REVISED 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, NOVEMBER 16, 2010 – 5:00 P.M.

ADDED ITEM TO CLOSED SESSION

Next Resolution # 4691
Next Ordinance # 1457

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): -2- potential case. Facts or circumstances: agreement regarding residential sound insulation design services with Wyle Laboratories, Inc. (Agreement No. 3793) and Claim No. 10-32. Number of cases: two. (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.

APPOINTMENT OF PUBLIC EMPLOYEE (Gov't. Code § 54957) -1- matter
Position/Title: City Manager

PUBLIC EMPLOYMENT (Gov't Code Section 54957) – 1- matter (Request for unpaid leave pursuant to El Segundo Municipal Code Chapter 1-6-20)
Position/Title: Construction Coordinator

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
REVISED 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, NOVEMBER 16, 2010 - 7:00 P.M.

ADDED ITEM NO. 10

Next Resolution # 4691
Next Ordinance # 1457

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Pastor Roger Kinsey, Pacific Baptist Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Bill Fisher
PRESENTATIONS

a. Proclamation proclaiming November 22 through December 19, 2010 as the Spark of Love Toy Drive
b. Presentation from the Recreation & Parks Department to introduce and recognize the event sponsor of the 2010 Holiday Tree Lighting, Mattel, Inc.

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)


Recommendation – (1) Conduct Public Hearing and take testimony regarding adoption of the 2010 California Building, Fire, Electrical, Plumbing, Mechanical, Energy, Residential and Green Building Standards Codes with amendments; (2) Close public hearing and discuss item; (3) Waive second reading and adopt the Ordinances; (4) Alternatively, discuss and take other action related to this item.

2. Consideration and possible action to adopt a resolution establishing a fee for Tobacco Retail Licenses. (Fiscal Impact: None)

Recommendation – (1) Open a Public Hearing to consider establishing a Tobacco Retail License fee; (2) Adopt a resolution establishing a fee for Tobacco Retail Licenses; (3) Alternatively discuss and take other action related to this item.
C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

E. CONSENT AGENDA

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

3. Warrant Numbers 2579705 to 2579905 on Register No. 3 in the total amount of $537,419.20 and Wire Transfers from 10/21/10 through 11/04/10 in the total amount of $694,854.13.
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.

4. Regular City Council Meeting Minutes of November 2, 2010.
Recommendation – Approval.

5. Consideration and possible action regarding the annual Resolutions updating the employer’s contribution under the Public Employees’ Medical and Hospital Care Act for the El Segundo Fire Fighters’ Association, the El Segundo Police Officers’ Association, the El Segundo City Employees’ Association, the El Segundo Police Support Services Association, and the El Segundo Supervisory and Professional Employees’ Association. Fiscal Impact: $31,611.80.
Recommendations – (1) Adopt the required Resolutions; (2) Alternatively discuss and take other action related to this item.
6. Consideration and possible action to award HF & H Consultants, LLC a Professional Services Agreement for consulting services to aid City staff in the development of a Request for Proposals for Residential Trash Collection services and selection and award of a new waste hauler contract to commence in August, 2011. (Fiscal Impact: $81,000.00)
Recommendation – (1) Approve a Professional Services Agreement to HF & H Consultants, LLC in a form approved by the City Attorney to aid City staff in all steps necessary to secure a new residential trash collection services contractor; (2) Alternatively, discuss and take other action related to this item.

7. Consideration and possible action regarding acceptance of the project for the replacement of sanitary sewer mains at various locations within the Smoky Hollow Specific Plan area of the City of El Segundo. Project No.: PW 09-09, (Fiscal Impact: $872,430.39)
Recommendations – (1) Approve Change Orders in the amount of $48,994.39; (2) Accept the work as complete; (3) Authorize the City Clerk to file a Notice of Completion in the County Recorder’s Office; (4) Alternatively, discuss and take other action related to this item.

8. Consideration and possible action to adopt a Resolution establishing policies and procedures for accepting contributions, donations, gifts, bequests, and devices for public purposes. (Fiscal Impact: None)
Recommendation – (1) Adopt the Resolution; (2) Alternatively, discuss and take other action related to this item.

9. Consideration and possible action regarding approval of a one-year Memorandum of Understanding (Labor Agreement) between the City of El Segundo and California Teamsters Public, Professional and Medical Employees Union, Local 911, Police Support Services Employees’ Bargaining Unit. (Fiscal Impact: None)
Recommendation – (1) Adopt the Resolution approving the Memorandum of Understanding; (2) Alternatively discuss and take other action related to this item.

Recommendation – (1) Approve the Side Letter between the City of El Segundo and the Firefighter’s Association; (2) Alternatively discuss and take other action related to this item.
CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

   Council Member Fuentes –

   Council Member Brann –

   Council Member Jacobson –

   Mayor Pro Tem Fisher –

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

MEMORIALS –

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: Nov. 10, 2010
TIME: 4:45 P.M.
NAME: S.M. JG
Proclamation
City of El Segundo, California

WHEREAS, In an effort to provide for children who otherwise might not experience the joy of the holiday season, the City of El Segundo Fire Department along with other Southland fire agencies, has participated in the Spark of Love program for the past eighteen years and has been a collection site for toys and food items donated during the holidays.

WHEREAS, The ever upward spiraling cost of living burdens disadvantaged and displaced families who may not be able to give gifts during the holiday season without help from the Spark of Love program.

WHEREAS, The true holiday spirit is reflected in unselfish giving and our thoughts and hearts go out to those less fortunate than ourselves.

WHEREAS, In the past, with the help of civic-minded citizens who live and work in our community, hundreds of toys plus food items have been collected and distributed to children and families in El Segundo and other South Bay cities.

NOW, THEREFORE, the Mayor and Members of the City Council of the City of El Segundo, California, do hereby proclaim November 22, 2010 through December 16, 2010 as the Spark of Love TOY DRIVE.

The community is encouraged to support this holiday program by contributing toys and non-perishable foods to the El Segundo Fire Department, Fire Station No. 1 at 314 Main Street, during the period of November 22 through December 16, 2010.

MAYOR, Eric N. Sneath
MAYOR, Tom Bill Fisher
COUNCIL MEMBER, Don Brown
COUNCIL MEMBER, Carl Jacobson
COUNCIL MEMBER, Susanne Fuentes
b. Presentation from the Recreation & Parks Department to introduce and recognize the event sponsor of the 2010 Holiday Tree Lighting, Mattel, Inc.
AGENDA DESCRIPTION:

RECOMMENDED COUNCIL ACTION:
1. Conduct Public Hearing and take testimony regarding adoption of the 2010 California Building, Fire, Electrical, Plumbing, Mechanical, Energy, Residential and Green Building Standards Codes with amendments;
2. Close public hearing and discuss item,
3. Waive second reading and adopt the Ordinances
4. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Ordinance No. 1449 Adopting 2010 - California Building Code, Volumes I and II with amendments
2. Ordinance No. 1450 Adopting 2010 – California Electrical Code
3. Ordinance No. 1451 Adopting 2010 – California Plumbing Code with amendments
4. Ordinance No. 1452 Adopting 2010 – California Mechanical Code with amendments
5. Ordinance No. 1453 Adopting 2010 – California Fire Code with amendments
7. Ordinance No. 1455 Adopting 2010 – California Residential Code with amendments
8. Ordinance No. 1456 Adopting 2010 – California Green Building Standards Code

FISCAL IMPACT: N/A

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

ORIGINATED BY: Sam Lee, Building Official
James Carver, Fire Marshal

REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
Kevin Smith, Fire Chief

APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
Every three years the State’s Health & Safety Code requires local governments to adopt the most recent editions of the model codes related to construction. The construction codes include: the Building, Plumbing, Mechanical, Electrical, Fire, Energy, Residential and Green Building codes. If the City Council approves the Ordinances, then the most recent editions of the construction codes
with local amendments will be in effect with the City of El Segundo on January 1, 2011 as required by State law.

I. Background

The State’s Health & Safety Code (Section 17958) mandates that the California Building Standards Commission adopt and publish the California Building Standards Code (Title 24 California Code of Regulations) every three (3) years and local governments are required to enforce the State Code after 180 days of the code’s publication by the state.

The following codes are proposed for adoption by reference with amendments. If adopted, these codes will replace the prior editions of the model codes in the El Segundo Municipal Code Title 13.

