CIP") for fiscal years;

B. The Budget and CIP are based upon appropriate estimates and financial planning for the City's operations, services, and capital improvements;

C. The City Council conducted public study sessions on May 6, 2010 and June 24, 2010 and a public hearing on September 7, 2010, and continued on September 21, 2010;

D. In accord with the Government Code, the El Segundo Planning Commission has determined, on August 26, 2010, that the projects included in the CIP are consistent with the City's General Plan;

E. All procedural requirements for adopting the City's budget were fulfilled, and the City Council was fully informed regarding the City's current finances, projected revenue, and financial obligations; and

F. It is in the public interest for the City Council to adopt the Budget and CIP as proposed by the City Manager.

SECTION 2: ADOPTION. The Budget and the CIP attached to this Resolution, and incorporated by reference, are approved and adopted subject only to the authorizations set forth below. Such approval and adoption includes, without limitation, the Position Control Listing of Authorized Positions, Classification and Compensation Plans set forth in the Budget which recognizes new classifications and removes unused classifications.

SECTION 3: APPROPRIATIONS LIMIT.

A. Article XIIIIB of the California Constitution requires the City to set its Appropriations Limit on an annual basis;

B. The City's Appropriations Limit may be adjusted annually based upon inflation and population growth.

C. The City Council may choose the method of calculating adjustments to the City's Appropriations Limit on an annual basis. For inflation, pursuant to Article XIIIIB, § 8(e)(2), adjustments to the Appropriations Limit may be calculated using either the percentage change in per capita personal income from the preceding year or the percentage change in the local assessment roll from the preceding year.
because of local nonresidential new construction. For population growth, pursuant to Government Code § 7901(b), the City may either use the percentage growth either in its jurisdiction or from the surrounding county.

D. Pursuant to Article XIII-B of the California Constitution, and those Government Code sections adopted pursuant to Article XIII-B, § 8(f), the City Council chooses to adjust the City’s Appropriations Limit by calculating inflation using the percentage change in the City’s assessment roll from the preceding year because of local nonresidential new construction and calculating population growth by using the percentage change in population in Los Angeles County.

E. As a result of the adjustments made to the City’s Appropriations Limit, the City Council sets the Appropriations Limit for fiscal year at $222,296,005.

SECTION 4: BUDGET APPROPRIATIONS. Based upon the Budget, the total General Fund operating budget is $56,010,200. The City Manager, or designee, is authorized to implement the following appropriations for City Departments:

<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elected Officials</td>
<td>$ 841,900</td>
</tr>
<tr>
<td>City Manager</td>
<td>$ 2,294,400</td>
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<tr>
<td>City Attorney</td>
<td>$ 448,600</td>
</tr>
<tr>
<td>Non Department</td>
<td>$ 3,004,100*</td>
</tr>
<tr>
<td>Communications Center</td>
<td>$ 1,420,100</td>
</tr>
<tr>
<td>Finance</td>
<td>$ 1,820,700</td>
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<tr>
<td>Fire</td>
<td>$14,105,800</td>
</tr>
<tr>
<td>Human Resources</td>
<td>$ 784,100</td>
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<tr>
<td>Library</td>
<td>$ 2,318,000</td>
</tr>
<tr>
<td>Recreation and Parks</td>
<td>$ 4,506,800</td>
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<tr>
<td>Planning and Building Safety</td>
<td>$ 2,592,300</td>
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<tr>
<td>Police</td>
<td>$16,083,100</td>
</tr>
<tr>
<td>Public Works</td>
<td>$ 5,489,300</td>
</tr>
<tr>
<td>Transfers</td>
<td>$ 301,000</td>
</tr>
</tbody>
</table>

* Includes $1,500,000 in reductions in salaries.

SECTION 5: CIP APPROPRIATIONS. Based upon the CIP, a total of $2,679,000 is appropriated for Capital Improvement Projects for Fiscal Year. The City Manager, or designee, is authorized to implement the CIP with the following funds and amounts:

<table>
<thead>
<tr>
<th>FUND</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Gas Tax</td>
<td>$ 50,000</td>
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<tr>
<td>Proposition “C” STPL</td>
<td>$ 120,000</td>
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<tr>
<td>Water Operation</td>
<td>$ 340,000</td>
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<tr>
<td>Sewer Fund</td>
<td>$ 500,000</td>
</tr>
</tbody>
</table>
SECTION 6: MISCELLANEOUS APPROPRIATIONS. The City Manager, or designee, is authorized to implement the following miscellaneous appropriations:

<table>
<thead>
<tr>
<th>FUND</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic Safety</td>
<td>$200,000</td>
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<td>State Gas Tax</td>
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<td>Asset Forfeiture</td>
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<td>Proposition “A” Transportation</td>
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<td>Residential Sound Insulation</td>
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<td>Air Pollution Reduction</td>
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<td>Hyperion Mitigation</td>
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<td>TDA Bikeway</td>
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<td>C.O.P.S.</td>
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<td>Sewer</td>
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<td>Golf Course</td>
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<td>Equipment Replacement</td>
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<td>Liability Insurance</td>
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<td>Expendable Trust – Other</td>
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<td>Outside Services</td>
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</table>

SECTION 7: REAPPROPRIATION. The City Manager, or designee, is authorized to reappropriate any unused appropriations for capital projects, special projects, and grant programs at the close of Fiscal Year 2009-2010 for the Budget and CIP.

SECTION 8: FUND OPERATING RESERVES. The City Manager, or designee, may appropriate any remaining revenues at the close of Fiscal Year 2009-2010 into the applicable Fund operating reserve on September 30, 2010.

SECTION 9: BUDGET ADJUSTMENTS. The Budget may be subsequently adjusted as follows:

A. By majority vote of the City Council;

B. By the City Manager, or designee, for all appropriation transfers between programs and sections within a City department and between appropriation units (e.g., salaries and benefits, services and supplies, and capital outlay) within programs;

C. By Department Directors for appropriation transfers between appropriation units
within programs;

D. Objects code expenditures within appropriation units in a program are not restricted so long as funding is available in the appropriation unit as a whole.

SECTION 10: CONTRACTING AUTHORITY.

A. The City Manager, or designee, is authorized to bid and award contracts for the equipment, supplies, and services approved in the Budget.

B. In accordance with the El Segundo Municipal Code ("ESMC"), the City Manager is authorized to execute all contracts awarded for equipment, supplies, and services approved in the Budget.

C. Notwithstanding any dollar limitation set forth in the ESMC, the City Manager is authorized to execute contracts for purchasing equipment and supplies that are individually identified in the Budget regardless of total cost. The City Manager may, but is not required to, seek additional City Council approval for transactions made pursuant to this Section.

D. For all other services, equipment, and supplies, the City Manager is authorized to execute contracts in accordance with the ESMC.

SECTION 11: The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the City’s original resolutions; and make a minute of the adoption of the Resolution in the City Council’s records and the minutes of this meeting.

SECTION 12: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED September 21, 2010.

________________________________________
Eric Busch, Mayor

ATTEST:

________________________________________
Cindy Mortesen, City Clerk

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

By: ______________________________________
Karl H. Berger, Assistant City Attorney
AGENDA DESCRIPTION:
Consideration and possible action regarding 1) Adoption of Ordinance No. 1442 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 20903 (Two Years Additional Service Credit) for one classification in the City’s Local Safety Members; 2) Adoption of a Resolution providing a designated Retirement Period for Section 20903, Two Years Additional Service Credit to include amended Exhibit A; and 3) Certification of Compliance with Government Code Section 20903; (Fiscal Impact: 1) Estimated increase in the City’s PERS safety employer rate of .084% and an annual cost increase in FY 2012-2013 of $14,000; 2) Salary savings based on the employee retiring during the designated retirement period of $282,726).

RECOMMENDED COUNCIL ACTION:
1. Waive Second Reading and Adoption of Ordinance No. 1442.
2. Adopt the Resolution Providing a Designated Retirement Period
3. Certify Compliance with Government Code Section 20903
4. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Ordinance No. 1442
2. CalPERS Exhibit – Amendment to Contract
3. Resolution Providing Designated Retirement Period (includes Exhibit A)
4. CalPERS Document – Certification of Compliance with Government Code Section 20903

FISCAL IMPACT: 1) Estimated increase in the City’s PERS Safety Employer Rate of .084% and an annual cost increase in FY 2012-2013 of $14,000; 2) Salary savings based on the employee retiring during the designated retirement period of $282,726.

Amount Budgeted:
Additional Appropriation:
Account Number(s):

ORIGINATED BY: Martha A. Vrijkstra, Human Resources Manager
REVIEWED BY: Bob Hyland, Director of Human Resources
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
As part of the March 19, 2009 Strategic Planning Session, staff presented Council with a number of potential budget reduction options, among them, Early Retirement Incentives. An Early Retirement Incentive Program was offered to local miscellaneous employees between October 5, 2009 and January 15, 2010. This Agenda Item requests Council approval of an Early Retirement Incentive Program for local safety members. Since this item was last presented to Council at its meeting on May 18, 2010, a change was made to the list of eligible classes. Staff recommends offering this Program to one classification within the Fire Safety Group, specifically the classification of Deputy
Fire Chief. This Program would provide the eligible employee: 1) Two Years of additional PERS Service Credit; and 2) a payment of $1,000 if the employee enters into a Date-Certain Retirement Separation Agreement, in order that the resulting salary savings can be expeditiously factored into the Fiscal Year 2010-2011 Budget.

Section 20903 (Two Years Additional Service Credit)

Staff initiated the contract amendment process on February 10, 2010 by requesting that CalPERS provide the City with the documents required to add Section 20903 to the contract between the City Council and the CalPERS Board of Administration.

Eligibility to receive the two years of Additional Service Credit requires the following:

- The employee is a local safety member of CalPERS
- The employee will have reached age 50 and have at least five years of CalPERS Service at the time of their retirement during the retirement period designated by the City.
- Department heads, local police members, and fire classes other than Deputy Fire Chief are not eligible to receive the two years of additional service credit.

The employee benefits because the additional two years of service credit adds value to his/her retirement annuity.

The employer benefits because the City achieves cost savings through resulting position vacancies, opportunity for workforce restructuring and/or lower compensated new employees filling certain designated vacant positions.

CalPERS requires, in accordance with Government Code Section 20903 and the contract between CalPERS and the City, that the City Council certify that:

1. Because of an impending curtailment of, or change in the manner of performing service, the best interests of the agency will be served by granting such additional service credit.

2. The added cost to the retirement fund for all eligible employees who retire during the designated window period will be included in the contracting agency's employer contribution rate for the fiscal year that begins two years after the end of the designated period.

3. It has elected to become subject to Section 20903 because of impending mandatory transfers, demotions, and layoffs that constitute at least one percent of the job classification, department or organizational unit, as designated by the governing body, resulting from the curtailment of, or change in the manner of performing its services.

4. Its intention at the time Section 20903 becomes operative is to keep all vacancies created by retirements under this section or at least one vacancy in any position in any department or other organizational unit permanently unfilled, thereby resulting in an overall reduction in the workforce of such department or organizational unit.

Government Code Section 7507 requires that the future annual costs of the proposed contract amendment be made public at a public meeting at least two weeks prior to the Second Reading and adoption of the required Ordinance. Future annual costs were made public at the City Council meeting on May 18, 2010.
Government Code Section 20741 requires that there must be a twenty-day period between the adoption of the Resolution of Intention and the Second Reading and Adoption of the Ordinance. The Resolution of Intention was adopted by Council on May 18, 2010.

CalPERS requires that the retirement period within which this benefit may be provided, is no less than ninety (90) days and no more than one hundred eighty (180) days in length. The retirement period designated by the City will commence on Monday, October 25, 2010 and end on Friday, January 28, 2011.

**Fiscal Impact**

The cost of the Two Years of Additional Service Credit is amortized by CalPERS over a twenty year period and will be included in the City’s Safety Employer Contribution Rate, commencing with the Fiscal Year starting two years after the end of the designated Retirement Period, 2012-2013.

Staff has calculated the fiscal impact on the assumption that the incumbent will retire during the designated Retirement Period.

Staff’s fiscal impact calculations were based on utilizing PERS Document CON3-PA, “Procedures for Calculation of Estimated Employer Cost” and were reviewed and certified by Actuary John Bartel of Bartel Associates, LLP. Mr. Bartel has provided the City with actuarial analyses and valuation reports for a number of years.

1) Estimated Present Value of Additional Employer Contributions $185,000
2) Estimated Annual Employer Cost Amortized over 20 Years $14,000
3) Estimated Employer Rate Increase .084%

The cost savings to the City based on the above retirement would be $282,726 for FY 2010-2011.

If the employee enters into a Date-Certain Retirement Separation Agreement, by Friday, December 14, 2010, he will receive a one-time payment of $1,000.

Further, two additional actions are required to finalize the Amendment of the City’s contract with CalPERS.

**Resolution Providing for a Designated Retirement Period for Section 20903, Two Years Additional Service Credit**

Adoption of the Resolution formally designates both the job classification eligible for this benefit, as well as the Retirement Period during which the retirement must occur. CalPERS requires that the Designated Retirement Period be no less than ninety (90) days, no more than one hundred eighty (180) days in length.

The Designated Retirement Period will be from Monday, October 25, 2010 to Friday, January 28, 2011. This timeframe will allow the eligible employee to have ample time to 1) review information related to the Early Retirement Program, 2) obtain retirement allowance estimates from CalPERS, and 3) complete and submit the Retirement Application Package.
Certification of Compliance with Government Code Section 20903

CalPERS requires, in accordance with Government Code Section 20903, and the contract between the CalPERS Board of Administration and the City Council, that the Council certify that:

"Because of an impending curtailment of, or change in the manner of performing service, the best interests of the agency will be served by granting such additional service credit.

The added cost to the retirement fund for all eligible employees who retire during the designated window period will be included in the contracting agency’s employer contribution rate for the fiscal year that begins two years after the end of the designated period.