- 2010 California Building Code
- 2010 California Electrical Code
- 2010 California Plumbing Code
- 2010 California Mechanical Code
- 2010 California Fire Code
- 2010 California Energy Code
- 2010 California Residential Code
- 2010 California Green Building Standards Code

Proposed Amendments to the State Model Codes

The State Building Standards Code provides the minimum construction standards. Under the state law, local jurisdictions are permitted to make amendments to the State Code if there are local conditions that make it reasonably necessary because of local climatic, geological or topographical conditions. Both the Building & Safety Division and the Fire Department staff are proposing amendments to the California Building, Residential and Fire Codes. The amendments will affect construction of new buildings and additions to existing buildings and are not retroactive to existing buildings. Staff is recommending amendments to the Building, Residential and Fire codes be adopted to protect the welfare of the occupants and to ensure the economic viability of the community.

Why We Need Building and Residential Code Amendments

The City of El Segundo is within the greater Los Angeles region which is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake which resulted in over 60 deaths, left more than 25,000 people homeless and caused approximately $40 billion in economic loss. The amendments in the Building and Residential codes were first adopted and have been in our codes since the 1997. The amendments emphasize that the design concern is for seismic-force-resisting elements and therefore need to be
incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the most recent International Building Code and local geological conditions. These amendments have been adopted by the Los Angeles Regional Uniform Code Program and have been incorporated in many of the Los Angeles County cities.

Additionally, voluntary earthquake mitigation standards have been incorporated in the new Building code. If adopted, building owners will have an option to use a city approved earthquake mitigation methodology to seismically upgrade their older buildings to a nationally recognized standard that will not only result in a more earthquake resistant building, but may mean lower insurance rates for our residents and business owners.

Why We Need Fire Code Amendments

The fire code amendments continue requirements for mid-rise buildings from 4 stories to 75 feet in height, existing fire department access, water supply and general fire safety requirements that are not addressed in the 2010 California Fire Code. These amendments in the Fire Code were first adopted and have been in our codes since the 1994. Also proposed this year are standards for building emergency radio communications and rooftop obstructions; installing roof top photovoltaic systems, roof gardens and landscaped roofs.

Justification of Local Amendments

The Building & Safety Division and the Fire Department are recommending that the above changes and modifications be made to the respective Codes and are advising that amendments are reasonably necessary due to local conditions in the City of El Segundo. Other modifications are of an administrative or procedural nature and concern themselves with subjects that are not covered by the Codes or are reasonably necessary to safeguard life and property within the City of El Segundo.

II. Legal Review

The City Attorney has approved the Ordinances as to form.

III. Recommendation

If the City Council approves Ordinances, the most recent editions of the Construction Codes with the applicable amendments will be in effect within the City of El Segundo on January 1, 2011 as required by State law.
ORDINANCE NO. 1449

AN ORDINANCE INCORPORATING THE 2010 CALIFORNIA BUILDING
CODE ("CBC") BY REFERENCE AND AMENDING THE CBC BASED UPON
LOCAL CLIMATIC, TOPOGRAPHIC, AND GEOLOGICAL CONDITIONS.

The council of the city of El Segundo does ordain as follows:

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

A. In accord with Health & Safety Code Section 17958.7, it is in the public interest to adopt
the California Building Code ("CBC") with the changes set forth in this Ordinance.

B. Pursuant to the requirements of Health & Safety Code Section 17958.7, the City Council
finds that there are local geological conditions justifying the CBC amendments set forth below.

The City of El Segundo and the greater Los Angeles region is a densely populated area having
buildings and structures constructed over and near a vast array of fault systems capable of
producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake.
The proposed modification emphasize that the design concern is for seismic-force-resisting
elements and therefore need to be incorporated into the code to assure that new buildings and
structures and additions or alterations to existing buildings or structures are designed and
constructed in accordance with the scope and objectives of the International Building Code.
Experts predict a major earthquake in our area within the next 50 years. This situation creates
the need for both additional fire protection measures and automatic on-site fire protection of
building occupants since a multitude of fires may result from breakage of gas and electric lines as
a result of an earthquake. After due consideration, the City Council finds and determines that due
to local climatic, geological, or topographical conditions, the structural and fire protection
amendments to the 2010 CBC are necessary to give buildings a reasonable degree of structural
integrity and fire life safety to help protect public health and safety in the event of a seismic event;

Additional amendments have been made to Codes are hereby found to be either administrative or
procedural in nature or concern themselves with subjects not covered in such Codes. The
changes made include provisions making each of said Codes compatible with other Codes
enforced by the City.

C. The specific amendments of the CBC that fulfill this requirement are:

1. Amend CBC Section 105.2 Work exempt from permit
2. Amend CBC Section 105.3.2 Expiration of Plan Check
3. Amend CBC Section 105.5 Expiration of Permits
4. Amend CBC Section 113.3 Board of appeals
5. Amend CBC Section 1613.6.1 Assumption of Flexible Diaphragm.
6. Amend CBC Section 1613.6.7 Building Separation
7. Add CBC Section 1613.8 BRBF Period Parameter

014
8. Add CBC Section 1613.9 Values for Vertical Combinations
9. Add CBC Section 1613.10 Stability Coefficient
10. Add CBC Section 1613.11 Subdiaphragm
11. Add CBC Section 1613.13 Suspended Ceiling
12. Amend CBC Section 1704.4 SI for Concrete Construction
13. Amend CBC Section 1704.8 Driven Deep Foundations
14. Amend CBC Section 1704.9 Cast-in-Place Deep Foundations
15. Amend CBC Section 1705.3 Seismic Resistance Inspection
16. Amend CBC Section 1710.1 Structural Observations General
17. Amend CBC Section 1710.2 Structural Observations Seismic
18. Amend CBC Section 1807.1.4 Permanent Wood Foundation System
19. Amend CBC Section 1807.1.6 Prescriptive Design of Foundation Walls
20. Amend CBC Section 1809.3 Stepped Footings
21. Amend CBC Table 1809.7 Prescriptive Footings
22. Amend CBC Section 1809.12 Timber Footings
23. Amend CBC Section 1810.3.2.4 Timber
24. Add CBC Sections 1908.1.11 thru 14 Reinforcement
25. Amend CBC Section 1908.1.2 Intermediate Structural Wall
26. Amend CBC Section 1908.1.3 Wall Pier
27. Amend CBC Section 1908.1.8 Minimum Reinforcement
28. Amend CBC Section 1909.4 Structural Plain Concrete Design
29. Add CBC Section 2204.1.1 Consumables for Welding
30. Add CBC Section 2205.4 SCBF Member Type
31. Amend CBC Section 2304.11.7 Wood Used in Retaining Wall
32. Add CBC Section 2305.4 Quality of Nails
33. Add CBC Section 2305.5 Hold-down Connectors
34. Amend CBC Section 2306.2.1 Wood Diaphragm
35. Amend CBC Section 2306.3 Wood Shear Walls
36. Amend CBC Section 2306.7 Other Shear Walls
37. Amend CBC Section 2308.3.4 Brace Wall Line Support
38. Amend CBC Section 2308.12.2 Concrete or Masonry
39. Amend CBC Section 2308.12.4 Braced Wall Sheathing
40. Amend CBC Section 2304.9.1 Fastener Requirement
41. Amend CBC Section 2308.12.5 Attachment of Sheathing
42. Amend Appendix J section J 101 by adding a new section J 101.3 Protection of Adjacent Properties

D. At least one copy of the CBC was filed with the City Clerk of the City was available for public inspection for at least fifteen (15) days preceding the date of the hearing

SECTION 2: El Segundo Municipal Code ("ESMC") Section 13-1-1 is amended in its entirety to read as follows:

CHAPTER 1
BUILDING CODE

"13-1-1: ADOPTION OF CALIFORNIA BUILDING CODE, 2010 EDITION. Pursuant to California Government Code Section 50022.2, the California Building Code, 2010 Edition, published at Title 24, Part 5, of the California Code of Regulations, including Appendices F, H, I, and J ("CBC") is adopted by reference, subject to the amendments, additions and deletions set forth below. One true copy of the CBC, is on file in the office of the Building Official and is available for public inspection as required by law."

SECTION 3: ESMC Section 13-1-2 is amended to the California Building Code including the adopted appendices is hereby amended as follows:

"13-1-2: AMENDMENTS TO THE CODE:

Number 14 is added to Section 105.2 of Division II of Chapter 1 of the CBC as follows:

Section 105.2 Work exempt from permit.
14. Block wall and concrete fences not over 3 ft 6 inches.

Section 105.3.2 of Division II of Chapter 1 of the CBC is hereby amended to read as follows:

SECTION 105.3.2 EXPIRATION OF PLAN CHECK.

An application for a permit for any proposed work shall be deemed to have been abandoned 12 months after the date of filing and no permit shall be issued until the plans are rechecked and approved and a new fee is paid.

EXCEPTION: The Building Official may grant extensions of time if a permit applicant submits in writing sufficient evidence that unusual conditions or circumstances precluded the securing of the permit within the allocated time.

Section 105.5 of Division II of Chapter 1 of the CBC is hereby amended to read as follows:

SECTION 105.5 EXPIRATION OF PERMITS.

Every permit issued shall be valid for a period of three (3) years from the date thereof, provided that any permit shall expire on the one hundred and eightieth (180) day from date of issuance if the work permitted there under has not been commenced; or shall expire whenever the Department determines the work authorized by any permit has been suspended, discontinued or abandoned for a continuous period of 180 days.

EXCEPTION: The Building Official may grant extensions of time if a permit applicant submits in writing sufficient evidence that unusual conditions or circumstances precluded from the work being completed. An extension of time may require conditions of approval and additional fees.

Section 113.4 of Division II of Chapter 1 of the CBC is hereby added to read as follows:

Section 113.4 Board of Appeals.

The board of appeals shall consist of members of the Planning Commission. The term of a board of appeals member will coincide with the term of service as a Planning Commissioner and will terminate should the member cease serving as a Planning Commissioner. The building official is the secretary to the board. The board may adopt reasonable rules and regulations for conducting its investigations and will render all its decisions and findings on contested matters, in writing to the building official, with a duplicate copy for any appellant or contestant affected by such decision or finding, and may recommend to the city council appropriate new legislation.

Three members of the board constitute a quorum. The Planning Chairperson is the board’s chairperson and in the chairperson’s absence the board will select a temporary chairperson.

The city will assess a $250.00 charge, or a higher amount set by resolution, at the time that an appellant file appeal of any order, decisions, or determination made by the building official relative to the application and interpretation of this code. The filing fee is refundable should the appellant prevail in a decision by the board. The appeal must be taken by filing a written notice of appeal, in letterform, to the board of appeals. The board’s decision constitutes the city’s final decision.
Section 1613.6.1 of the CBC is amended to read as follows:

1613.6.1 Assumption of flexible diaphragm. Add the following text at the end of Section 12.3.1.1 of ASCE 7:

Diaphragms constructed of wood structural panels or untopped steel decking shall also be permitted to be idealized as flexible, provided all of the following conditions are met:

1. Toppings of concrete or similar materials are not placed over wood structural panel diaphragms except for nonstructural toppings no greater than 1 1/2 inches (38 mm) thick.

2. Each line of vertical elements of the seismic-force-resisting system complies with the allowable story drift of Table 12.12-1.

3. Vertical elements of the seismic-force-resisting system are light-framed walls sheathed with wood structural panels rated for shear resistance or steel sheets.

4. Portions of wood structural panel diaphragms that cantilever beyond the vertical elements of the seismic-force-resisting system are designed in accordance with Section 4.2.5.2 of AF&PA SDPWS.

Equation 16-44 of Section 1613.6.7 of the CBC is amended to read as follows:

\[
\delta_M = \frac{C_d}{\delta_{max}}
\]  
(Equation 16-44)

where:

\( C_d \) = Deflection amplification factor in Table 12.2-1 of ASCE 7.

\( \delta_{max} \) = Maximum displacement defined in Section 12.8.4.3 of ASCE 7.

Section 1613.8 is added to Chapter 16 of the CBC to read as follows:

1613.8 ASCE 7, Table 12.8-2. Modify ASCE 7 Table 12.8-2 by adding the following:

<table>
<thead>
<tr>
<th>Structure Type</th>
<th>Ci</th>
<th>x</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eccentrically brace steel frames and buckling-restrained braced frames</td>
<td>0.03 ((0.0731)^a)</td>
<td>0.75</td>
</tr>
</tbody>
</table>
Section 1613.9 is added to Chapter 16 of the CBC to read as follows:

**1613.9 ASCE 7, 12.2.3.1, Exception 3.** Modify ASCE 7 Section 12.2.3.1 Exception 3 to read as follows:

3. Detached one and two family dwellings up to two stories in height of light frame construction.

**2010 LARUCP 16-05.** Section 1613.10 is added to Chapter 16 of the CBC to read as follows:

**1613.10 ASCE 7, Section 12.8.7.** Modify ASCE 7 Section 12.8.7 by amending Equation 12.8-16 as follows:

\[
\theta = \frac{P \Delta I}{V h_x C_d}
\]

(12.8-16)

Section 1613.11 is added to Chapter 16 of the CBC to read as follows:

**1613.11 ASCE 7, Section 12.11.2.2.3.** Modify ASCE 7, Section 12.12.4 to read as follows:

12.11.2.2.3 Wood Diaphragms. In wood diaphragms, the continuous ties shall be in addition to the diaphragm sheathing. Anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal nor shall wood ledgers or framing be used in cross-grain bending or cross-grain tension. The diaphragm sheathing shall not be considered effective as providing ties or struts required by this section.

For structures assigned to Seismic Design Category D, E or F, wood diaphragms supporting concrete or masonry walls shall comply with the following:

1. The spacing of continuous ties shall not exceed 40 feet. Added chords of diaphragms may be used to form subdiaphragms to transmit the anchorage forces to the main continuous crossties.

2. The maximum diaphragm shear used to determine the depth of the subdiaphragm shall not exceed 75% of the maximum diaphragm shear.
Section 1613.13 is added to Chapter 16 of the CBC to read as follows:

1613.13 Suspended Ceilings. Minimum design and installation standards for suspended ceilings shall be determined in accordance with the requirements of Section 2506.2.1 of this Code and this subsection.

1613.13.1 Scope. This part contains special requirements for suspended ceilings and lighting systems. Provisions of Section 13.5.6 of ASCE 7 shall apply except as modified herein.

1613.13.2 General. The suspended ceilings and lighting systems shall be limited to 6 feet (1828 mm) below the structural deck unless the lateral bracing is designed by a licensed engineer or architect.

1613.13.3 Design and Installation Requirements.

1613.13.3.1 Bracing at Discontinuity. Positive bracing to the structure shall be provided at changes in the ceiling plane elevation or at discontinuities in the ceiling grid system.

1613.13.3.2 Support for Appendages. Cable trays, electrical conduits and piping shall be independently supported and independently braced from the structure.

1613.13.3.3 Sprinkler Heads. All sprinkler heads (drops) except fire-resistance-rated floor/ceiling or roof/ceiling assemblies, shall be designed to allow for free movement of the sprinkler pipes with oversize rings, sleeves or adaptors through the ceiling tile, in accordance with Section 13.5.6.2 (e) of ASCE 7.

Sprinkler heads penetrating fire-resistance-rated floor/ceiling or roof/ceiling assemblies shall comply with Section 713 of this Code.

1613.13.3.4 Perimeter Members. A minimum wall angle size of at least a two-inch (51 mm) horizontal leg shall be used at perimeter walls and interior full height partitions. The first ceiling tile shall maintain 3/4 inch (19 mm) clear from the finish wall surface. An equivalent alternative detail that will provide sufficient movement due to anticipated lateral building displacement may be used in lieu of the long leg angle subject to the approval of the Building Official.

1613.13.4 Special Requirements for Means of Egress. Suspended ceiling assemblies located along means of egress serving an occupant load of 30 or more shall comply with the following provisions.

1613.13.4.1 General. Ceiling suspension systems shall be connected and braced with vertical hangers attached directly to the structural deck along the means of egress serving an occupant load of 30 or more and at lobbies accessory to Group A Occupancies. Spacing of vertical hangers shall not exceed 2 feet (610 mm) on center along the entire length of the suspended ceiling assembly located along the means of egress or at the lobby.

1613.13.4.2 Assembly Device. All lay-in panels shall be secured to the suspension ceiling assembly with two hold-down clips minimum for each tile within a 4-foot (1219 mm) radius of the exit lights and exit signs.