It has elected to become subject to Section 20903 because of impending mandatory transfers, demotions, and layoff that constitute at least 1 percent of the job classification, department, or organizational unit, as designated by the governing body, resulting from the curtailment of, or change in the manner of performing, its services.

Its intention at the time Section 20903 becomes operative is to keep all vacancies created by retirements under this section or at least one vacancy in any position in any department or other organizational unit permanently unfilled, thereby resulting in an overall reduction in the workforce of such department or organizational unit."

Funding Options

Options available to pay for the increased costs include an annual additional payment of $14,000 for twenty (20) years starting Fiscal Year 2012-2013—or- a lump sum payment in the amount of $185,500.
ORDINANCE NO. 1442

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

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

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

SECTION 2: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

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

PASSED AND ADOPTED this ____ day of ______________, 2010.

__________________________________________
Eric K. Busch, Mayor
ATTEST:

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF EL SEGUNDO

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. ____ was duly introduced by said City Council at a regular meeting held on the _____ day of ____________________, 2010, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the ______ day of___________________, 2010, and the same was so passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

__________________________
Cindy Mortesen, City Clerk

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

By:

__________________________
Karl H. Berger, Assistant City Attorney
AMENDMENT TO CONTRACT

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


A. Paragraphs 1 through 14 are hereby stricken from said contract as executed effective October 3, 2009, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:

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

3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:

(a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.

(b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.

(c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.

(d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.

(e) Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.
(f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.

(g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.

4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:

a. Local Fire Fighters (herein referred to as local safety members);

b. Local Police Officers (herein referred to as local safety members);

c. Employees other than local safety members (herein referred to as local miscellaneous members).

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

**NO ADDITIONAL EXCLUSIONS**

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

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

8. The percentage of final compensation to be provided for each year of credited prior and current service as a local fire member shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full and Modified).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a local police member shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).

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

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

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

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

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

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

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

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

h. Section 21548 (Pre-Retirement Option 2W Death Benefit).

i. Section 20903 (Two Years Additional Service Credit).

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

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

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

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

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

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

B. This amendment shall be effective on the _____ day of _____________, ______.

BOARD OF ADMINISTRATION CITY COUNCIL
PUBLIC EMPLOYEES’ RETIREMENT SYSTEM CITY OF EL SEGUNDO

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

BY
PRESIDING OFFICER

Witness Date

Attest:

__________________________

Clerk

AMENDMENT ER# 39
PERS-CON-702A
RESOLUTION NO.____________

A RESOLUTION PROVIDING A DESIGNATED RETIREMENT PERIOD FOR SECTION 20903, TWO YEARS ADDITIONAL SERVICE CREDIT

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

Section 1: The City Council of the City of El Segundo is a contracting public agency of the Public Employees' Retirement System.

Section 2: The Public Agency desires to provide a Designated Retirement Period for Section 20903, Two Years Additional Service Credit, based on the contract amendment in said contract which provides for Section 20903, Two Years Additional Service Credit, for eligible members.

Section 3: Eligible members will be the City's local safety members as depicted on the attached Exhibit A.

Section 4: The Designated Retirement Period shall be from October 25, 2010 through January 28, 2011.

Section 5: The City Clerk is directed to certify the Passage and Adoption of this Resolution, enter same in the Book of Original Resolutions, and make a Minute of its adoption in the City's records and in the Minutes of the meeting when it was adopted.

Section 6: The Resolution will become effective immediately upon adoption, and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 21st day of September, 2010.

________________________________________
Eric K. Busch,
Mayor
CERTIFICATION

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. _____ was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the 21st day of September, 2010, and the same was so passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
NOT PARTICIPATING:

WITNESS MY HAND THE OFFICIAL SEAL OF SAID CITY this _____ day of __________, 2010.

Cindy Mortesen, City Clerk
of the City of El Segundo,
California
(SEAL)

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

By: _______________________
Karl H. Berger
Assistant City Attorney
EXHIBIT A

TITLE
Deputy Fire Chief, Fire Department
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
Actuarial and Employer Services Branch
Public Agency Contract Services
P.O. Box 942709
Sacramento, CA 94229-2709
(888) CalPERS (225-7377)

CERTIFICATION OF COMPLIANCE WITH GOVERNMENT CODE SECTION 20903

In accordance with Government Code Section 20903 and the contract between the Public Employees' Retirement System, the City Council of the City of El Segundo hereby certifies that:

1. Because of an impending curtailment of, or change in the manner of performing service, the best interests of the agency will be served by granting such additional service credit.

2. The added cost to the retirement fund for all eligible employees who retire during the designated window period will be included in the contracting agency's employer contribution rate for the fiscal year that begins two years after the end of the designated period.

3. It has elected to become subject to Section 20903 because of impending mandatory transfers, demotions, and layoffs that constitute at least 1 percent of the job classification, department or organizational unit, as designated by the governing body, resulting from the curtailment of, or change in the manner of performing, its services.

4. Its intention at the time Section 20903 becomes operative is to keep all vacancies created by retirements under this section or at least one vacancy in any position in any department or other organizational unit permanently unfilled thereby resulting in an overall reduction in the workforce of such department or organizational unit.

THEREFORE, the City Council of the City of El Segundo hereby elects to provide the benefits of Government Code Section 20903 to all eligible members who retire within the designated period, October 25, 2010 through January 28, 2011.

CITY COUNCIL
OF THE
CITY OF EL SEGUNDO

By: ____________________________
    Presiding Officer

Attest:

Clerk/Secretary

Date

2yr certification-PA (Rev. 4/04)
2578001 - 2579008

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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/urgency payments for materials, supplies and services in support of City Operations

For Ratification:

**A** = Payroll and Employee Benefit checks

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

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

**Void Checks Due to Alignment:**

N/A

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

N/A

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

N/A

Notes

**Finance Director:**

**City Manager:**

**Date:** 9/13/10

2010
### CITY OF EL SEGUNDO
### PAYMENTS BY WIRE TRANSFER
### 8/27/10 THROUGH 9/09/10

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<td>Workers Comp Activity</td>
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<td>SCRMA checks issued</td>
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**DATE OF RATIFICATION: 9/21/10**

**TOTAL PAYMENTS BY WIRE:** 2,736,417.13

Certified as to the accuracy of the wire transfers by:

**Deputy City Treasurer**

**Director of Finance**

**City Manager**

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 7, 2010 – 5:00 P.M.

5:00 P.M. SESSION

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

ROLL CALL

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

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

SPECIAL ORDER OF BUSINESS:

Mark Hensley, City Attorney, stated that Council would be meeting in closed session pursuant to the items posted on the agenda.

CLOSED SESSION:

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov't Code §54956.9(a) -3- matter

City of El Segundo vs. City of Los Angeles, et. al. LASC Case No. BS094279
Mike Chidester vs. City of El Segundo WCAB No. LB00391313, LB 00391307, LB00391308, LB00391308, LB00391310, LB00391309
Michael White vs. City of El Segundo WCAB No: Unassigned

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.
APPOINTMENT AND PERFORMANCE EVALUATION OF PUBLIC EMPLOYEE (Gov't. Code § 54957) -0- matter

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -1- matters

Represented Group: Police Support Services Employees Association (PSSEA), City Employees Association (CEA), Firefighters Association (FFA), Police Managers Association (PMA), Police Officers Association (POA), Supervisory and Professional Employees (S&P)

Negotiators: Jack Wayt and Bob Hyland

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

Council recessed at 6:55 p.m.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 7, 2010 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Cathy Domann, Deputy City Clerk

PLEDGE OF ALLEGIANCE – Council Member Carl Jacobson

PRESENTATIONS

a. Presentation by the El Segundo Library introducing the “One City, One Book” event during September and October.

b. Presentation to 2010 El Segundo Little League All Stars.

ROLL CALL

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

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

Calvin Smith, El Segundo Police Officers Association President, spoke regarding Police Department salaries and the sacrifices made by officers everyday.

Mike Gill, El Segundo Police Sergeant and Police Officers Association Board Member, spoke regarding Police Department concessions. Also spoke on the professionalism of the El Segundo Police Department.

Elizabeth Diaz, resident, spoke regarding Police Safety salary concessions. Also spoke in favor of residents paying for trash pick up.
1. Applicant’s request for re-consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and off-site consumption of alcohol at an existing convenience store located at 601 North Sepulveda Boulevard. Applicant: Veronica Becerra (Fiscal Impact: N/A)

The applicant, Veronica Becerra, presented information to the Council related to the license request and requested that the Council reconsider and rescind its previous decision at its August 3, 2010 meeting to file an objection to a new Type 20 ABC license at 601 North Sepulveda Boulevard.

Union 76 station owner responded to Council questions regarding truck access to the station.

Council consensus to have applicant work with staff to see if something could be done regarding the driveway access problems.

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Jacobson, SECOND by Mayor Pro Tem Fisher to read all ordinances and resolutions on the agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

2. Consideration and possible action to open a public hearing and receive public testimony concerning the Tax Exempt Revenue Bonds by the California Municipal Finance Authority (CMFA) in an amount not to exceed $25,000,000, to finance the acquisition, rehabilitation, improvement and equipping of certain real property and improvements (consisting of a building located at 1940 E. Mariposa Avenue, El Segundo, California 90245) (Fiscal Impact: None)

Mayor Busch stated that this was the time and place to conduct a public hearing to receive public testimony concerning the Tax Exempt Revenue Bonds by the California Municipal Finance Authority (CMFA) in an amount not to exceed $25,000,000, to finance the acquisition, rehabilitation, improvement and equipping of certain real property and improvements (consisting of a building located at 1940 E. Mariposa Avenue, El Segundo, California 90245). (Fiscal Impact: None)

Clerk Domann stated that proper notice had been given in a timely manner and that no communications had been received in the City Clerk’s Office.

Bill Crowe, Assistant City Manager, gave a report.
MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Fuentes to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4678

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO APPROVING THE ISSUANCE OF CALIFORNIA MUNICIPAL FINANCE AUTHORITY REVENUE BONDS (WESTSIDE REGIONAL CENTER PROJECT), SERIES 2010, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $25,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, REHABILITATION, IMPROVEMENT AND EQUIPPING OF AN OFFICE BUILDING AND OTHER RELATED MATTERS.

MOTION by Council Member Fuentes, SECONDED by Council Member Brann to adopt Resolution No. 4678 approving CMFA’s issuance of financing for Coastal Properties Foundation project(s)s. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

ITEM NO. 4 MOVED FORWARD ON THE AGENDA

4. Consideration and possible action to receive and file the Annual Report of the Capital Improvement Program Advisory Committee (CIPAC). Oral presentation will be made by CIPAC Chairman Crista Binder. (Fiscal Impact: None)

Crista Binder, CIPAC Chairman, gave a presentation.

Council consensus to receive and file report.

3. Consideration and possible action regarding the presentation of the fiscal year 2010-2011 Preliminary Budget and Five-Year Capital Improvement Plan including discussion and possible direction regarding all city revenues and expenditures. (Fiscal Impact: Revenues of $49.7 million, Expenditures of $53.3 million, with a remaining budget gap of $3.6 million)

Mayor Busch stated that this was the time and place to conduct a public hearing regarding the presentation of the fiscal year 2010-2011 Preliminary Budget and Five-Year Capital Improvement Plan including discussion and possible direction regarding all city revenues and expenditures. (Fiscal Impact: Revenues of $52.4 million, Expenditures of $56 million, with a remaining budget gap of $3.6 million)

Clerk Domann stated that proper notice had been given in a timely manner and that no communications had been received in the City Clerk’s Office.

Council recessed at 8:02 p.m.
Council reconvened at 8:08 p.m. with all members present.

Deborah Cullen, Finance Director, gave a report.

Mike Robbins, resident, spoke regarding the City's current budget deficit. Also spoke on excessive public safety salaries.

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Busch to continue the Public Hearing to September 21, 2010 and schedule the budget adoption for the September 21, 2010 meeting. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

ITEM NO. 4 MOVED FORWARD ON THE AGENDA

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 will be considered individually under the next heading of business.

Mark Hensley, City Attorney, noted a correction to Consent Agenda Item No. 15, City Manager contract, and stated that the term of the contract should read October 1, 2010 through March 31, 2011.

5. Approved Warrant Numbers 2578648 to 2578900 on Register No. 22 in the total amount of $1,006,544.68 and Wire Transfers from 08/06/10 through 08/26/10 in the total amount of $2,637,166.78. 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.

6. Approved Regular City Council Meeting Minutes of August 17, 2010 and Special City Council Meeting of August 20, 2010.

7. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN.

8. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN.

9. Adopted Resolution No. 4579 approving a new Conflict of Interest Code required by The Political Reform Act (Government Code Section 81000 et. seq.) and rescinding Resolution No. 4563. (Fiscal Impact: None)

10. Adopted Resolution No. 4680 authorizing the annual destruction of identified records in accordance with the provisions of Section 34090 of the Government Code of the State of California. (Fiscal Impact: Not to exceed $1,000)
11. Received and filed report without objecting to a new Alcoholic Beverage Control (ABC) license for on-site sale and on-site consumption of alcohol, in conjunction with the operation of a new café and bar/lounge in an existing 16-screen theater located at 831 South Nash Street (Pacific Theaters/ArcLight). Applicant: Beach Cities ArcLight c/o Art Rodriguez (Fiscal Impact: N/A)

12. Adopted Plans and Specifications for a new Beach Bathroom Facility and Lifeguard Station at the El Segundo Beach (south end of the beach parking lot, at the end of Grand Avenue on Vista Del Mar) Project No.: PW10-09; (Fiscal Impact: $900,000) Authorized staff to advertise the project for receipt of construction bids.

13. Approved organizational changes in the Public Works Department, which include elimination of the Senior Administrative Analyst position, reclassification of one of two Meter Reader/Reparer positions to Water Maintenance Worker II, and reclassification of the Senior Administrative Specialist position to Administrative Specialist. (Fiscal Impact: Budget savings of approximately $152,999.00).