1613.13.4.3 Emergency Systems. Independent supports and braces shall be provided for light fixtures required for exit illumination. Power supply for exit illumination shall comply with the requirements of Section 1006.3 of this Code.

1613.13.4.4 Supports for Appendage. Separate support from the structural deck shall be provided for all appendages such as light fixtures, air diffusers, exit signs, and similar elements.
Section 1704.4 of the CBC is amended to read as follows:

**1704.4 Concrete Construction.** The special inspections and verifications for concrete construction shall be as required by this section and Table 1704.4.

*Exceptions:* Special inspection shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f’c, no greater than 2,500 pounds per square inch (psi) (17.2 Mpa).

2. Continuous concrete footings supporting walls of buildings three stories or less in height that are fully supported on earth or rock where:
   2.1. The footings support walls of light-frame construction;
   2.2. The footings are designed in accordance with Table 1805.4.2; or
   2.3. The structural design of the footing is based on a specified compressive strength, f’c, no greater than 2,500 pounds per square inch (psi) (17.2 Mpa), regardless of the compressive strength specified in the construction documents or used in the footing construction.

3. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than 150 psi (1.03 Mpa).

4. Concrete patios, driveways and sidewalks, on grade.

Section 1704.8 of the CBC is amended to read as follows:

**1704.8 Driven deep foundations and connection grade beams.** Special inspections shall be performed during installation and testing of driven deep foundation elements as required by Table 1704.8. Special inspections shall be performed for connection grade beams in accordance with Section 1704.4 for structures assigned to Seismic Design Category D, E or F. The approved geotechnical report, and the construction documents prepared by the registered design professionals, shall be used to determine compliance.

Section 1704.9 of the CBC is amended to read as follows:

**1704.9 Cast-in-place deep foundations and connection grade beams.** Special inspections shall be performed during installation and testing of cast-in-place deep foundation elements as required by Table 1704.9. Special inspections shall be performed for connection grade beams in accordance with Section 1704.4 for structures assigned to Seismic Design Category D, E or F. The approved geotechnical report, and the construction documents prepared by the registered design professionals, shall be used to determine compliance.
Section 1705.3 of the CBC is amended to read as follows:

1705.3 Seismic resistance. The statement of special inspections shall include seismic requirements for cases covered in Sections 1705.3.1 through 1705.3.5.

Exception: Seismic requirements are permitted to be excluded from the statement of special inspections for structures designed and constructed in accordance with the following:

1. The structure consists of light-frame construction; the design spectral response acceleration at short periods, $S_{DS}$, as determined in Section 1613.5.4, does not exceed 0.5g; and the height of the structure does not exceed 35 feet (10 668 mm) above grade plane; or

2. The structure is constructed using a reinforced masonry structural system or reinforced concrete structural system; the design spectral response acceleration at short periods, $S_{DS}$, as determined in Section 1613.5.4, does not exceed 0.5g, and the height of the structure does not exceed 25 feet (7620 mm) above grade plane; or

3. Detached one- or two-family dwellings not exceeding two stories above grade plane, provided the structure is not assigned to Seismic Design Category D, E or F and does not have any of the following plan or vertical irregularities in accordance with Section 12.3.2 of ASCE 7:

   3.1 Torsional irregularity.

   3.2 Nonparallel systems.

   3.3 Stiffness irregularity—extreme soft story and soft story.

   3.4 Discontinuity in capacity—weak story.

Section 1710.1 of the CBC is amended to read as follows:

1710.1 General. Where required by the provisions of Section 1710.2 or 1710.3, the owner shall employ a structural observer to perform structural observations as defined in Section 1702. The structural observer shall be one of the following individuals:

1. The registered design professional responsible for the structural design, or

2. A registered design professional designated by the registered design professional responsible for the structural design.

Prior to the commencement of observations, the structural observer shall submit to the building official a written statement identifying the frequency and extent of structural observations.

The owner or owner’s representative shall coordinate and call a preconstruction meeting between the structural observer, contractors, affected subcontractors and special inspectors. The structural observer shall preside over the meeting. The purpose of the meeting shall be to identify the major structural elements and connections that affect the vertical and lateral load resisting systems of the structure and to review scheduling of the required observations. A record of the meeting shall be included in the report submitted to the building official.

Observed deficiencies shall be reported in writing to the owner or owner’s representative, special inspector, contractor and the building official. Upon the form prescribed by the building official, the structural observer shall submit to the building official a written statement at each significant construction stage stating that the site visits have been made and identifying any reported deficiencies which, to the
best of the structural observer's knowledge, have not been resolved. A final report by the structural observer which states that all observed deficiencies have been resolved is required before acceptance of the work by the building official.

Section 1710.2 of the CBC is amended to read as follows:

1710.2 Structural observations for seismic resistance. Structural observations shall be provided for those structures assigned to Seismic Design Category D, E or F, as determined in Section 1613, where one or more of the following conditions exist:

1. The structure is classified as Occupancy Category III or IV in accordance with Table 1604.5.

2. The height of the structure is greater than 75 feet (22860 mm) above the base.

3. The structure is classified as Occupancy Category I or II in accordance with Table 1604.5, and a lateral design is required for the structure or portion thereof.

   Exception: One-story wood framed Group R-3 and Group U Occupancies less than 2,000 square feet in area, provided the adjacent grade is not steeper than 1 unit vertical in 10 units horizontal (10% sloped), assigned to Seismic Design Category D.

4. When so designated by the registered design professional responsible for the structural design.

5. When such observation is specifically required by the building official.

Section 1807.1.4 of the CBC is amended to read as follows:

1807.1.4 Permanent wood foundation systems. Permanent wood foundation systems shall be designed and installed in accordance with AF&PA PWF. Lumber and plywood shall be treated in accordance with AWPA U1 (Commodity Specification A, Use Category 4B and Section 5.2) and shall be identified in accordance with Section 2303.1.8.1. Permanent wood foundation systems shall not be used for structures assigned to Seismic Design Category D, E or F.

Section 1807.1.6 of the CBC is amended to read as follows:

1807.1.6 Prescriptive design of concrete and masonry foundation walls. Concrete and masonry foundation walls that are laterally supported at the top and bottom shall be permitted to be designed and constructed in accordance with this section. Prescriptive design of foundation walls shall not be used for structures assigned to Seismic Design Category D, E or F.

Section 1809.3 of the CBC is amended to read as follows:

1809.3 Stepped footings. The top surface of footings shall be level. The bottom surface of footings shall be permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10-percent slope).
Footings shall be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than one unit vertical in 10 units horizontal (10-percent slope).

For structures assigned to Seismic Design Category D, E or F, the stepping requirement shall also apply to the top surface of grade beams supporting walls. Footings shall be reinforced with four 1/2-inch diameter (12.7 mm) deformed reinforcing bars. Two bars shall be placed at the top and bottom of the footings as shown in Figure 1809.3.
Section 1809.7 and Table 1809.7 of the CBC are amended to read as follows:

**1809.7 Prescriptive footings for light-frame construction.** Where a specific design is not provided, concrete or masonry-unit footings supporting walls of light-frame construction shall be permitted to be designed in accordance with Table 1809.7. Prescriptive footings in Table 1809.7 shall not exceed one story above grade plane for structures assigned to Seismic Design Category D, E or F.

<table>
<thead>
<tr>
<th>NUMBER OF FLOORS SUPPORTED BY THE FOOTING</th>
<th>WIDTH OF FOOTING (inches)</th>
<th>THICKNESS OF FOOTING (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>12</td>
<td>6</td>
</tr>
<tr>
<td>2</td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td>3</td>
<td>18</td>
<td>8 ¹</td>
</tr>
</tbody>
</table>

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm

a. Depth of footings shall be in accordance with Section 1809.4.
b. The ground under the floor shall be permitted to be excavated to the elevation of the top of the footing.
c. Not Adopted.
d. See Section 1908 for additional requirements for concrete footings of structures assigned to Seismic Design Category C, D, E or F.
e. For thickness of foundation walls, see Section 1807.1.6.
f. Footings shall be permitted to support a roof addition to the stipulated number of floors. Footings supporting roof only shall be as required for supporting one floor.

Section 1809.12 of the CBC is amended to read as follows:

**1809.12 Timber footings.** Timber footings shall be permitted for buildings of Type V construction and as otherwise approved by the building official. Such footings shall be treated in accordance with AWPA U1 (Commodity Specification A, Use Category 4B). Treated timbers are not required where placed entirely below permanent water level, or where used as capping for wood piles that project above the water level over submerged or marsh lands. The compressive stresses perpendicular to grain in untreated timber footing supported upon treated piles shall not exceed 70 percent of the allowable stresses for the species and grade of timber as specified in the AF&PA NDS. Timber footings shall not be used in structures assigned to Seismic Design Category D, E or F.

Section 1810.3.2.4 of the CBC is amended to read as follows:

**1810.3.2.4 Timber.** Timber deep foundation elements shall be designed as piles or poles in accordance with AF&PA NDS. Round timber elements shall conform to ASTM D 25. Sawn timber elements shall conform to DOC PS-20. Timber shall not be used in structures assigned to Seismic Design Category D, E or F.
Section 1908.1 is amended to read as shown below and Sections 1908.1.11 thru 1908.1.14 is added to Chapter 19 of the CBC to read as follows:

1908.1 General. The text of ACI 318 shall be modified as indicated in Sections 1908.1.1 through 1908.1.14.

1908.1.11 ACI 318, Section 21.6.4.1. Modify ACI 318, Section 21.6.4.1, to read as follows:

Where the calculated point of contraflexure is not within the middle half of the member clear height, provide transverse reinforcement as specified in ACI 318 Sections 21.6.4.1, Items (a) through (c), over the full height of the member.

1908.1.12 ACI 318, Section 21.6.4. Modify ACI 318, Section 21.6.4, by adding Section 21.6.4.8 to read as follows:

21.6.4.8 – At any section where the design strength, \( \varphi P_n \), of the column is less than the sum of the shears \( V_a \) computed in accordance with ACI 318 Sections 21.5.4.1 and 21.6.5.1 for all the beams framing into the column above the level under consideration, transverse reinforcement as specified in ACI 318 Sections 21.6.4.1 through 21.6.4.3 shall be provided. For beams framing into opposite sides of the column, the moment components may be assumed to be of opposite sign. For the determination of the design strength, \( \varphi P_n \), of the column, these moments may be assumed to result from the deformation of the frame in any one principal axis.

1908.1.13 ACI 318, Section 21.9.4. Modify ACI 318, Section 21.9.4, by adding Section 21.9.4.6 to read as follows:

21.9.4.6 – Walls and portions of walls with \( P_u > 0.35P_0 \) shall not be considered to contribute to the calculated strength of the structure for resisting earthquake-induced forces. Such walls shall conform to the requirements of ACI 318 Section 21.13.

1908.1.14 ACI 318, Section 21.11.6. Modify ACI 318, Section 21.11.6, by adding the following:

Collector and boundary elements in topping slabs placed over precast floor and roof elements shall not be less than 3 inches (76 mm) or 6 \( d_o \) thick, where \( d_o \) is the diameter of the largest reinforcement in the topping slab.
Section 1908.1.2 of the CBC is amended to read as follows:

**1908.1.2 ACI 318, Section 21.1.1.** Modify ACI 318, Sections 21.1.1.3 and 21.1.1.7 as follows:

21.1.1.3 – Structures assigned to Seismic Design Category A shall satisfy requirements of Chapters 1 to 19 and 22; Chapter 21 does not apply. Structures assigned to Seismic Design Category B, C, D, E or F also shall satisfy 21.1.1.4 through 21.1.1.8, as applicable. Except for structural elements of plain concrete complying with Section 1908.1.8 of the International Building Code, structural elements of plain concrete are prohibited in structures assigned to Seismic Design Category C, D, E or F.

21.1.1.7 – Structural systems designated as part of the seismic-force-resisting system shall be restricted to those permitted by ASCE 7. Except for Seismic Design Category A, for which Chapter 21 does not apply, the following provisions shall be satisfied for each structural system designated as part of the seismic-force-resisting system, regardless of the Seismic Design Category:

(a) Ordinary moment frames shall satisfy 21.2.
(b) Ordinary reinforced concrete structural walls and ordinary precast structural walls need not satisfy any provisions in Chapter 21.
(c) Intermediate moment frames shall satisfy 21.3.
(d) Intermediate precast structural walls shall satisfy 21.4.
(e) Special moment frames shall satisfy 21.5 through 21.8.
(f) Special structural walls shall satisfy 21.9.
(g) Special structural walls constructed using precast concrete shall satisfy 21.10.

All special moment frames and special structural walls shall also satisfy 21.1.3 through 21.1.7. Concrete tilt-up wall panels classified as intermediate precast structural wall system shall satisfy 21.9 in addition to 21.4.2 and 21.4.3 for structures assigned to Seismic Design Category D, E or F.

Section 1908.1.3 of the CBC is amended to read as follows:

**1908.1.3 ACI 318, Section 21.4.** Modify ACI 318, Section 21.4, by renumbering Section 21.4.3 to become 21.4.4 and adding new Sections 21.4.3, 21.4.5, 21.4.6 and 21.4.7 to read as follows:

21.4.3 – Connections that are designed to yield shall be capable of maintaining 80 percent of their design strength at the deformation induced by the design displacement or shall use Type 2 mechanical splices.

21.4.4 – Elements of the connection that are not designed to yield shall develop at least 1.5 $S_y$.

21.4.5 – Wall piers in Seismic Design Category D, E or F shall comply with Section 1908.1.4 of this Code.

21.4.6 – Wall piers not designed as part of a moment frame in buildings assigned to Seismic Design Category C shall have transverse reinforcement designed to resist the shear forces determined from 21.3.3. Spacing of transverse reinforcement shall not exceed 8 inches (203 mm). Transverse reinforcement shall be extended beyond the pier clear height for at least 12 inches (305 mm).

**Exceptions:**

2. Wall piers along a wall line within a story where other shear wall segments provide lateral support to the wall piers and such segments have a total stiffness of at least six times the sum of the stiffnesses of all the wall piers.

21.4.7 – Wall segments with a horizontal length-to-thickness ratio less than 2.5 shall be designed as columns.
Section 1908.1.8 of the CBC is amended to read as follows:

1908.1.8 ACI 318, Section 22.10. Delete ACI 318, Section 22.10, and replace with the following:

22.10 – Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

22.10.1 – Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(a) Concrete used for fill with a minimum cement content of two (2) sacks of Portland cement per cubic yard.

(b) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

(c) Plain concrete footings supporting walls are permitted provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

In detached one- and two-family dwellings three stories or less in height and constructed with stud-bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

Section 1909.4 of the CBC is amended to read as follows:

1909.4 Design. Structural plain concrete walls, footings and pedestals shall be designed for adequate strength in accordance with ACI 318, Section 22.4 through 22.8.

Exception: For Group R-3 occupancies and buildings or other occupancies less than two stories above grade plane of light-frame construction, the required edge thickness of ACI 318 is permitted to be reduced to 6 inches (152 mm), provided that the footing does not extend more than 4 inches (102 mm) on either side of the supported wall. This exception shall not apply to structural elements designed to resist seismic lateral forces for structures assigned to Seismic Design Category D, E or F.

Section 2204.1.1 is added to Chapter 22 of the CBC to read as follows:

2204.1.1 Consumables for welding.

2204.1.1.1 Seismic Force Resisting System (SFRS) welds. All welds used in members and connections in the SFRS shall be made with filler metals meeting the requirements specified in AWS D1.8 Clause 6.3. AWS D1.8 Clauses 6.3.5, 6.3.6, 6.3.7 and 6.3.8 shall apply only to demand critical welds.

2204.1.1.2 Demand critical welds. Where welds are designated as demand critical, they shall be made with filler metals meeting the requirements specified in AWS D1.8 Clause 6.3.
Section 2205.4 is added to Chapter 22 of the CBC to read as follows:

**2205.4 AISC 341, Part I, Section 13.2 Members.** Add Section 13.2f to read as follows:

13.2f. Member Types

The use of rectangular HSS are not permitted for bracing members, unless filled solid with cement grout having a minimum compressive strength of 3,000 psi (20.7 MPa) at 28 days. The effects of composite action in the filled composite brace shall be considered in the sectional properties of the system where it results in the more severe loading condition or detailing.