14. Waive minor irregularities in the bid received from ACE Electric, Inc. and awarded standard Public Works Contract No. 4086 to ACE Electric, Inc. for Recreation Park Phase III Field Lighting Project. Project No.: PW 10-07 (Fiscal Impact: $203,810) Authorized the City Manager to execute the contract in a form approved by the City Attorney.

15. Terminated the current City Manager's contract with Jack Wayt and execute a new City Manager's Contract No. 4087 with Jack Wayt for a six month term while the Council conducts a search for a new city manager. Additionally, authorized the Mayor to execute contract with an executive search firm in an amount not to exceed $25,000. (Fiscal Impact: Approximately $108,000 – City Manager salary, and $20,000 for executive search firm.)

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Brann to approve Consent Agenda Items 5, 6, 9, 10, 11, 12, 13, 14, and 15 as corrected.  MOTION PASSED BY UNANIMOUS VOICE VOTE.  5/0

CALL ITEMS FROM CONSENT AGENDA

7. Receive and file report on recently accepted donations from El Segundo Kiwanis Club in the amount of $500 for the purchase of new lockers for the El Segundo Teen Center, and $300 for the Teen Center/R.E.A.C.T Golf Tournament. (Fiscal Impact: None)

MOTION by Council Member Brann, SECONDED by Mayor Busch to receive and file report on recently accepted donations from El Segundo Kiwanis Club in the amount of $500 for the purchase of new lockers for the El Segundo Teen Center, and $300 for the Teen Center/R.E.A.C.T Golf Tournament.  MOTION PASSED BY UNANIMOUS VOICE VOTE.  5/0
8. Consideration and possible action regarding the approval of amendments to the Plan of Operations as proposed by the El Segundo Senior Citizens Housing Corporation Board at its July 2010 meeting. (Fiscal Impact: None)

ITEM TO BE HELD OVER UNTIL THE NEXT MEETING. STAFF TO REPORT BACK WITH ADDITIONAL INFORMATION.

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 Fuentes – Reported on her attendance at the recent Recreation and Parks Drama Production, the Police Department Community Watch Meeting, and the recent Citizens Forum.

Council Member Brann – Spoke on legislation being passed in Sacramento regarding prosecution of child molesters.

16. Consideration and possible action to direct staff to prepare documents in preparation for implementing Proposition 218 protest procedures regarding residential trash collection service fees. (Fiscal Impact: Approximately $600,000 in revenue to the General Fund for trash collection services.)

MOVED by Council Member Brann, SECONDED Mayor Busch to direct staff to prepare documents in preparation for implementing Proposition 218 protest ballot procedures for residential trash collection service fees. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MAYOR BUSCH, MAYOR PRO TEM FISHER, COUNCIL MEMBERS BRANN AND FUENTES; NOES: COUNCIL MEMBER JACOBSON. 4/1

Mayor Busch suggested that if this item is approved by Council, staff should be directed to return to Council with an item to consider creating a subcommittee consisting of two council members and the Environmental Committee members.

Council Member Jacobson – NONE

Mayor Pro Tem Fisher – NONE
Mayor Busch – Spoke on concerns with card keys being issued at Park Vista. Announced the upcoming Food Drive at the Los Angeles County Fire Stations in Carson. Also announced that South Bay Environmental Services would be conducting a free lamp exchange on September 18 and 19, 2010.

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.

Mike Robbins, resident, spoke regarding excessive employee salaries.

Marc Rener, resident, spoke against asking residents to pay for trash pick up.

Ron Swanson, resident, spoke regarding potential cuts to Recreation and Parks programs and suggested private funding.

Mike Gill, El Segundo Police Department Sergeant, spoke regarding Police Department overtime.

MEMORIALS – NONE

CLOSED SESSION – at 9:55 p.m.

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

REPORT OF ACTION TAKEN IN CLOSED SESSION - NONE

ADJOURNMENT at 10: 50 p.m.

_____________________________
Cathy Domann, Deputy City Clerk
AGENDA DESCRIPTION:

Consideration and possible action regarding approval of ongoing service agreements and blanket purchase orders for FY 2010-2011 in excess of $25,000 and possible action to waive the formal bidding process and authorize the continued purchase of various agreements and services as described below. (Fiscal Impact: $1,154,200 General Fund, $31,000 Proposition A, $13,000 Asset Forfeiture, $114,000 Water Enterprise Fund and $13,000 Wastewater Fund)

RECOMMENDED COUNCIL ACTION:

1. Authorize staff to continue to purchase gasoline and diesel fuel for City vehicles and equipment through the use of spot market purchasing in an amount not to exceed $321,000 (General Fund).

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

3. Authorize the issuance of a blanket purchase order to Blue Diamond Materials, a division of Sully Miller Contracting Company in an amount not to exceed $50,000 for the purchase of asphalt paving materials for Street Maintenance Division projects (General Fund).

4. Authorize the City Manager to extend ongoing service agreements with Baker & Taylor Information Services for supplying books and other library materials, and issuance of blanket purchase order not to exceed $61,000 (General Fund);

5. Authorize the City Manager to extend contract #2235 to Innovative Interfaces, Inc., for library computer network system maintenance and issuance of blanket purchase order not to exceed $30,000 (General Fund);

6. Authorize the City Manager to extend ongoing service agreements with J. Lee Engineering provides plan check and inspection consulting services for the Building and Safety Division not to exceed $150,000 (General Fund);

7. Authorize the City Manager to extend ongoing service agreements with JAS provides plan check and inspection consulting services for the Building and Safety Division not to exceed $25,000 (General Fund)

8. Authorize the City Manager to extend ongoing service agreements with John L. Hunter. On January 16, 2001 City Council approved Ordinance 1329 implementing the City’s Standard Urban Water Mitigation Plan (SUSWMP) of the California Regional Water Quality Control Board for the Los Angeles region. John L. Hunter and Associates, Inc. assists the Planning and Building Safety Department staff in implementing the ordinance by providing consulting services for SUSWMP plan check review, field inspection and staff training not to exceed $25,000 (General Fund);

9. Authorize the City Manager to extend ongoing service agreements with Gary Bufkin provides computer programming services to maintain and make improvements to the
multi-departmental permitting system (Muni-permits). The system currently serves Building and Safety, Planning, Public Works, Fire prevention, Police, Code enforcement and Recreation and Park not to exceed $25,000 (General Fund);

(10) Authorize the City Manager to extend ongoing service agreements with Scanning Services Corporation. Scanning Services Corporation scans and inputs data into the City’s document imaging system not to exceed $35,000 (General Fund);

(11) Authorize the City Manager to extend ongoing service agreements with Willdan Engineering Services provides professional planning consulting and engineering services to the City not to exceed $30,000 (General Fund);

(12) Authorize the City Manager to extend ongoing service agreements with U.S. HealthWorks provides an extremely cost effective method of delivery of pre-employment and occupational medical services not to exceed $45,000 (General Fund);

(13) Authorize the City Manager to extend ongoing service agreements with Westchester Medical Group/Center for Heart and Health to provide annual safety employees fitness for duty and executive physical examinations not to exceed $70,000 (General Fund);

(14) Authorize the City Manager to execute a one-year contract with the Society for the Prevention of Cruelty to Animals Los Angeles for animal sheltering services, not to exceed $28,200 (General Fund);

(15) Authorize the City Manager to execute a one-year contract with Duncan Solutions (formerly Enforcement Technology Inc.) for processing of parking citations/collections, not to exceed $77,000 (General Fund);

(16) Authorize the City Manager to execute a one-year contract with AT&T Connection Services for communications related to mobile data computers and radio sites, not to exceed $39,400 (General Fund);

(17) Authorize the El Segundo Fire Department to waive the bidding process per El Segundo Municipal Code §1-7-10 to purchase medical and pharmaceutical supplies, and piggyback on the City of Berkeley’s Bound Tree Medical, Inc. (“Bound Tree”) Bid #09-10348-C, and authorize issuance of a blanket purchase order to Bound Tree for FY 2010-2011 for medical and pharmaceutical supplies not to exceed $26,000 (General Fund);

(18) Authorize the issuance of a blanket purchase order for FY 10-11 to UCLA Center for Pre-Hospital Care for continuing education, defibrillation training and AED program oversight not to exceed $32,600 General Fund);

(19) Authorize the City Manager to execute a one-year contract amendment and/or purchase order with Shannon David, Inc. for professional services with the City's business recruitment and marketing, program, as approved to form by the City Attorney, not to exceed $40,000 (General Fund);

(20) Authorize the City Manager to execute a one-year contract amendment and/or purchase order with Tyler Technologies who provide financial software to manage the City’s General Ledger, Accounts Receivable, Accounts Payable, Payroll, and Human Resources. This item is for annual licensing, maintenance, and support of these systems not to exceed $35,000 (General Fund);
(21) Authorize the City Manager to execute a one-year contract with All Cities Management Company to provide crossing guard services for the El Segundo School District not to exceed 80,000 (General Fund);

(22) Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT: Included in Adopted Budget

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ORIGINATED BY: Angelina Garcia, Fiscal Services Manager
REVIEWED BY: Deborah Cullen, Director of Finance
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

Public Works

Fuel for City Vehicles and Equipment

It is estimated that City vehicles and equipment will consume 73,000 gallons of gasoline, 16,000 gallons of diesel fuel, and 8,000 gallons of propane in Fiscal Year 2009-2010 at a cost of approximately $284,000. Due to the projection of modest price increases in the next fiscal year, the City is budgeting $321,000 for Fiscal Year 2010-2011. Account Numbers: 001-400-4601-5215 ($250,000) 109-400-3105-5215 ($13,000) 112-400-5292-5215 ($31,000) 501-400-7102-5215 ($14,000) 502-400-4301-5215 ($13,000)
Generally, fuel is purchased either through spot market purchases or long-term contracts. Spot purchasing consists of shopping around each time fuel is needed and purchasing fuel from the lowest priced vendor. This type of purchasing usually occurs when the fuel market is volatile as it has been for the last three years. During periods of stability, agencies enter into long-term fuel contracts. Pricing under long-term contacts is tied to a published fuel price baseline plus a markup. The recent volatility in the market has forced vendors to significantly raise this markup, making long-term contracts unattractive. Under the City’s last long-term contract through Los Angeles Metropolitan Public Purchasing Agents’ Cooperative (LAMPPAC), there was virtually no markup. When that contract expired in September 2005, the fuel market was quite volatile and City Council authorized staff to purchase gasoline and diesel fuel through the use of spot market purchases.

Many agencies including Cities of Manhattan Beach, Redondo Beach and Hawthorne have opted to purchase fuel through spot purchases in lieu of entering into long-term contracts since the expiration of the LAMPPAC contract. Staff continuously monitors long-term contracts available in the industry. When the terms of long-term contracts improve such that the price is a few cents over the market baseline, staff will again recommend entering into a long-term fuel contract.

Pursuant to El Segundo Municipal Code (ESMC) § 1-7-10, relating to purchases and supplies, the City Council may at any time, by a majority vote and without amending the ESMC, waive purchasing procedures or alter proceedings to fit a specific purchase, when the waiver is not in violation of State law. Spot purchasing is the sort of modified purchasing arrangement that requires such a waiver by Council. It is possible that the total of purchases from any one vendor may exceed $25,000; therefore, Council approval of spot purchasing is requested.

**Water Meters – Metron Farnier & Actaris**

The City's water distribution system includes approximately 250 large commercial compound water meters three to eight inches in diameter. As large meters age, they become less accurate and tend to register water usage that is below actual consumption. It is common in the water industry to replace older large meters as they are typically the greatest source of unbilled water or lost water. When meters are replaced, the Water Division installs single jet water meters rather than compound water meters. The single jet meters provide increased metering accuracy, excellent low flow registration, and less maintenance part. The cost to replace each meter ranges from $2,000 to $5,000, dependent upon size.

Staff plans to continue replacing meters in FY 2010-2011 and recommends continuing to purchase meters from Metron Farnier & Actaris, the only two vendors that supply this type of meter, in an amount not to exceed $100,000 in total. Account Numbers: 501-400-7201-6215

**Asphalt Paving Materials – Blue Diamond Materials**

The Street Maintenance Division repairs approximately 50,000 square feet of pavement annually. Pavement repair work includes potholes, pavement failures, repairs from tree root damage and utility cuts, general street repairs throughout the City and preparation for slurry seal projects. Through the Fiscal Year 2010-2011 budget process, $50,000 was budgeted for the
annual expenditure of asphalt paving materials.

Street Maintenance Division personnel drive a City dump truck to retrieve asphalt paving materials. There are three local vendors that supply the materials.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Location</th>
<th>Miles from City</th>
<th>C-2 Asphalt Concrete/Ton</th>
</tr>
</thead>
<tbody>
<tr>
<td>All American Asphalt</td>
<td>Westminster</td>
<td>27</td>
<td>$89.00</td>
</tr>
<tr>
<td>Blue Diamond Materials</td>
<td>Inglewood &amp; Southgate</td>
<td>5 &amp; 17</td>
<td>$69.00</td>
</tr>
<tr>
<td>Vulcan Materials</td>
<td>Los Angeles</td>
<td>19</td>
<td>$65.00</td>
</tr>
</tbody>
</table>

Pricing for asphalt paving materials is variable and dependent upon the oil and aggregate market. The pricing for asphalt concrete in the table above was based on a spot market quote on September 7, 2010.