Section 2304.11.7 of the CBC is amended to read as follows:

**2304.11.7 Wood used in retaining walls and cribs.** Wood installed in retaining or crib walls shall be preservative treated in accordance with AWPA U1 (Commodity Specifications A or F) for soil and fresh water use. Wood shall not be used in retaining or crib walls for structures assigned to Seismic Design Category D, E or F.

Section 2305.4 is added to Chapter 23 of the CBC to read as follows:

**2305.4 Quality of Nails.** In Seismic Design Category D, E or F, mechanically driven nails used in wood structural panel shear walls shall meet the same dimensions as that required for hand-driven nails, including diameter, minimum length and minimum head diameter. Clipped head or box nails are not permitted in new construction. The allowable design value for clipped head nails in existing construction may be taken at no more than the nail-head-area ratio of that of the same size hand-driven nails.

Section 2305.5 is added to Chapter 23 of the CBC to read as follows:

**2305.5 Hold-down connectors.** In Seismic Design Category D, E or F, hold-down connectors shall be designed to resist shear wall overturning moments using approved cyclic load values or 75 percent of the allowable seismic load values that do not consider cyclic loading of the product. Connector bolts into wood framing shall require steel plate washers on the post on the opposite side of the anchorage device. Plate size shall be a minimum of 0.229 inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76 mm) in size. Hold-down connectors shall be tightened to finger tight plus one half (1/2) wrench turn just prior to covering the wall framing.

Tables 2306.2.1(3) and 2306.2.1(4) are added to Chapter 23 of the CBC and Section 2306.2.1 of the CBC is amended to read as follows:

**2306.2.1 Wood structural panel diaphragms.** Wood structural panel diaphragms shall be designed and constructed in accordance with AF&PA SDPWS. Wood structural panel diaphragms are permitted to resist horizontal forces using the allowable shear capacities set forth in Table 2306.2.1(1) or 2306.2.1(2). For structures assigned to Seismic Design Category D, E or F, the allowable shear capacities shall be set forth in Table 2306.2.1(3) or 2306.2.1(4). The allowable shear capacities in Table 2306.2.1(1) or 2306.2.1(2) are permitted to be increased 40 percent for wind design.

Wood structural panel diaphragms fastened with staples shall not used to resist seismic forces in structures assigned to Seismic Design Category D, E or F.
Exception: Staples may be used for wood structural panel diaphragms when the allowable shear values are substantiated by cyclic testing and approved by the building official.

Wood structural panel diaphragms used to resist seismic forces in structures assigned to Seismic Design Category D, E or F shall be applied directly to the framing members.

Exception: Wood structural panel diaphragm is permitted to be fastened over solid lumber planking or laminated decking, provided the panel joints and lumber planking or laminated decking joints do not coincide.
### TABLE 2306.2.1(3)

**ALLOWABLE SHEAR (POUNDS PER FOOT) FOR WOOD STRUCTURAL PANEL DIAPHRAGMS WITH FRAMING OF DOUGLAS FIR-LARCH OR SOUTHERN PINE**<sup>a</sup> FOR SEISMIC LOADING<sup>f</sup> FOR STRUCTURES ASSIGNED TO SEISMIC DESIGN CATEGORY D, E OR F

<table>
<thead>
<tr>
<th>PANEL GRADE</th>
<th>COMMON NAIL SIZE</th>
<th>MINIMUM FASTENER PENETRATION IN FRAMING (inches)</th>
<th>MINIMUM NOMINAL PANEL THICKNESS (inch)</th>
<th>MINIMUM NOMINAL WIDTH OF FRAMING MEMBERS AT ADJOINING PANEL EDGES AND BOUNDARIES&lt;sup&gt;g&lt;/sup&gt; (inches)</th>
<th>BLOCKED DIAPHRAGMS: Fastener spacing (inches) at diaphragm boundaries (all cases) at continuous panel edges parallel to load (Cases 3,4), and at all panel edges (Cases 5, 6)&lt;sup&gt;b&lt;/sup&gt;</th>
<th>UNBLOCKED DIAPHRAGMS: Fastener spaced 6&quot; max. at supported edges&lt;sup&gt;b&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structural Grades</td>
<td>8d (2 1/2&quot; x 0.131&quot;)</td>
<td>1 3/8</td>
<td>3/8</td>
<td>2</td>
<td>6</td>
<td>270</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>6</td>
<td>300</td>
</tr>
<tr>
<td></td>
<td>10d&lt;sup&gt;d&lt;/sup&gt; (3&quot; x 0.148&quot;)</td>
<td>1 1/2</td>
<td>15/32</td>
<td>2</td>
<td>6</td>
<td>320</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>6</td>
<td>360</td>
</tr>
<tr>
<td>Sheathing, single floor and other grades covered in DOC PS1 and PS2</td>
<td>6d&lt;sup&gt;e&lt;/sup&gt; (2&quot; x 0.113&quot;)</td>
<td>1 1/4</td>
<td>3/8</td>
<td>2</td>
<td>6</td>
<td>185</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>6</td>
<td>210</td>
</tr>
<tr>
<td></td>
<td>8d (2 1/2&quot; x 0.131&quot;)</td>
<td>1 3/8</td>
<td>7/16</td>
<td>2</td>
<td>6</td>
<td>240</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>6</td>
<td>270</td>
</tr>
<tr>
<td></td>
<td>8d (2 1/2&quot; x 0.131&quot;)</td>
<td>1 3/8</td>
<td></td>
<td>2</td>
<td>6</td>
<td>255</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>6</td>
<td>285</td>
</tr>
<tr>
<td></td>
<td>10d&lt;sup&gt;d&lt;/sup&gt; (3&quot; x 0.148&quot;)</td>
<td>1 1/2</td>
<td>15/32</td>
<td>2</td>
<td>6</td>
<td>290</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>6</td>
<td>324</td>
</tr>
<tr>
<td></td>
<td>10d (3&quot; x 0.148&quot;)</td>
<td>1 1/2</td>
<td>19/32</td>
<td>2</td>
<td>6</td>
<td>320</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>6</td>
<td>360</td>
</tr>
</tbody>
</table>
TABLE 2306.2.1(3)—continued
ALLOWABLE SHEAR (POUNDS PER FOOT) FOR WOOD STRUCTURAL PANEL DIAPHRAGMS WITH FRAMING OF DOUGLAS FIR-LARCH, OR SOUTHERN PINE For Seismic Loading—
FOR STRUCTURES ASSIGNED TO SEISMIC DESIGN CATEGORIES D, E, OR F

For SI: 1 inch = 25.4 mm, 1 pound per foot = 14.5939 N/m.

a. For framing of other species: (1) Find specific gravity for species of lumber in AF&PA NDS. (2) For nails find shear value from table above for nail size for actual grade and multiply value by the following adjustment factor: Specific Gravity Adjustment Factor = [1 - (0.5 × SG)], where SG = Specific Gravity of the framing lumber. This adjustment factor shall not be greater than 1.

b. Space fasteners maximum 12 inches o.c. along intermediate framing members (6 inches o.c. where supports are spaced 48 inches o.c.).

c. Framing at adjoining panel edges shall be 3 inches nominal or thicker, and nails at all panel edges shall be staggered where panel edge nailing is specified at 2 1/2 inches o.c. or less.

d. Framing at adjoining panel edges shall be 3 inches nominal or thicker, and nails at all panel edges shall be staggered where both of the following conditions are met: (1) 10d nails having penetration into framing of more than 1 1/2 inches and (2) panel edge nailing is specified at 3 inches o.c. or less.

e. The minimum nominal width of framing members not located at boundaries or adjoining panel edges shall be 2 inches.

f. For shear loads of normal or permanent load duration as defined by the AF&PA NDS, the values in the table above shall be multiplied by 0.63 or 0.56, respectively.
**TABLE 2306.2.1(4)**
ALLOWABLE SHEAR (POUNDS PER FOOT) FOR WOOD STRUCTURAL PANEL BLOCKED DIAPHRAGMS
UTILIZING MULTIPLE ROWS OF FASTENERS (HIGH LOAD DIAPHRAGMS) WITH FRAMING OF DOUGLAS
FIR-LARCH OR SOUTHERN PINE* FOR SEISMIC LOADING**
FOR STRUCTURES ASSIGNED TO SEISMIC DESIGN CATEGORY D, E OR F