Staff recommends continuing the purchase or asphalt paving materials from Blue Diamond Materials, on a single-source basis, in an amount not to exceed $50,000 for the following reasons:

1. Closer proximity to City reduces staff driving time, fuel and liability
2. Availability of materials – two locations
3. Lowest overall cost when factoring in travel time costs and staff downtime
4. Reduced temperature loss from being transported shorter distances

At this time, Blue Diamond Materials is the more reasonable choice based upon pricing, proximity and availability. Staff will continue to monitor asphalt concrete prices and return to Council if a change in vendors is warranted. Account Number: 001-400-4202-5204

**Library**

**Baker and Taylor**

Baker and Taylor, the Library’s leading supplier of books, music, books on CD, DVD’s and other items, offers substantial savings up to 45% under retail cost. Appropriations are being requested for the following accounts:

- 001-400-6104-5501 Adult Materials $44,000
- 001-400-6103-5505 Youth Materials $15,000
- 001-400-6103-5507 School Library Materials $2,000

**Innovative Interfaces Inc.**

Innovative Interfaces Inc. provides maintenance of the Library’s online network system for
cataloging, circulation, patron access to materials, archive collections and administrative functions in the amount of $30,000. Account Number 001-400-6104-6215

Planning and Building Safety

J. Lee Engineering

J. Lee Engineering provides plan check and inspection consulting services for the Building and Safety Division. These services are utilized when workload exceeds the level that would preclude City staff from meeting customer service expectations. Amount $150,000 Account Number: 001-400-2403-6214

JAS

JAS provides plan check and inspection consulting services for the Building and Safety Division. These services are utilized when workload exceeds the level that would preclude City staff from meeting customer service expectations. Account Number: 001-400-2403-6214 Amount $25,000. On January 16, 2001 City Council approved Ordinance 1329 implementing the City's Standard Urban Water Mitigation Plan (SUSWMP) of the California Regional Water Quality Control Board for the Los Angeles region. John L. Hunter and Associates, Inc. assists the Planning and Building Safety staff in implementing the ordinance by providing consulting services for SUSWMP plan check review, field inspection and staff training not to exceed $25,000. Account Number: 001-400-2403-6214

Gary Bufkin

Gary Bufkin provides computer programming services to maintain and make improvements to the multi-departmental permitting system (Muni-permits). The system currently serves Building and Safety, Planning, Public Works, Fire prevention, Police, Code enforcement and Recreation and Park. The multi-departmental permit system allows staff to track developmental projects as it goes through the plan check, permit and inspection process not to exceed $25,000. Account Number: 001-400-2403-6214

Scanning Services Corporation

Scanning Services Corporation scans and inputs data into the City's document imaging system. The department is no longer microfilming plans. All necessary documents are scanned and are available on the computer. The requested funds will allow staff to keep moving in this direction. Additionally, staff hopes to begin converting historical microfilm records for both the building and planning divisions to a digital format so that they are available on the computer for staff and eventually viewable by the public on the internet. The Building Division budget allocated $25,000 and the Planning Division budget allocated $10,000 not to exceed $35,000.
Willdan Engineering Services

Willdan Engineering Services provides professional planning consulting and engineering services to the City. Willdan has provided a Senior Planner to supplement planning staffing when workload and specific planning development projects necessitate additional staffing. Additionally, the City occasionally needs professional engineering services related to development projects. The Planning Division anticipates using professional planning consulting services in fiscal year 2010-11 for projects that will be developer funded, including but not limited to the Imperial School site project for the El Segundo School District and the completion of developer funded projects that are already underway. The Planning Division will also be using professional engineering consulting services in fiscal year 2010-11 for issues related to the sale of the old Fire Station 2 property not to exceed $30,000.

Account Number: 001-400-2402-6214

Human Resources

US HealthWorks

U.S. HealthWorks, a national provider of occupational medical healthcare, is the largest provider of workers’ compensation/occupational medical services in the state of California and has over thirty facilities in Southern California including its El Segundo Facility, located at 390 N. Sepulveda Blvd., Suite 1000. U.S. HealthWorks provides an extremely cost effective method of delivery of pre-employment and occupational medical services, with a lower average case cost than other occupational medical providers. Other advantages of utilizing U.S. HealthWorks include:

a) Initial injury treatment and regulated drug testing services are available 24 hours a day, 7 days a week.
b) Provides cost effective appointments for pre-employment physicals, drug screens and follow-up injury treatments.
c) Its location in El Segundo provides direct, easy access for our employees and its numerous Southern California facilities allows additional treatment options for our geographically dispersed employees.
d) The El Segundo facility has both an on-site multi-specialty department (including orthopedics and neurology) and a Physical Therapy Department open Monday through Friday, 8:00 a.m. – 5:00 p.m.
e) Parking is convenient, plentiful, and validated.
f) If needed, U.S. HealthWorks provides free door-to-door transportation for employee’s first injuries, at no charge.

This will be the City’s fourth year with U.S. HealthWorks. In addition to successfully implementing the City’s new pre-employment drug testing and medical examination protocols,
U.S. HealthWorks has provided a variety of medical protocols and services for El Segundo Police Department arrestees and coordinated the establishment of a Hepatitis A and B Vaccination Program for our aquatics and wastewater staff.

The total cost for the year is not to exceed $45,000 ($15,000 for pre-employment medical services and protocols for the El Segundo Police Department and $30,000 for occupational injury and illness services.) Account Number: 001-400-2506-6214

**Westchester Medical Group/Center for Heart and Health**

The City has a longstanding relationship with Westchester Medical Group/Center for Heart and Health to provide annual safety employees fitness for duty and executive physical examinations. This long standing physical examination program continues to meet or exceed staff’s expectations. Westchester Medical Group/Center for Heart and Health is also distinguished by their extensive involvement with public sector clients. Together, with its June 2006 relocation from Los Angeles to El Segundo (360 N. Sepulveda Blvd., Suite 3000) and the significant expansion of its medical facility, the company has increased its accessibility and level of service to our employees. Westchester Medical Group/Center for Heart and Health also expanded its services last year by incorporating a respirator certification component to the Fitness for Duty Examinations.

The annual employee Fitness for Duty Examinations are not to exceed $60,000 and Executive Physical Examinations are not to exceed $10,000, with a combined total not to exceed $70,000. Account Number: 001-400-2506-6214

**Police Department**

**Society for the Prevention of Cruelty to Animals Los Angeles (SPCALA)**

The SPCALA provides animal sheltering services for the Police Department’s Animal Control program. The SPCALA is utilized to shelter dogs, cats, wild animals, etc. that are captured, found or given to the Animal Control program. The City has contracted with the SPCALA for sheltering services since the Police Department took over all animal control functions not to exceed $28,200. Account Number: 001-400-3108-6206

**Duncan Solutions**

Duncan Solutions provides a maintenance contract for the Police Department Traffic Division’s Processing system. This system is utilized by parking personnel to issue parking citations. Duncan Solutions also provides a collection service for delinquent parking citations not to exceed $77,000. Account Number: 001-400-3101-6206

**AT&T Connection Services**

AT&T Connection Services provides a link between Hawthorne Police / Tiburon and the Police Department’s dispatch and records. These funds will provide necessary training on the integration, use, and maintenance of programs such as CHEERS and digital booking. In addition, AT&T provides a connection between Hawthorne Police / Tiburon and the Police
Department’s mobile data computer (MDC) package. The requested funds are necessary to equip, integrate, maintain, operate and upgrade the systems not to exceed $39,400. Account Number: 001-400-3107-6278

Fire Department

Bound Tree Medical, Inc.

The El Segundo Fire Department has been purchasing and storing paramedic medical supplies since 1998 as mandated by the County of Los Angeles, Emergency Medical Services Agency.

For seven years, the Fire Department utilized Bound Tree for paramedic medical supplies through a piggyback on an existing competitively bid award. In 2005, staff recommended a change in vendors due to supply availability issues and billing problems. Since that time, Bound Tree has significantly improved its service and has streamlined their ordering process which is integrated with the Department’s internal process. In addition to favorable pricing and timely deliveries, Bound Tree has since expanded their inventory and offers a full range of pharmaceutical supplies which allows the Fire Department to consolidate these types of purchases and receive better pricing with a single vendor.

The El Segundo Fire Department recommends that the City Council waive the formal bidding process per El Segundo Municipal Code §1-7-10 to purchase medical and pharmaceutical supplies, and piggyback on the formal, competitive bid used by the City of Berkeley. Account Number: 001-400-3203-5204 Amount: $26,000.

UCLA

The UCLA Center for Pre-Hospital Care provides education services to the El Segundo Fire Department, through continuing educational services by Evelyn Riley, M.Ed., R.N., M.I.C.N., who has worked with the department for over 13 years. Ms. Riley conducts continuing education with staff in pre-hospital and emergency medicine to maintain certification and licensure as EMT-Basic or EMT-Paramedic (collectively referred to as “CE Programs”), primary education to obtain licensure as an EMT-Defibrillation (“EMT-D”) Provider, and provide quality improvement services to maintain or enhance the quality of patient care (referred to as “QI Services”).

The Fire Department also has automatic external defibrillators (AEDs) in service which require that personnel who operate this equipment must be trained and certified as Emergency Medical Technician-Defibrillation (EMT-D). In addition, the citywide AED program requires employee training and oversight, and these fees have been absorbed into the existing Fire Department fees.

The El Segundo Fire Department recommends the authorization of a blanket purchase order to the UCLA Center for Pre-Hospital Care for FY 10-11 to enable the Fire Department to continue to receive the services provided by UCLA. Account Number: 001-400-3202-6223 and 331-400-3202-6214 Amount: $32,600.
City Manager

Shannon David

Authorize the City Manager to execute a contract amendment and/or purchase order with Shannon David, Inc. for professional services with the City's business recruitment and marketing, program, as approved to form by the City Attorney, not to exceed $40,000. Account Number: 001-400-2101-6214

Tyler Technologies Eden Financial Management System

The City utilizes Tyler Technologies financial software to manage the City’s General Ledger, Accounts Receivable, Accounts Payable, Payroll, and Human Resources. This item is for annual licensing, maintenance, and support of these systems. The total cost will not exceed $35,000. Account Number: 001-400-2506-6217

Finance

All Cities Management Company

On September 16, 2008, City Council approved an appropriation for ESUED crossing guard services under Special Orders of Business, Item #6 within the 2008-2009 Budget Appropriations. This contract includes 6 crossing guards for a total of 5364 hours. The contract is expected to be renewed year to year as long as ACMS performance meets the City’s and ESUSD’s expectations. The annual cost of funding service this contract is not to exceed $80,000. Account Number: 001-400-2901-6405
AGENDA DESCRIPTION:
Consideration and possible action regarding authorizing the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 24 homes related to the City's Residential Sound Insulation Program's Group 39 (Project No. RSI 10-01). (Final Contract Amount: $716,741.00)

RECOMMENDED COUNCIL ACTION:
1. Authorize the City Clerk to file the City's Planning and Building Safety Director's Notice of Completion in the County Recorder's Office;
2. Authorize the City Manager, or designee, to close out Project No. RSI 10-01; and/or
3. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
List of homes included in Groups 39
Planning and Building Safety Director’s Notice of Completion

FISCAL IMPACT: Included in Adopted Budget

Amounts Budgeted: $789,580
Additional Appropriation: N/A
Account Number(s): 116-400-0000-8960

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

BACKGROUND AND DISCUSSION:
This project is part of the City’s Residential Sound Insulation (RSI) Program financed by federal grants from the Federal Aviation Administration (FAA) and the settlement agreement with Los Angeles World Airports (LAWA).

The RSI Program offers modifications to owners of qualifying residential property in the City of El Segundo that reduce interior sound levels of noise generated by air traffic from neighboring Los Angeles International Airport (LAX).

At its meeting on February 16, 2010 the City Council awarded a construction contract to Big West Construction Corporation (Big West) for construction at 24 homes, commonly referred to as Group 39 of the RSI Program.

The work has now been completed and the final contract amount is $716,741.00.
Exhibit A

Residential Sound Insulation Program
Group 39

<table>
<thead>
<tr>
<th>RSI Number</th>
<th>Project Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>39.01</td>
<td>948 Loma Vista Street</td>
</tr>
<tr>
<td>39.02</td>
<td>803 Virginia Street</td>
</tr>
<tr>
<td>39.03</td>
<td>908 Sheldon Street</td>
</tr>
<tr>
<td>39.04</td>
<td>319 East Sycamore Avenue</td>
</tr>
<tr>
<td>39.05</td>
<td>630 West Sycamore Avenue</td>
</tr>
<tr>
<td>39.06</td>
<td>949 Sheldon Street (Front)</td>
</tr>
<tr>
<td>39.07</td>
<td>949 Sheldon Street (Rear)</td>
</tr>
<tr>
<td>39.08</td>
<td>919 Main Street, Unit 101</td>
</tr>
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<td>39.09</td>
<td>919 Main Street, Unit 201</td>
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<td>919 Main Street, Unit 103</td>
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<td>39.13</td>
<td>919 Main Street, Unit 203</td>
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<tr>
<td>39.14</td>
<td>919 Main Street, Unit 204</td>
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<tr>
<td>39.15</td>
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</tr>
<tr>
<td>39.16</td>
<td>919 Main Street, Unit 205</td>
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<td>39.17</td>
<td>919 Main Street, Unit 206</td>
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<td>39.18</td>
<td>919 Main Street, Unit 105</td>
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<td>39.23</td>
<td>919 Main Street, Unit 210</td>
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<tr>
<td>39.24</td>
<td>919 Main Street, Unit 211</td>
</tr>
</tbody>
</table>
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Residential Sound Insulation Program – Group 39

Project No.: RSI 10-01

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of interest stated below in the property hereinafter described.

2. The project owner’s name is: City of El Segundo

3. The full addresses of the project are: attached as Exhibit A and incorporated by reference

4. The nature of the interest of the owner is:

5. A work of improvement on the property hereinafter described was field reviewed by City representatives on: see attached Exhibit A

6. The work done was: Residential Sound Insulation Program Improvements

7. On September 21, 2010, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.

8. The name of the Contractor for such work of improvement was: Big West Construction Corporation

9. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: Private Residence(s) listed in Exhibit A

10. The street address of said properties are: set forth in Exhibit A

Dated: ________________

Greg Carpenter
Planning and Building Safety Director

VERIFICATION

I, the undersigned, say: I am the Director of Planning and Building Safety of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on ________________ at El Segundo, California.

Greg Carpenter
Planning and Building Safety Director
AGENDA DESCRIPTION:
Consideration and possible action regarding authorizing the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 20 homes related to the City's Residential Sound Insulation Program's Group 40 (Project No. RSI 10-02). (Final Contract Amount: $539,165.14)

RECOMMENDED COUNCIL ACTION:
1. Authorize the City Clerk to file the City's Planning and Building Safety Director's Notice of Completion in the County Recorder's Office;
2. Authorize the City Manager, or designee, to close out Project No. RSI 10-02; and/or
3. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
List of homes included in Groups 40
Planning and Building Safety Director’s Notice of Completion

FISCAL IMPACT: Included in Adopted Budget
Amounts Budgeted: $581,076
Additional Appropriation: N/A
Account Number(s): 116-400-0000-8960

ORIGINATED BY: James S. O’Neill, Program Manager
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
This project is part of the City’s Residential Sound Insulation (RSI) Program financed by federal grants from the Federal Aviation Administration (FAA) and the settlement agreement with Los Angeles World Airports (LAWA).

The RSI Program offers modifications to owners of qualifying residential property in the City of El Segundo that reduce interior sound levels of noise generated by air traffic from neighboring Los Angeles International Airport (LAX).

At its meeting on February 16, 2010 the City Council awarded a construction contract to G&G Specialty Contractors, Inc. for construction at 20 homes, commonly referred to as Group 40 of the RSI Program.

The work has now been completed and the final contract amount is $539,165.14.
Exhibit A

Residential Sound Insulation Program
Group 40

<table>
<thead>
<tr>
<th>RSI Number</th>
<th>Project Address</th>
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<td>958 Eucalyptus Drive</td>
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<tr>
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<td>1101 East Acacia Avenue</td>
</tr>
<tr>
<td>40.03</td>
<td>804 McCarthy Court</td>
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<tr>
<td>40.04</td>
<td>1203 East Acacia Avenue</td>
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<tr>
<td>40.05</td>
<td>849 Sheldon Street</td>
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<td>40.06</td>
<td>933 Sheldon Street</td>
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<tr>
<td>40.07</td>
<td>741 Loma Vista Street</td>
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<tr>
<td>40.08</td>
<td>1217 East Acacia Avenue</td>
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<tr>
<td>40.09</td>
<td>920 Lomita Street</td>
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<tr>
<td>40.10</td>
<td>1038 East Imperial Avenue, Unit A</td>
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<td>40.11</td>
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<td>40.12</td>
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<td>40.13</td>
<td>615 West Oak Avenue</td>
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<tr>
<td>40.14</td>
<td>1038 East Imperial Avenue, Unit D</td>
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<td>40.15</td>
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<td>40.16</td>
<td>1038 East Imperial Avenue, Unit F</td>
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<td>40.17</td>
<td>947 McCarthy Court, Unit 1</td>
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<td>40.18</td>
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NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Residential Sound Insulation Program – Group 40
Project No.: RSI 10-02

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of interest stated below in the property hereinafter described.
2. The project owner's name is: City of El Segundo
3. The full addresses of the project are: attached as Exhibit A and incorporated by reference
4. The nature of the interest of the owner is:
5. A work of improvement on the property hereinafter described was field reviewed by City representatives on: see attached Exhibit A
6. The work done was: Residential Sound Insulation Program Improvements
7. On September 21, 2010, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.
8. The name of the Contractor for such work of improvement was: G&G Specialty Contractors, Inc.
9. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: Private Residence(s) listed in Exhibit A
10. The street address of said properties are: set forth in Exhibit A

Dated: ____________________________
Greg Carpenter
Planning and Building Safety Director

VERIFICATION

I, the undersigned, say: I am the Director of Planning and Building Safety of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on __________________________ at El Segundo, California.

Greg Carpenter
Planning and Building Safety Director

Notice of Completion
AGENDA DESCRIPTION:

Consideration and possible action to adopt a Joint Tax Sharing Resolution for the proposed Annexation No. 05-55 into Los Angeles County Sanitation District No. 5.  
(Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Adopt the resolution and authorize the City Manager to execute the Joint Tax Resolution with Los Angeles County Sanitation District No. 5.
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Joint Resolution of the Los Angeles County Board of Supervisor
Map of the Proposed Annexation

FISCAL IMPACT: None

Amount Requested: $0
Additional Appropriation: No
Account Number(s):

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

BACKGROUND AND DISCUSSION:

The property owners within Annexation No. 05-55 are requesting to receive off-site disposal of sewage for their property. Before the service can be provided, the property must be annexed into Los Angeles County Sanitation District No. 5.

The annexation process requires that a resolution for property tax revenue exchange be adopted by all of the affected local agencies before the County of Los Angeles can approve the annexation. The law requires that the local governing body approve, by resolution, the amount of the annual tax increment to be transferred to the special district to pay the additional services. The sharing of the property tax increment with the Sanitation District, as a result of the annexation, will not result in a loss of tax revenue that the City currently receives from the property.
JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
ACTING IN BEHALF OF

Los Angeles County General Fund

Los Angeles County Flood Control

THE BOARD OF DIRECTORS OF COUNTY SANITATION DISTRICT NO. 5 OF LOS ANGELES
COUNTY, AND THE GOVERNING BODIES OF

Los Angeles County West Vector Control District

City of El Segundo

Water Replenishment District of Southern California

APPROVING AND ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES
RESULTING FROM ANNEXATION TO COUNTY SANITATION DISTRICT NO. 5.

"ANNEXATION NO. 55"

WHEREAS, pursuant to Section 99 and 99.01 of the Revenue and Taxation Code, prior to the
effective date of any jurisdictional change which will result in a special district providing a new service,
the governing bodies of all local agencies that receive an apportionment of the property tax from the area
must determine the amount of property tax revenues from the annual tax increment to be exchanged
between the affected agencies and approve and accept the negotiated exchange of property tax revenues
by resolution; and

WHEREAS, the governing bodies of the agencies signatory hereto have made determinations of
the amount of property tax revenues from the annual tax increments to be exchanged as a result of the
annexation to County Sanitation District No. 5 entitled Annexation No. 55;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The negotiated exchange of property tax revenues resulting from the annexation of territory
to County Sanitation District No. 5 in the annexation entitled Annexation No. 55 is approved and
accepted.

2. For each fiscal year commencing on and after July 1, 2010, or after the effective date of this
jurisdictional change, whichever is later, the County Auditor shall transfer to County Sanitation District
No. 5 a total of 0.5537356 percent of the annual tax increment attributable to the land area encompassed
within Annexation No. 55 as shown on the attached Worksheet.
3. No additional transfer of property tax revenues shall be made from any other taxing agencies to County Sanitation District No. 5 as a result of annexation entitled Annexation No. 55.

4. No transfer of property tax increments from properties within a community redevelopment project, which are legally committed to a Community Redevelopment Agency, shall be made during the period that such tax increment is legally committed for repayment of the redevelopment project costs.

5. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year, and any amounts of property tax received in excess of that which is proper shall be refunded to the appropriate agency.

The foregoing resolution was adopted by the Board of Supervisors of the County of Los Angeles, the Board of Directors of County Sanitation District No. 5 of Los Angeles County, and the governing bodies of Los Angeles County West Vector Control District, City of El Segundo, and Water Replenishment District of Southern California, signatory hereto.

CITY OF EL SEGUNDO

__________________________________________
SIGNATURE

__________________________________________
PRINT NAME AND TITLE

ATTEST:

__________________________________________
Secretary

__________________________________________
Date

(SIGNED IN COUNTERPART)
Annexation No. 55 shown thus..............................................................
Boundary of Sanitation District No. 5 prior to Annexation No. 55 shown thus.
Prior Annexations shown thus.........................................................
Area of Annexation................................................................. 18.344 Acres
0.029 Square Miles
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<th>ALLOCATED SHARE</th>
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TOTAL:

TRA: 09850
AGENDA DESCRIPTION:
Consideration and possible action regarding a sole-source award to lease 953 acre-ft of
ground water pumping rights to the City of Manhattan Beach. (Fiscal Impact: $100,065
revenue to the Water Enterprise Fund)

RECOMMENDED COUNCIL ACTION:
1. Authorize the Mayor to execute a lease with the City of Manhattan Beach in a form
approved by the City Attorney.
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Proposed Water Right Lease Agreement

FISCAL IMPACT: None

Amount Budgeted: $0
Additional Appropriation: N/A
Account Number(s):

ORIGINATED BY: Stephanie Katsouleas, Director of Public Works
REVIEWED BY: Mark Hensley, City Attorney
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
The City of El Segundo has adjudicated ground water rights to pump 953 acre-ft of ground water
each year from the West Coast Basin aquifer, although it has no ability exercise those annual
pumping rights. However, El Segundo can and does lease its rights to other jurisdictions who
have the ability to pump, typically by auctioning off its allocation to the highest bidder. Last
year, Manhattan Beach won the bid at $105 per acre-ft. A water year runs from July 1 to June 30
each year

This year, staff recommends that its 953 ac-ft of groundwater allocation be sole-source leased to
Manhattan Beach due to the unique interconnection between our two water systems and the
"allocation" assistance Manhattan Beach has agreed to provide us in light of our over-
consumption issues (now under investigation). By way of background:

- During the 2009/10 water year, El Segundo exceeded its potable water allocation by more
  than 2500 acre-ft. In February 2011, staff will conclude an experiment to assess whether
  the excess is structural or actual consumption. The findings will then be presented to
West Basin, at which time West Basin’s board will consider what penalties, if any, should be levied against El Segundo for the over-consumption.

- Staff felt that until we could fully assess our over-consumption problem, a conservative approach to avoid penalties in the 2010/11 water year would be to secure additional imported water by “trading” with another agency some imported water allocation for El Segundo’s pumping rights. The natural fit for this trade is Manhattan Beach due to the interconnection between our two systems and our close working relationship. Staff proposed this trade concept to Manhattan Beach as a win-win for each City – El Segundo would be guaranteed additional imported water resources (if needed) to avoid penalties, while Manhattan Beach would be guaranteed additional pumping rights to help offset the increased cost of purchasing imported potable water.

- El Segundo does have water interconnects with the City of Los Angeles and California Water Service Co., but does not have direct relationships with staff at those agencies to quickly enter discussions regarding trading pumping rights and imported water allocations.
WATER RIGHT LICENSE AND AGREEMENT
(West Coast Basin)

For valuable consideration, the City of El Segundo hereby grants to the City of Manhattan Beach a license to extract 953 acre-feet of licensor's Adjudicated Right allocated to licensor (or predecessors in interest) pursuant to Judgment dated August 19, 1961, and entered in Los Angeles Superior Court Case No. 506806 entitled "California Water Service Company, et al. vs. City of Compton, et al." during the period commencing July 1, 2010 and continuing to and including June 30, 2011 for the amount of $100,065.00.

Said License is granted, subject to the following conditions:

(1) Licensee shall exercise said right and extract the same on behalf of the City of El Segundo during the period above specified and put the same to beneficial use and licensee shall not be the exercise hereunder of said right acquire any right to extract water independent of the rights of licensor.

(2) Licensee shall pay assessments levied on the pumping of said ground water by the Central and West Basin Water Replenishment District.

(3) Licensee shall notify the District and Watermaster that said pumping was done pursuant to this license and provide the Watermaster with a copy of the document.

(4) Licensee shall note in any recording of water production for the period of agreement that said pumping was done pursuant to this license.

(5) Licensee's Adjudicated Right shall be increased by the amount hereby licensed when computing carryover or allowable over extraction as provided by Paragraph V in said Judgment.

(6) Licensee acquires hereunder pumping rights only and should be responsible to provide the means and location to effect said pumping itself and shall bear the cost of said pumping.

The City of El Segundo warrants that it has 953 acre-ft of Adjudicated Right and it has not pumped and will not pump or permit or license any other person to pump any part of said 954 acre-ft during the period of July 1, 2010 through June 30, 2011.

Licensor: CITY OF EL SEGUNDO

By: ______________________________________

Title: _____________________________________

ATTESTED:

__________________________
Cindy Mortensen
City Clerk (SEAL)

APPROVED AS TO FORM:

_____________________________________
City Attorney

Licensee:

By: ______________________________________

Title: _____________________________________

ATTEST:

_____________________________________
City Clerk

APPROVED AS TO FORM:

_____________________________________
City Attorney

Date: ________________________________
AGENDA DESCRIPTION:

Consideration and possible action to award a standard Public Works Contract to the lowest responsible bidder, Silvia Construction, Inc., for the rehabilitation of Grand Avenue from Sepulveda Boulevard to Duley Road. Project No.: PW 10-03 (Fiscal Impact: $365,000.00)

RECOMMENDED COUNCIL ACTION:

1. Authorize the City Manager to execute a standard Public Works Contract in a form as approved by the City Attorney with Silvia Construction, Inc., in the amount of $345,873.70

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

ATTACHED SUPPORTING DOCUMENTS:

Location Map

FISCAL IMPACT: Included in Adopted Budget

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ORIGINATED BY: Maryam M. Jonas, Principal Engineer

REVIEWED BY: Stephanie Katsouleas, Public Works Director

APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

On July 20, 2010, the City Council approved plans and authorized staff to advertise the project for the Pavement Rehabilitation of Grand Avenue Project. On August 31, 2010, the City Clerk received and opened seven (7) bids as follows:

1. Silvia Construction, Inc. $345,873.70
2. Sully Miller Contracting Co $347,467.72
3. All American Asphalt $349,402.98
4. Sequel Contractors, Inc. $357,175.39
5. Excel Paving Company $359,333.00
6. GR Eng. Inc. $413,579.86
7. United Paving Company $430,747.00

The pavement rehabilitation of Grand Avenue project includes grinding of existing pavement and installation of two-inch Rubberized Asphalt Concrete (RAC). RAC is a "green" product in
that it utilizes recycle tires as part of its aggregate. It has a longer life cycle and sound deadening properties. This project is fully funded through a $400,000 grant allocation from State Proposition 1B.