<table>
<thead>
<tr>
<th>PANEL GRADE</th>
<th>COMMON NAIL SIZE</th>
<th>MINIMUM FASTENER PENETRATION IN FRAMING (inches)</th>
<th>MINIMUM NOMINAL PANEL THICKNESS (inch)</th>
<th>MINIMUM NOMINAL WIDTH OF FRAMING MEMBERS AT ADJOINING PANEL EDGES AND BOUNDARIES (inches)</th>
<th>LINES OF FASTENERS</th>
<th>BLOKED DIAPHRAGMS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structural I grades</td>
<td>10d common nails</td>
<td>1 1/2</td>
<td>15/32</td>
<td>3</td>
<td>2</td>
<td>605</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>2</td>
<td>700</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>3</td>
<td>875</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>2</td>
<td>670</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>2</td>
<td>780</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>3</td>
<td>965</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>2</td>
<td>730</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>2</td>
<td>855</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>3</td>
<td>1,050</td>
</tr>
<tr>
<td>Sheathing, single floor and other grades covered in DOC PS1 and PS2</td>
<td>10d common nails</td>
<td>1 1/2</td>
<td>15/32</td>
<td>3</td>
<td>2</td>
<td>525</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>2</td>
<td>605</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>3</td>
<td>765</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>2</td>
<td>650</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>2</td>
<td>755</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>3</td>
<td>935</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>2</td>
<td>710</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>2</td>
<td>825</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>3</td>
<td>1,020</td>
</tr>
</tbody>
</table>

For SI: 1 inch = 25.4 mm, 1 pound per foot = 14.5999 N/m.

a. For framing of other species: (1) Find specific gravity for species of lumber in AF&PA NDS. (2) For nails find shear value from table above for nail size for actual grade and multiply value by the following adjustment factor: Specific Gravity Adjustment Factor = [1 - (0.5-SG)], where SG = Specific Gravity of the framing lumber. This adjustment factor shall not be greater than 1.

b. Fastening along intermediate framing members: Space fasteners a maximum of 12 inches on center, except 6 inches on center for spans greater than 32 inches.

c. Panels conforming to PS1 or PS 2.

d. This table gives shear values for Cases 1 and 2 as shown in Table 2306.2.1(3). The values shown are applicable to Cases 3, 4, 5 and 6 as shown in Table 2306.2.1(3), providing fasteners at all continuous panels edges are spaced in accordance with the boundary fastener spacing.

e. The minimum nominal depth of framing members shall be 3 inches nominal. The minimum nominal width of framing members not located at boundaries or adjoining panel edges shall be 2 inches.

f. High load diaphragms shall be subject to special inspection in accordance with Section 1704.6.1.

g. For shear loads of normal or permanent load duration as defined by the AF&PA NDS, the values in the table above shall be multiplied by 0.63 or 0.56, respectively.
### Table 2306.2.1(4)–continued

**Allowable Shear (Pounds per Foot) for Wood Structural Panel Blocked Diaphragms Utilizing Multiple Rows of Fasteners (High Load Diaphragms) with Framing of Douglas Fir-Larch or Southern Pine for Seismic Loading**

For structures assigned to Seismic Design Category D, E or F

<table>
<thead>
<tr>
<th>Panel Joint</th>
<th>Panel Joint</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image1" alt="Diagram" /></td>
<td><img src="image2" alt="Diagram" /></td>
</tr>
<tr>
<td><img src="image3" alt="Diagram" /></td>
<td><img src="image4" alt="Diagram" /></td>
</tr>
</tbody>
</table>

**3" Nominal—Two Lines**

**4" Nominal—Three Lines**

**4" Nominal—Two Lines**

**Typical Boundary Fastening** (Shown as two lines staggered)

**Note:** Space panel end and edge joint 1/8-inch. Reduce spacing between lines of nails as necessary to maintain minimum 3/8-inch fastener edge margins, minimum spacing between lines is 3/8-inch.

---

Table 2306.3(2) is added to Chapter 23 of the CBC and Section 2306.3 and Table 2306.3 of the CBC are amended to read as follows:

**2306.3 Wood structural panel shear walls.** Wood structural panel shear walls shall be designed and constructed in accordance with AF&PA SDPWS. Wood structural panel shear walls are permitted to resist horizontal forces using the allowable shear capacities set forth in Table 2306.3(1). For structures assigned to Seismic Design Category D, E or F, the allowable shear capacities shall be set forth in Table 2306.3(2). The allowable shear capacities in Table 2306.3(1) are permitted to be increased 40 percent for wind design.
Wood structural panel shear walls used to resist seismic forces in structures assigned to Seismic Design Category D, E or F shall not be less than 4 feet by 8 feet (1219 mm by 2438 mm), except at boundaries and at changes in framing. Wood structural panel thickness for shear walls shall not be less than 3/8 inch thick and studs shall not be spaced at more than 16 inches on center.

The maximum allowable shear value for three-ply plywood resisting seismic forces in structures assigned to Seismic Design Category D, E or F is 200 pounds per foot (2.92 kn/m). Nails shall be placed not less than 1/2 inch (12.7 mm) in from the panel edges and not less than 3/8 inch (9.5 mm) from the edge of the connecting members for shear greater than 350 pounds per foot (5.11 kn/m). Nails shall be placed not less than 3/8 inch (9.5 mm) from panel edges and not less than 1/4 inch (6.4 mm) from the edge of the connecting members for shears of 350 pounds per foot (5.11 kn/m) or less.

Wood structural panel shear walls fastened with staples shall not used to resist seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: Staples may be used for wood structural panel shear walls when the allowable shear values are substantiated by cyclic testing and approved by the building official.

Wood structural panel shear walls used to resist seismic forces in structures assigned to Seismic Design Category D, E or F shall be applied directly to the framing members.

**TABLE 2306.3(1)**

**ALLOWABLE SHEAR (POUNDS PER FOOT) FOR WOOD STRUCTURAL PANEL SHEAR WALLS WITH FRAMING OF DOUGLAS FIR-LARCH OR SOUTHERN PINE**

*For wind or seismic loading*

---

035
<table>
<thead>
<tr>
<th>PANEL GRADE</th>
<th>MINIMUM NOMINAL PANEL THICKNESS (inch)</th>
<th>MINIMUM FASTENER PENETRATION IN FRAMING (inches)</th>
<th>ALLOWABLE SHEAR VALUE FOR SEISMIC FORCES PANELS APPLIED DIRECTLY TO FRAMING</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>COMON NAIL SIZE</td>
</tr>
<tr>
<td>Structural sheathing</td>
<td>3/8</td>
<td>1 3/8</td>
<td>8d (2½ x 0.131&quot; common)</td>
</tr>
<tr>
<td></td>
<td>7/16</td>
<td>1 3/8</td>
<td>8d (2½ x 0.131&quot; common)</td>
</tr>
<tr>
<td></td>
<td>15/32</td>
<td>1 3/8</td>
<td>8d (2½ x 0.131&quot; common)</td>
</tr>
<tr>
<td></td>
<td>1 1/2</td>
<td>8d (2½ x 0.131&quot; common)</td>
<td>340</td>
</tr>
<tr>
<td>Sheathing, plywood siding&lt;sup&gt;2&lt;/sup&gt; except Group 5 Species</td>
<td>3/8&lt;sup&gt;6&lt;/sup&gt;</td>
<td>1 3/8</td>
<td>8d (2½ x 0.113&quot;)</td>
</tr>
</tbody>
</table>

For SI: 1 inch = 25.4 mm, 1 foot = 25.4 mm, 1 pound per foot = 14.5939 N/m.

a. For framing of other species: (1) Find specific gravity for species of lumber in AF&PA NDS. (2) For nails find shear value from table above for nail size for actual grade and multiply value by the following adjustment factor: Specific Gravity Adjustment Factor = [1 - (0.5SG)], where SG = Specific Gravity of the framing lumber. This adjustment factor shall not be greater than 1.

b. Panel edges backed with 2-inch nominal or thicker framing. Install panels either horizontally or vertically. Space fasteners maximum 6 inches on center along intermediate framing members for 3/8-inch and 7/16-inch panels installed on studs spaced 24 inches on center. For other conditions and panel thickness, space fasteners maximum 12 inches on center on intermediate supports.

c. 3/8-inch panel thickness or siding with a span rating of 16 inches on center is the minimum recommended where applied direct to framing as exterior siding. For grooved panel siding, the nominal panel thickness is the thickness of the panel measured at the point of nailing.