Staff recommends awarding the contract to the lowest responsible bidder, Silvia Construction, Inc., in the amount of $345,873.70. The total amount ($365,000.00) requested includes the contract amount and an additional $19,126.30 for construction related contingencies. Silvia Construction, Inc., references verified successful experience with similar projects and they have completed projects for the City in the past.
City of El Segundo
PUBLIC WORKS DEPARTMENT

PAVEMENT REHABILITATION OF GRAND AVENUE
(SEPULVEDA BOULEVARD TO DULEY ROAD)
PW 10-03

PROJECT LOCATION
AGENDA DESCRIPTION:

Consideration and possible action to extend the City’s agreement with MWW Group through September 30, 2011, for consultant and advocacy services related to the City’s interests and efforts concerning Los Angeles International Airport. (Fiscal Impact: $78,300)

RECOMMENDED COUNCIL ACTION:

1. Authorize the Mayor to execute the attached agreement with the MWW Group;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Agreement between MWW Group and the City of El Segundo

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $78,300
Additional Appropriation: N/A
Account Number(s): 01-400-2901-6406

ORIGINATED BY: Bill Crow, Assistant City Manager
REVIEWED BY:
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

The City’s current agreement with the MWW Group expires on September 30, 2010. Over recent years, the MWW Group has served as an advisor and advocate for the City regarding issues relating to Los Angeles World Airports (LAWA) and Los Angeles International Airport (LAX). MWW Group has worked with elected and appointed officials of the City of Los Angeles advocating El Segundo’s position with regard to the implementation of the Settlement Agreement with LAWA and safety and operational improvements to the north airfield complex.

During the coming year, MWW Group also proposes to work with all parties on addressing concerns over runway selection and early turns on the South Airfield, as well as, to continue advocating that the City of Los Angeles make good on its commitments to “regionalize” air service. Additionally, MWW Group will continue to represent the City’s transportation interests as they relate to the Green Line extension, Crenshaw Transit Corridor and Harbor Subdivision projects. Staff is recommending an extension of the current agreement at a funding level of $78,300; a reduction of $6,525 from FY 2009-2010.
AGREEMENT

FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made and entered into this 1st day of October, 2010, between the CITY OF EL SEGUNDO, a municipal corporation, hereinafter referred to as "City" and MWW Group hereinafter referred to as "Consultant". This Agreement shall be in full force and effect through September 30, 2011, unless extended by mutual agreement of City and Consultant. In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. **SCOPE OF SERVICES.** Consultant agrees to perform the services set forth in Exhibit "A" "SCOPE OF SERVICES" and made a part hereof. Consultant represents and warrants that it has the qualifications, experience and facilities to properly perform said services in a thorough, competent and professional manner and shall, at all times during the term of this Agreement, have in full force and effect, all licenses required of it by law, including, but not limited to, a valid El Segundo Business License. Consultants shall begin its services under this Agreement on October 1, 2010. Consultant shall complete each of the services set forth in Exhibit A to the City's satisfaction. If the City is not satisfied with any such services, the Consultant shall work on such matter until the City approves of the service. Further, Consultant shall complete the services set forth in Exhibit A strictly according to the schedule provided therein.

Additionally, Consultant shall provide the services specified in Exhibit A in compliance with the following conditions: All work performed by Consultant shall be directed through the City Manager or designee; all work requested of Consultant by the City shall be directed by the City Manager or designee; consultant shall submit periodic reports of work product and progress on stated goals outlined in Exhibit A to the City Manager not less frequently than once each month.

2. **STATUS OF CONSULTANT.** Consultant is and shall at all times remain as to the City a wholly independent contractor. The personnel performing the services under this Agreement on behalf of Consultant shall at all times be under Consultant's exclusive direction and control. Neither City nor any of its officers, employees or agents shall have control over the conduct of Consultant or any of Consultant's officers, employees or agents, except as set forth in this Agreement. Consultant shall not at any time or in any manner represent that it or any of its officers, employees or agents are in any manner officers, employees or agents of the City. Consultant shall not incur or have the power to incur any debt, obligation or liability whatever against City, or bind City in any manner. Consultant shall not disseminate any information or reports gathered or
created pursuant to this Agreement without the prior written approval of City except information or reports required by government agencies to enable Consultant to perform its duties under this Agreement.

3. **CONSULTANT'S KNOWLEDGE OF APPLICABLE LAWS.** Consultant shall keep itself informed of applicable local, state and federal laws and regulations which may affect those employed by it or in any way affect the performance of its services pursuant to this Agreement. Consultant shall observe and comply with all such laws and regulations affecting its employees. City and its officers and employees, shall not be liable at law or in equity as a result of any failure of Consultant to comply with this section. Without limiting the foregoing, Consultant shall not expend any funds in violation of: California Constitution, Article 16, Section 6; Government Code, Section 81000 et. seq. ("Political Reform Act"); or any other federal or state law governing the expenditure of public funds. Consultant shall be solely responsible for submittal of all documents, forms and other information that may be required by all applicable agencies as a result Contractor's performing the services specified in this Agreement.

4. **PERSONNEL.** Consultant shall make every reasonable effort to maintain the stability and continuity of Consultant's staff assigned to perform the services hereunder and shall obtain the approval of the City Manager of all proposed staff members performing services under this Agreement prior to any such performance.

5. **COMPENSATION AND METHOD OF PAYMENT.** Compensation to the Consultant shall be paid as a fixed monthly retainer not to exceed six thousand five hundred and twenty-five dollars ($6,520) per month. Payments shall be made in approximately thirty (30) days after receipt of each invoice as to all non-disputed fees. If the City disputes any of consultant's fees it shall give written notice to Consultant in 30 days of receipt of an invoice of any disputed fees set forth on the invoice.

6. **ADDITIONAL SERVICES OF CONSULTANT.** Consultant shall not be compensated for any services rendered in connection with its performance of this Agreement which are in addition to those set forth herein or listed in Exhibit "A", unless such additional services are authorized in advance and in writing by the City Manager. Consultant shall be compensated for any additional services in the amounts and in the manner as agreed to by City Manager and Consultant at the time City's written authorization is given to Consultant for the performance of said services.

7. **ASSIGNMENT.** All services required hereunder shall be performed by Consultant, its employees or personnel under direct contract with...
Consultant. Consultant shall not assign to any subcontractor the performance of this Agreement, nor any part thereof, nor any monies due hereunder, without the prior written consent of City Manager.

8. **FACILITIES AND RECORDS.** City agrees to provide: suitably equipped and furnished office space, public counter, telephone, and use of copying equipment and necessary office supplies for Consultant's on-site staff, if any. Consultant shall maintain complete and accurate records with respect to sales, costs, expenses, receipts and other such information required by City that relate to the performance of services under this Agreement. Consultant shall maintain adequate records of services provided in sufficient detail to permit an evaluation of services. All such records shall be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible. Consultant shall provide free access to the representatives of City or its designees at reasonable times to such books and records, shall give City the right to examine and audit said books and records, shall permit City to make transcripts therefrom as necessary, and shall allow inspection of all work, data, documents, proceedings and activities related to this Agreement. Such records, together with supporting documents, shall be maintained for a period of three (3) years after receipt of final payment.

9. **TERMINATION OF AGREEMENT.** This Agreement shall expire on September 30, 2011, unless extended by mutual agreement of City and Consultant. The City upon 30 days written notice or 120 days by contractor written notice may terminate with or without cause this Agreement. In the event of such termination, Consultant shall be compensated for non-disputed fees under the terms of this Agreement up to the date of termination.

10. **COOPERATION BY CITY.** All public information, data, reports, records, and maps as are existing and available to City as public records, and which are necessary for carrying out the work as outlined in the Scope of Services, shall be furnished to Consultant in every reasonable way to facilitate, without undue delay, the work to be performed under this Agreement.

11. **OWNERSHIP OF DOCUMENTS.** Upon satisfactory completion of, or in the event of termination, suspension or abandonment of, this Agreement, all original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents prepared in the course of providing the services to be performed pursuant to this Agreement shall, become the sole property of City. With respect to computer files, Consultant shall make available to the City, upon reasonable written request by the City, the necessary
computer software and hardware for purposes of accessing, compiling, transferring and printing computer files.

12. RELEASE OF INFORMATION/CONFLICTS OF INTEREST.

A. All information gained by Consultant in performance of this Agreement shall be considered confidential and shall not be released by Consultant without City's prior written authorization excepting that information which is a public record and subject to disclosure pursuant to the California Public Records Act, Government Code, 6250, et seq. Consultant, its officers, employees, agents or subcontractors, shall not without written authorization from the City Manager or unless requested by the City Attorney, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement or relating to any project or property located within the City. Response to a subpoena or court order shall not be considered "voluntary" provided Consultant gives City notice of such court order or subpoena.

If Consultant or any of its officers, employees, consultants or subcontractors does voluntarily provide information in violation of this Agreement, City has the right to reimbursement and indemnity from Consultant for any damages caused by Consultant's conduct, including the City's attorney's fees.

Consultant shall promptly notify City should Consultant, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed thereunder or with respect to any project or property located within the City. City retains the right, but has no obligation, to represent Consultant and/or be present at any deposition, hearing or similar proceeding. Consultant agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Consultant. However, City's right to review any such response does not imply or mean the right by City to control, direct, or rewrite said response.

B. Consultant covenants that neither they nor any officer or principal of their firm has any interest in, or shall they acquire any interest, directly or indirectly which will conflict in any manner or degree with the performance of their services hereunder. Consultant further covenants that in the performance of this Agreement, no person having such interest shall be employed by them as an officer, employee, agent, or subcontractor without the express written consent of the City Manager.
13. **DEFAULT.** In the event that Consultant is in default of any provision of this Agreement, City shall have no obligation or duty to continue compensating Consultant for any work performed after the date of default and can terminate this Agreement immediately by written notice to the Consultant.

14. **INDEMNIFICATION.** Consultant agrees to the following:

A. **Indemnification for Professional Services.** Consultant will save harmless and indemnify, including, without limitation, City's defense costs (including reasonable attorney's fees), from and against any and all suits, actions, or claims, of any character whatever, brought for, or on account of, any injuries or damages sustained by any person or property resulting or arising from any negligent or wrongful act, error or omission by Consultant or any of Consultant's officers, agents, employees, or representatives, in the performance of this Agreement.

B. **Indemnification for other Damages.** Consultant indemnifies and holds City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising out of this Agreement, or its performance. Should City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of this Agreement, or its performance, Consultant will defend City (at City's request and with counsel satisfactory to City) and will indemnify CITY for any judgment rendered against it or any sums paid out in settlement or otherwise.

C. For purposes of this section "City" includes City's officers, officials, employees, agents, representatives, and certified volunteers.

D. It is expressly understood and agreed that the foregoing provisions will survive termination of this Agreement.

E. The requirements as to the types and limits of insurance coverage to be maintained by Consultant as required by this Agreement, and any approval of said insurance by City, are not intended to and will not in any manner limit or qualify the liabilities and obligations otherwise assumed by Consultant pursuant to this Agreement, including, without limitation, to the provisions concerning indemnification.

F. Consultant represents it is skilled in the professional calling necessary to perform the services and duties agreed to hereunder by Consultant, and City relies upon the skills and knowledge of Consultant. Consultant shall perform such services and duties consistent with the standards generally recognized as being employed by professionals performing similar service in the State of California.
G. Consultant is an independent contractor and shall have no authority to bind City nor to create or incur any obligation on behalf of or liability against City, whether by contract or otherwise, unless such authority is expressly conferred under this agreement or is otherwise expressly conferred in writing by City.

CONSULTANT HAS READ THIS SECTION 14 IN ITS ENTIRETY AND KNOWINGLY AND WILLINGLY ACCEPTS THE OBLIGATIONS CONTAINED HEREIN.

15. INSURANCE.

A. Insurance Requirements. Consultant shall provide and maintain insurance acceptable to the City Attorney in full force and effect throughout the term of this Agreement, against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives or employees. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A-VII. Consultant shall provide the following scope and limits of insurance:

(a) Minimum Scope of Insurance. Coverage shall be at least as broad as:

(i) Insurance Services Office form Commercial General Liability coverage (Occurrence Form CG 0001).

(ii) Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, including code 1 "any auto" and endorsement CA 0025, or equivalent forms subject to the written approval of the City.

(iii) Workers' Compensation insurance as required by the Labor Code of State of California and Employer's Liability insurance and covering all persons providing services on behalf of the Consultant and all risks to such persons under this Agreement. (Not needed if Self-employed with no employees.)

(iv) Errors and omissions liability insurance appropriate to the Consultant's profession.

(b) Minimum Limits of Insurance. Consultant shall maintain limits of insurance no less than:

(i) General Liability: $1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the
general aggregate limit shall apply separately to the activities related to this Agreement or the general aggregate limit shall be twice the required occurrence limit.

(ii) **Automobile Liability:** Including owned, non-owned and hired vehicles for bodily injury and property damage with (See cover letter (page 1) for actual dollar level Requirements):
- At least $1,000,000 per occurrence.
- $100,000 - $300,000 per occurrence.
- As required by State Statutes. A copy of your current policy must be submitted naming yourself and or your company.

(iii) **Workers’ Compensation and Employer’s Liability:** Workers’ Compensation as required by the Labor Code of the State of California and Employers Liability limits of $1,000,000 per accident.

(iv) **Errors and Omissions or Malpractice or Professional Liability:** At least $1,000,000 per occurrence.

B. **Other Provisions.** Insurance policies required by this Agreement shall contain the following provisions:

(a) **All Policies.** Each insurance policy required by this paragraph 15 shall be endorsed and state the coverage shall not be suspended, voided, canceled by the insurer or either party to this Agreement, reduced in coverage or in limits except after 30 days' prior written notice by Certified mail, return receipt requested, has been given to the City.

(b) **General Liability and Automobile Liability Coverages.**

(i) City, its officers, officials, and employees and volunteers are to be covered as additional insureds as respects: liability arising out of activities Consultant performs, products and completed operations of Consultant; premises owned, occupied or used by Consultant, or automobiles owned, leased or hired or borrowed by Consultant. The coverage shall contain no special limitations on the scope of protection afforded to City, its officers, officials, or employees.
(ii) Consultant's insurance coverage shall be primary insurance as respect to City, its officers, officials, employees and volunteers. Any insurance or self insurance maintained by City, its officers, officials, employees or volunteers shall apply in excess of, and not contribute with, Consultant's insurance.

(iii) Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer’s liability.

(v) Any failure to comply with the reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the City, its officers, officials, employees or volunteers.

(c) **Workers' Compensation and Employer's Liability Coverage.** Unless the City Manager otherwise agrees in writing, the insurer shall agree to waive all rights of subrogation against City, its officers, officials, employees and agents for losses arising from work performed by Consultant for City.

C. **Other Requirements.** Consultant agrees to deposit with City, at or before the effective date of this contract, certificates of insurance necessary to satisfy City that the insurance provisions of this contract have been complied with. The City Attorney may require that Consultant furnish City with copies of original endorsements effecting coverage required by this Section. The certificates and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. City reserves the right to inspect complete, certified copies of all required insurance policies, at any time.

(a) Consultant shall furnish certificates and endorsements from each subcontractor identical to those Consultant provides.

(b) Any deductibles or self-insured retentions must be declared to and approved by City. At the option of the City, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, officials, employees and volunteers; or the Consultant shall procure a bond guaranteeing payment of losses and related investigations, claim administration, defense expenses and claims.
(c) The procuring of such required policy or policies of insurance shall not be construed to limit Consultant's liability hereunder nor to fulfill the indemnification provisions and requirements of this Agreement.

16. ENTIRE AGREEMENT. This Agreement is the complete, final, entire and exclusive expression of the Agreement between the parties hereto and supersedes any and all other agreements, either oral or in writing, between the parties with respect to the subject matter herein. Each party to this Agreement acknowledges that no representations by any party which are not embodied herein and that no other agreement, statement, or promise not contained in this Agreement shall be valid and binding.

17. GOVERNING LAW. The City and Consultant understand and agree that the laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and also govern the interpretation of this Agreement. Any litigation concerning this Agreement shall take place in the Los Angeles County Superior Court.

18. ASSIGNMENT OR SUBSTITUTION. City has an interest in the qualifications of and capability of the persons and entities who will fulfill the duties and obligations imposed upon Consultant by this Agreement. In recognition of that interest, neither any complete nor partial assignment of this Agreement may be made by Consultant nor changed, substituted for, deleted, or added to without the prior written consent of City. Any attempted assignment or substitution shall be ineffective, null, and void, and constitute a material breach of this Agreement entitling City to any and all remedies at law or in equity, including summary termination of this Agreement.

18. MODIFICATION OF AGREEMENT. The terms of this Agreement can only be modified in writing approved by the City Council and the Consultant. The parties agree that this requirement for written modifications cannot be waived and any attempted waiver shall be void.

20. AUTHORITY TO EXECUTE. The person or persons executing this Agreement on behalf of Consultant warrants and represents that he/she/they has/have the authority to execute this Agreement on behalf of his/her/their corporation and warrants and represents that he/she/they has/have the authority to bind Consultant to the performance of its obligations hereunder.

21. NOTICES. Notices shall be given pursuant to this Agreement by personal service on the party to be notified, or by written notice upon such
party deposited in the custody of the United States Postal Service addressed as follows:

City:
Jack Wayt
City of El Segundo
350 Main Street
El Segundo, California 90245-3895
Telephone (310) 524-2301
Facsimile (310) 322-7137

Consultant:
Coby King
MWW Group
660 South Figueroa Street, Suite 1400
Los Angeles, CA 90017
Telephone (213) 486-6560
Facsimile (213) 486-6501

The notices shall be deemed to have been given as of the date of personal service, or three (3) days after the date of deposit of the same in the custody of the United States Postal Service.

22. **SEVERABILITY.** The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of the other provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

Company Name: MWW Group

By ________________________________

Title ______________________________

CITY OF EL SEGUNDO

______________________________
Mayor

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EXHIBIT A

SCOPE OF WORK

MWW Group proposes to provide public relations and public affairs representation services to the City of El Segundo. MWW Group will serve the City of El Segundo as its advisor and advocate for the City regarding issues relating to Los Angeles World Airports (LAWA) and Los Angeles International Airport (LAX) and regarding transportation issues relating to the Metropolitan Transportation Authority.

MWW Group will worked with elected and appointed officials of the City of Los Angeles advocating El Segundo’s position with regard to the implementation of the Settlement Agreement with LAWA and safety and operational improvements related to the north airfield complex.

MWW Group will work with all parties on addressing concerns over runway selection and early turns on the South Airfield, as well as, providing advocacy to ensure that the City of Los Angeles make good on its commitments to “regionalize” air service at its Ontario Airport.

MWW Group will represent the City’s transportation interests, particularly as they relate to the Green Line extension, Crenshaw Transit Corridor, Harbor Subdivision and other South Bay transportation projects.

MWW Group will perform the aforementioned services for a fixed monthly retainer not to exceed six thousand five hundred and twenty-five dollars ($6,520) per month.
AGENDA DESCRIPTION:
Consideration and possible action regarding salary and benefit concessions by the City’s unrepresented group of Management/Confidential employees. Fiscal Impact: Savings of $541,487 for Executive Management, Mid-Management/Confidential Employees. Savings of $48,945 for Public Safety Management Employees.

RECOMMENDED COUNCIL ACTION:
1. Approve the following for Fiscal Year 2010/2011:
   - Eight (8) hours, or more if determined necessary, of unpaid furlough hours per month.
   - Suspension of the City’s five percent (5%) matching contribution to the employee’s 401(a) deferred compensation account.
   - Suspension of the employee’s ability to cash in up to one year of accumulated vacation leave.
   - Suspension of the cap on the maximum allowable amount of accumulated vacation leave.
   - Sell back a portion of Battalion Chief Holiday Pay.
2. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS: None.

FISCAL IMPACT:

  Amount Budgeted: None
  Additional Appropriation: None
  Account Number(s):

ORIGINATED BY: Martha Dijkstra, Human Resources Manager
REVIEWED BY: Bob Hyland, Human Resources Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION
Based on Council direction, members of the Management/Confidential Group began discussing ways to address the City’s budget shortfall for the current fiscal year and FY 2010-2011. In order to meet the five percent (5%) concession requested by Council for the current fiscal year, employees elected to take one furlough day in August and a second furlough day in September. To prepare for this, the Finance Department implemented changes to its financial/payroll system to track the number of furlough days taken and implement the necessary wage deductions.

The Management/Confidential group met on August 25, 2010 and September 8, 2010 to further discuss options available to meet the required concessions for FY 2010-2011. A consensus was reached to suspend the City’s 401(a) match and continue furloughs. Battalion Chiefs will sell back a portion of their Holiday Pay...
in addition to suspending their 401(a) match. This combination of options will achieve the required savings. Additionally, the vacation leave cash-out option will be suspended through the end of FY 2010-2011 and the vacation accrual cap will be lifted for this same period.

A discussion was held regarding the impact furloughs have on a management employee's exempt status under the Fair Labor Standards Act (FLSA). Employees were informed that when a budget-required furlough is imposed, employees classified as “exempt” lose their exempt status during the week in which there is a furlough. What this means is that the City would have to pay the employee straight time for hours worked beyond their scheduled hours for that week, and overtime at one and a half times their regular rate for any hours worked over forty (40) in that week. Employees were advised to work with their Department Heads when scheduling furlough days to ensure overtime is not incurred during a furlough week. Employees were also instructed to secure prior Department Head approval if overtime will be required in a particular workweek.
AGENDA DESCRIPTION:

Consideration and possible action to adopt a resolution authorizing City staff to participate in the South Bay Regional Bicycle Master Plan in conjunction with the Los Angeles County Bicycle Coalition and South Bay Bicycle Coalition, and appoint one Council Member and an alternate to participate in a Blue Ribbon Bicycle Advisory Board (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Authorize City staff to participate in the in the South Bay Regional Bicycle Master Plan in conjunction with the Los Angeles County Bicycle Coalition and South Bay Bicycle Coalition.

2. Appoint one Council Member and an alternate to participate in a Blue Ribbon Bicycle Advisory Board.

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

ATTACHED SUPPORTING DOCUMENTS:

Overview of Project Initiative (for El Segundo) Resolution

FISCAL IMPACT: None

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

ORIGINATED BY: Stephanie Katsouleas, Director of Public Works
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

In March, 2010 the Los Angeles County Bicycle Coalition received a grant through the American Recovery and Reinvestment Act of 2009 to create a South Bay Master Bike Plan in conjunction with seven South Bay cities, including El Segundo. Per grant requirements, city councils must adopt a resolution committing minimal staff time to the project for a period of approximately two years. The designated staff person can expect to spend about 5% of his/her time on the project as it relates to relevant scope of work activities. The Scope also calls for

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1 One initiative of the 2009 ARRA is to address obesity, physical inactivity and poor nutrition. The County of Los Angeles received approximately $1,125,000 toward this initiative.
appointing one councilmember and an alternate to participate in a Blue Ribbon Bicycle Advisory Board. No additional resource commitment is required by El Segundo.

The goals of this project are to: 1) create a create master plan that regionally connects the cities of Redondo Beach, Torrance, Hermosa Beach, Manhattan Beach, El Segundo, Gardena and Lawndale via a bicycle network, and 2) encourage the allocation of transportation and/or CIP funds to pedestrian and bicycle projects as they become available. As the lead agency, Redondo Beach is the primary facilitator of grant activities and has already hired an initiative coordinator to begin implementation of the project scope of work. The final report is expected in 2012 and will include signage plans, bikeway policies, and bike routes throughout the South Bay.
The Grant

In March of 2010 the South Bay Bicycle Coalition (a chapter of Los Angeles County Bicycle Coalition) received a grant to create a South Bay Master Bike Plan with seven cities who supported the grant application. This program, administered by the Department of Public Health, provides $240,000 to initiate policies and programs that will improve community health, primarily targeting childhood obesity. The grant is funded at the Federal level by U.S. Health and Human Services (HHS) and the Centers of Disease Control and Prevention (CDC).

The South Bay Bikeways Initiative

The grant allows the SBBC to coordinate seven cities in the adoption of a bike master plan on a regional scale. The seven cities which supported participation in the grant are Redondo Beach, Hermosa Beach, Manhattan Beach, Torrance, El Segundo, Lawndale and Gardena.

This August, SBBC is hiring a bicycle planning consulting firm and will officially kick-off the planning and outreach efforts across the South Bay. The efforts will include community outreach and collaboration with City staff and elected officials. The initiative will focus on the interconnectivity of South Bay cities by refreshing existing bike plans with modern studies and a bias towards safe, feasible, and low cost implementation. This planning and approval process will extend through 2012.

The resulting document will include signage plans, bikeway policies and bike routes throughout the South Bay. Infrastructure improvements will come in many forms; some may be fully dedicated bike paths, others may be the simple addition of a bike lane or the new concept of sharrows on a road (see picture at right), while some areas may require only prominent signage for existing bikeways. Cost-effective implementations with minimal affects to vehicular right-of-ways will be prioritized in the early phases.

The resulting document will improve community health and bike safety, while simultaneously providing an opportunity to increase bike ridership and enforce bike safety. The master plan will enable the involved cities to apply for funding at the regional, state and federal levels.
Childhood Obesity
With active residents and environmentally-focused policy, El Segundo is one of the healthiest communities in Los Angeles County. However, the beach community still suffers from heightened rates of obesity. In 2007, it was reported that the prevalence of childhood obesity in El Segundo was approximately 13.4%. Studies indicate increased rates of childhood obesity often correlate with a reduction in the number of children walking or biking to school. Providing safe bike routes to school and for families outings will help combat childhood obesity.

Bike Safety and Education
In addition to the health benefits resulting from increased bike infrastructure, there will also be additional safety benefits. One South Bay city recently reported that from 2004 to 2008, 66 bicyclists were involved in accidents, which only accounts for reported accidents. In the auto-centric culture of Los Angeles, it's important to educate both bicyclists and motorists on road-sharing safety and laws. Cities which have adopted widespread, prominent and consistent bicycle policies have experienced increased bicycle awareness and a safer more copacetic transportation environment.

Bike Policy in Los Angeles County
Many cities across Los Angeles County are currently engaged in various forms of bike planning and policy. Here are just a few:

- Santa Monica: The progressive coastal city has recently enacted a city-funded bike sharing program for City staff. The City also hosts a bike valet program at their weekly farmer’s market and all City-sponsored events. It was estimated that the bike valet program parked over 22,000 bikes in 2009.

- Los Angeles: The City and County of Los Angeles have both drafted Bicycle Master Plans, which are still being revised. The City has pledged 5% of its transportation budget to go towards the plan specifically and 10% of their Measure R funds to bicycle and pedestrian-oriented projects. Additionally, 4th Street recently underwent a pilot phase as a bike boulevard and, along with Abbot Kinney in Venice Beach, was recently improved with a series of sharrow.

- Long Beach: The recent bike facility improvements in the City of Long Beach are considered to be the most successful in Southern California. Their improvements involve a "green" bike lane constructed with permeable materials, the general expansion of bike routes and the first bike boulevard in the County.
Existing Bikeways in El Segundo

The City of El Segundo is well positioned to continue catalyzing bike culture in the region. The map to the right shows the City's existing Bicycle Master Plan, as adopted through the Circulation Element in the General Plan.

While this map provides a solid foundation for improved bicycle infrastructure, it does not make the City of El Segundo eligible for over $1.2MM annual State funds available for such projects. The South Bay Bikeways Initiative would create such a grant eligible plan (per California Streets and Highways Code §891.2).

What Is Required to Continue to Participate as a Member City?

In order for the Initiative to be successful, the Department of Public Health, the grant administrator, has established the following requirements:

1) **Designate a Council Member to participate in the Blue Ribbon Advisory Board;**
2) **Swiftly implement measures approved by City Council as funding is available;**
3) **Designate a City Liaison** that will:
   a. Introduce the Initiative Director to key city staff (Planning, Public Works, Parks, etc.);
   b. Participate in City hearings;
   c. Assist in drafting Council memos, documents, code, etc. and in obtaining City approval for related documents and plans;
   d. Upon the request of the Initiative Director, review, give directions and provide feedback on draft documents in a timely fashion;
   e. Assist consultants on bicycle counts and field surveys as needed;
   f. Participate as a member of the Technical Advisory Board in the South Bay Bicycle Planning Roundtable on a monthly basis.

4) **Encourage the City Council to reserve a portion of transportation or Capital Improvement funds towards pedestrian and bicycle projects,** just as the City of LA recently did. The South Bay Bicycle Coalition recommend 3-5% of transportation funds be dedicated to alternative transportation plans and programs.

The City of El Segundo can be the next incubator for alternative transportation innovation. Contact us to learn more or to get involved:

Marissa Christiansen
South Bay Bikeways Initiative Director
310-937-6695
Marissa@la-bike.org
www.southbaybicyclecoalition.com
RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, AUTHORIZING CITY STAFF TO WORK ON THE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH PROJECT IN SUPPORT OF THE SOUTH BAY REGIONAL BICYCLE MASTER PLAN

WHEREAS, the City of El Segundo is a partner to the Los Angeles County Bicycle Coalition ("LACBC") which has been awarded a grant from the Los Angeles County Department of Public Health ("DPH") through the American Recovery and Reinvestment Act of 2009-funded Renewing Environments for Nutrition, Exercise and Wellness ("RENEW") Initiative for the development of the South Bay Bicycle Master Plan Project; and

WHEREAS, the City supports the South Bay Bicycle Master Plan Project, whose goals are to promote bicycling as a means to decrease childhood and adult obesity resulting from lack of physical activity, and to create a Bicycle Master Plan that leads to an accessible bikeway network connecting the South Bay cities to each other and to Greater Los Angeles County for the general benefit of all County residents.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL SEGUNDO DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council endorses the South Bay Bicycle Master Plan Project.

SECTION 2. The City agrees to provide a staff liaison to accomplish all tasks and technical assistance for which the City is involved as described in the attached Scope of Work, including coordinating as necessary with other City departments involved in the South Bay Bicycle Master Plan.

SECTION 3. The City agrees to appoint a city council member to serve on the Blue Ribbon Advisory Committee of the South Bay Bicycle Master Plan.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.
PASSED, APPROVED AND ADOPTED this 21st day of September, 2010.

______________________________
Eric Busch, Mayor

ATTEST:

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the foregoing Resolution No. ____ was duly passed, approved and adopted by the City Council of the City of El Segundo, California, at a regular meeting of said City Council held on the 21st day of September, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

______________________________
Cindy Mortesen, City Clerk

APPROVED AS TO FORM:

______________________________
Marx Hensley, City Attorney
AGENDA DESCRIPTION:

Consideration and possible action to convene a subcommittee consisting of two Council Members and all members of the Environmental Committee to evaluate and recommend various refuse collection options to be included in a Request for Proposals for the next trash collection contract scheduled to commence in August, 2011. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Appoint two members from City Council and all members of the Environmental Committee to participate in a subcommittee to evaluate and recommend various trash collection options for the City's next trash collection contract

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

ATTACHED SUPPORTING DOCUMENTS:

FISCAL IMPACT: None

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

ORIGINATED BY: Stephanie Katsouleas  
REVIEWED BY:  
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

In July 2011, the City's trash hauling contract with Consolidated Disposal Service will expire. In anticipation of securing a new contract, staff proposed that City Council form a subcommittee consisting of two Council Members and all members of the Environmental Committee to serve as a review and advisory board regarding the various trash collection options available to residents of El Segundo. At a minimum, the subcommittee should:

1) Evaluate/assess the trash collection needs and physical limitations of the City's single and multi-family residents currently being served by Consolidated Disposal Service.
2) Review the various trash collection services and options available on the market.
3) Make recommendations regarding which services should be included in the upcoming trash collection Request for Proposals (RFP) to be released in early 2011.
4) Review and approve a draft RFP which incorporates the trash collection services options chosen by the sub-committee.
Staff anticipates that the subcommittee will meet over a three month period to assist in the development of the RFP, and that the final product will be released for bid no later than the end of February, 2011. The anticipated schedule is as follows:

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Activity Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>October – December, 2010</td>
<td>Hold subcommittee meetings and draft RFP</td>
</tr>
<tr>
<td>January – February, 2011</td>
<td>Review and Finalize RFP; release by February 28\textsuperscript{th}</td>
</tr>
<tr>
<td>March – April, 2011</td>
<td>Response period for all interested trash haulers</td>
</tr>
<tr>
<td>May, 2011</td>
<td>Subcommittee reviews submittals; recommends to Council the most qualified responder</td>
</tr>
<tr>
<td>June, 2011</td>
<td>City Council approves new trash hauler contract</td>
</tr>
<tr>
<td>August, 2011</td>
<td>New contract becomes effective.</td>
</tr>
</tbody>
</table>
AGENDA DESCRIPTION:
Consideration and possible action regarding 1) Providing another designated Retirement Period for Section 20903, Two Years Additional Service Credit and amending list of eligible classes; 2) Certification of Compliance with Government Code Section 20903; and 3) Approval of a $1,000 payment to eligible employees entering into a Date-Certain Retirement Separation Agreement with the City. (Fiscal Impact: 1) Estimated Increase in the City’s PERS miscellaneous employer rate of 0.18% and an annual cost increase in FY 2012-2013 of $26,078 2) Salary savings based on the number of employees retiring during the designated retirement period would be $477,334).

RECOMMENDED COUNCIL ACTION:
1. Approve another designated Retirement Period and expand the list of eligible classes.
2. Certify Compliance with Government Code Section 20903
3. Approve a $1,000 payment to eligible employees entering into a Date-Certain Retirement Separation Agreement with the City.
4. Authorize the City Manager to execute the Retirement Separation Agreement, in a form approved by the City Attorney.
5. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. CalPERS Document – Certification of Compliance with Government Code Section 20903

FISCAL IMPACT: 1) Estimated increase in the City’s PERS Miscellaneous Employer Rate of 0.18% and an annual cost increase in FY 2012-2013 of $26,078 2) Salary savings based on the number of employees retiring during the designated retirement period of $477,334.

Amount Budgeted:
Additional Appropriation:
Account Number(s):

ORIGINATED BY: Martha A. Dijkstra, Human Resources Manager
REVIEWED BY: Bob Hyland, Director of Human Resources
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
As part of the March 19, 2009 Strategic Planning Session, staff presented Council with a number of potential budget reduction options, including reducing the City’s personnel costs through Early Retirement Incentives.
Council approved amending the contract between the Board of Administration of the California Public Employees’ Retirement System (CalPERS) and the El Segundo City Council at its meeting on July 21, 2009 to provide for Section 20903 (Two Years Additional Service Credit) for the City’s Local Miscellaneous (Non-Safety) Members, with the exception of Department Directors, Assistant City Manager and City Manager. The designated retirement window period was from October 5, 2009 through January 15, 2010. When this item was initially presented to Council, staff was aware of nineteen (19) individuals who had some level of interest in retiring and anticipated nine (9) would retire. When the retirement window closed, a total of fourteen (14) employees had retired through this Program. The City has been able to realize salary savings by keeping positions unfilled and implementing a selective hiring freeze.

Strategic Planning Sessions were held on May 6, 2010 and June 24, 2010 to discuss the FY 2010-2011 budget. Once again, staff presented Council with a number of budget reduction options, including the Early Retirement Program. Based on the level of interest expressed by employees, staff recommends Council approve another retirement period under Section 20903 and expand the list of eligible miscellaneous classes to include Assistant City Manager. Department Director and City Manager will continue to be excluded from the list of eligible classes. If Council approves moving forward with another retirement period, staff will agendize Adoption of the Resolution at the October 5, 2010 Council Meeting.

Positions left vacant as a result of these retirements will be frozen by the City Manager. Departments will be required to obtain Council approval in order to fill the positions.

This Agenda Item requests Council approval of an Early Retirement Incentive Program which would provide eligible employees: 1) Two Years of additional PERS Service Credit; and 2) a payment of $1,000 to eligible employees entering into a Date-Certain Retirement Separation Agreement, in order that the resulting salary savings can be expeditiously factored into the Fiscal Year 2010-2011 Budget.

**Section 20903 (Two Years Additional Service Credit)**

Eligibility to receive the two years of Additional Service Credit requires the following:

* The employee is a Local Miscellaneous (Non-Safety) Member of CalPERS.
* The employee will have reached age 50 and have at least five years of CalPERS Service at the time of their retirement during the retirement period designated by the City.
* Department Heads and City Manager are not eligible to receive the two years of Additional Service Credit.

The employee benefits because the additional two years of Service Credit adds value to his/her Retirement Annuity.

The employer benefits because the City achieves cost savings through resulting position vacancies, opportunity for workforce restructuring and/or lower compensated new employees filling certain designated vacant positions.

Approximately fifty-six (56) employees are eligible to receive this benefit. To date, staff is aware of twenty-four (24) individuals with some level of interest in obtaining the two years of Additional Service Credit and retiring. Realistically, we would anticipate that approximately eight (8) employees would expect to receive this benefit.
CalPERS requires, in accordance with Government Code Section 20903, and the contract between CalPERS and the City, that the City Council certifies that:

1. Because of an impending curtailment of, or change in the manner of performing service, the best interests of the agency will be served by granting such additional service credit.

2. The added cost to the retirement fund for all eligible employees who retire during the designated window period will be included in the contracting agency’s employer contribution rate for the fiscal year that begins two years after the end of the designated period.

3. It has elected to become subject to Section 20903 because of impending mandatory transfers, demotions, and layoffs that constitute at least one percent of the job classification, department or organizational unit, as designated by the governing body, resulting from the curtailment of, or change in the manner of performing, its services.

4. Its intention at the time Section 20903 becomes operative is to keep all vacancies created by retirements under this section or at least one vacancy in any position in any department or other organizational unit permanently unfilled, thereby resulting in an overall reduction in the workforce of such department or organizational unit.

Government Code Section 7507 requires that the future annual costs to provide this benefit be made public at a public meeting at least two weeks prior to adoption of the Resolution.

CalPERS requires that the retirement period within which this benefit may be provided, is no less than 90 days and no more than 180 days in length. The retirement period designated by the City will commence on October 6, 2010 and end on January 14, 2011.

**Fiscal Impact**

The cost of the Two Years of Additional Service Credit is amortized by CalPERS over a twenty year period and will be included in the City’s Miscellaneous Employer Contribution Rate, commencing with the Fiscal Year starting two years after the end of the designated Retirement Period, 2012-2013.

Staff has calculated the fiscal impact on the assumption that all eight (8) of those employees expressing an interest in the benefit will retire during the designated Retirement Period.

Staff’s fiscal impact calculations were based on utilizing PERS Document CON3-PA, “Procedures for Calculation of Estimated Employer Cost” and were reviewed and certified by Actuarial John Bartel of Bartel Associates, LLP. Mr. Bartel has provided the City with actuarial analysis and valuation reports for a number of years.

The figures below are based on a likely scenario that eight (8) employees would retire, resulting in the Costing shown below:

1) Estimated Present Value of Additional Employer Contributions $345,275

2) Estimated Annual Employer Cost Amortized over 20 Years $26,078

3) Estimated Employer Rate Increase, 10.940% to 11.120 0.18%
Assuming that all eight (8) retirements would result in those positions remaining vacant, the annual cost savings to the City would be $477,334.

Those employees entering into a Date-Certain (between October 6, 2010 and January 14, 2011) Retirement Separation Agreement, by Monday, November 22, 2010 will receive a one-time payment of $1,000.

**Funding Options**

Options available to pay for the increased costs include an annual additional payment of $26,078 for twenty (20) years starting Fiscal Year 2012-2013 -or- a lump sum payment in the amount of $345,275.
CERTIFICATION OF COMPLIANCE WITH
GOVERNMENT CODE SECTION 20903

In accordance with Government Code Section 20903 and the contract between the
Public Employees' Retirement System, the City Council of the City of El Segundo
hereby certifies that:

1. Because of an impending curtailment of, or change in the manner of performing
   service, the best interests of the agency will be served by granting such additional
   service credit.

2. The added cost to the retirement fund for all eligible employees who retire during
   the designated window period will be included in the contracting agency’s
   employer contribution rate for the fiscal year that begins two years after the end of
   the designated period.

3. It has elected to become subject to Section 20903 because of impending
   mandatory transfers, demotions, and layoffs that constitute at least 1 percent of
   the job classification, department or organizational unit, as designated by the
   governing body, resulting from the curtailment of, or change in the manner of
   performing, its services.

4. Its intention at the time Section 20903 becomes operative is to keep all vacancies
   created by retirements under this section or at least one vacancy in any position in
   any department or other organizational unit permanently unfilled thereby resulting
   in an overall reduction in the work force of such department or organizational unit.

THEREFORE, the City Council of the City of El Segundo hereby elects to provide the
benefits of Government Code Section 20903 to all eligible members who retire within
the designated period, October 6, 2010 through January 14, 2011.

CITY COUNCIL
OF THE
CITY OF EL SEGUNDO

By: ____________________________
   Presiding Officer

Attest:

______________________________
Clerk/Secretary

______________________________
Date

2yr certification-PA (Rev. 4/04) 267