d. Allowable shear values are permitted to be increased to values shown for 15/32-inch sheathing with same nailing provided (a) studs are spaced a maximum of 16 inches on center, or (b) panels are applied with long dimension across studs.

e. Framing at adjoining panel edges shall be 3 inches nominal or thicker, and nails shall be staggered where nails are spaced 2 inches on center or less.

f. Framing at adjoining panel edges shall be 3 inches nominal or thicker, and nails shall be staggered where both of the following conditions are met: (1) 10d (3" x 0.148") nails having penetration into framing of more than 1-1/2 inches and (2) nails are spaced 3 inches on center or less.

g. Values apply to all-veneer plywood. Thickness at point of fastening on panel edges governs shear values.

h. Where panels applied on both faces of a wall and nail spacing is less than 6 inches o.c. on either side, panel joints shall be offset to fall on different framing members. Or framing shall be 3-inch nominal or thicker at adjoining panel edges and nails at all panel edges shall be staggered.

i. Where design values exceed 350 pounds per linear foot, all framing members receiving edge nailing from abutting panels shall not be less than a single 3-inch nominal member, or two 2-inch nominal members fastened together in accordance with Section 2306.1 to transfer the design shear value between framing members. Wood structural panel joint and sill plate nailing shall be staggered at all panel edges. See Section 4.3.6.1 and 4.3.6.4.3 of AF&PA SDPWS for sill plate size and anchorage requirements.

j. Galvanized nails shall be hot dipped or Panalized.

k. For shear loads of normal or permanent load duration as defined by the AF&PA NDS, the values in the table above shall be multiplied by 0.63 or 0.56, respectively.

l. The maximum allowable shear value for three-ply plywood resisting seismic forces is 200 pounds per foot (2.92 kN/m).
Section 2306.7 of the CBC are amended to read as follows:

**2306.7 Shear walls sheathed with other materials.** Shear walls sheathed with portland cement plaster, gypsum lath, gypsum sheathing or gypsum board shall be designed and constructed in accordance with AF&PA SDPWS. Shear walls sheathed with these materials are permitted to resist horizontal forces using the allowable shear capacities set forth in Table 2306.7. Shear walls sheathed with portland cement plaster, gypsum lath, gypsum sheathing or gypsum board shall not be used to resist seismic forces in structures assigned to Seismic Design Category E or F.

Shear walls sheathed with lath, plaster or gypsum board shall not be used below the top level in a multi-level building for structures assigned to Seismic Design Category D.

Section 2308.3.4 of Chapter 23 of the CBC is amended to read as follows:

**2308.3.4 Braced wall line support.** Braced wall lines shall be supported by continuous foundations.

**Exception:** For structures with a maximum plan dimension not over 50 feet (15240 mm), continuous foundations are required at exterior walls only for structures not assigned to Seismic Design Category D, E or F.

Section 2308.12.2 of Chapter 23 of the CBC is amended to read as follows:

**2308.12.2 Concrete or masonry.** Concrete or masonry walls and stone or masonry veneer shall not extend above the basement.

**Exception:** Stone and masonry veneer is permitted to be used in the first story above grade plane in Seismic Design Category D, provided the following criteria are met:

1. Type of brace in accordance with Section 2308.9.3 shall be Method 3 and the allowable shear capacity in accordance with Table 2306.4.1 shall be a minimum of 350 pf (5108 N/m).

2. The bracing of the first story shall be located at each end and at least every 25 feet (7620 mm) o.c. but not less than 45 percent of the braced wall line.

3. Hold-down connectors shall be provided at the ends of braced walls for the first floor to foundation with an allowable design of 2,100 pounds (9341 N).

4. Cripple walls shall not be permitted.

5. Anchored masonry and stone wall veneer shall not exceed 5 inches (127 mm) in thickness, shall conform to the requirements of Chapter 14 and shall not extend more than 5 feet (1524 mm) above the first story finished floor.

Section 2308.12.4 and Table 2308.12.4 of the CBC are amended to read as follows:
2308.12.4 Braced wall line sheathing. Braced wall lines shall be braced by one of the types of sheathing prescribed by Table 2308.12.4 as shown in Figure 2308.9.3. The sum of lengths of braced wall panels at each braced wall line shall conform to Table 2308.12.4. Braced wall panels shall be distributed along the length of the braced wall line and start at not more than 8 feet (2438 mm) from each end of the braced wall line. Panel sheathing joints shall occur over studs or blocking. Sheathing shall be fastened to studs, top and bottom plates and at panel edges occurring over blocking. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide [actual 1 1/2 inch (38 mm)] or larger members and spaced a maximum of 16 inches on center.

Exception: Braced wall panels required by Section 2308.12.4 may be eliminated when all of the following requirements are met:

1. One story detached Group U occupancies not more than 25 feet in depth or length.

2. The roof and three enclosing walls are solid sheathed with 15/32 inch nominal thickness wood structural panels with 8d common nails placed 3/8 inches from panel edges and spaced not more than 6 inches on center along all panel edges and 12 inches on center along intermediate framing members. Wall openings for doors or windows are permitted provided a minimum 4 foot wide wood structural braced panel with minimum height to length ratio of 2 to 1 is provided at each end of the wall line and that the wall line be sheathed for 50% of its length.

Wood structural panel sheathing shall be a minimum of 15/32 inch thick nailed with 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center and 12 inches on center along intermediate framing members.

Braced wall panel construction types shall not be mixed within a braced wall line.

**TABLE 2308.12.4**

<table>
<thead>
<tr>
<th>CONDITION</th>
<th>SHEATHING TYPE&lt;sup&gt;b&lt;/sup&gt;</th>
<th>( S_{DS} &lt; 0.50 )</th>
<th>( 0.50 \leq S_{DS} &lt; 0.75 )</th>
<th>( 0.75 \leq S_{DS} &lt; 1.00 )</th>
<th>( S_{DS} &gt; 1.00 )</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Story</td>
<td>G-P&lt;sup&gt;c&lt;/sup&gt;</td>
<td>10 feet 8 inches</td>
<td>14 feet 8 inches</td>
<td>18 feet 8 inches</td>
<td>25 feet 0 inches</td>
</tr>
<tr>
<td></td>
<td>S-W&lt;sup&gt;d&lt;/sup&gt;</td>
<td>5 feet 4 inches</td>
<td>8 feet 0 inches</td>
<td>9 feet 4 inches</td>
<td>12 feet 0 inches</td>
</tr>
</tbody>
</table>

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

<sup>a</sup> Minimum length of panel bracing of one face of the wall for S-W sheathing shall be at least 4'-0" long or both faces of the wall for G-P sheathing shall be at least 8'-0" long; h/w ratio shall not exceed 2.1. For S-W panel bracing of the same material on two faces of the wall, the minimum length is permitted to be one-half the tabulated value but the h/w ratio shall not exceed 2.1 and design for uplift is required.

<sup>b</sup> G-P = gypsum board, portland cement plaster or gypsum sheathing boards; S-W = wood structural panels.

<sup>c</sup> Nailing as specified below shall occur at all panel edges at studs, at top and bottom plates and, where occurring, at blocking:
- For 1/2-inch gypsum board, 5d (0.113 inch diameter) cooler nails at 7 inches on center;
- For 5/8-inch gypsum board, No 11 gage (0.120 inch diameter) cooler nails at 7 inches on center;
- For gypsum sheathing board, 1-3/4 inches long by 7/16-inch head, diamond point galvanized nails at 4 inches on center;
- For gypsum lath, No. 13 gage (0.092 inch) by 1-1/8 inches long, 19/64-inch head, plasterboard at 5 inches on center;
- For Portland cement plaster, No. 11 gage (0.120 inch) by 1/4 inches long, 7/64-inch head at 6 inches on center.

<sup>d</sup> S-W sheathing shall be a minimum of 15/32" thick nailed with 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center and 12 inches on center along intermediate framing members.

Section 2304.9.1 and Table 2304.9.1 of the CBC are amended to read as follows:
2304.9.1 Fastener requirements. Connections for wood members shall be designed in accordance with the appropriate methodology in Section 2301.2. The number and size of fasteners connecting wood members shall not be less than that set forth in Table 2304.9.1. Staple fasteners in Table 2304.9.1 shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the building official.

Add new footnote q to Table 2304.9.1.

q. staples shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

Section 2308.12.5 of the CBC are amended to read as follows:

2308.12.5 Attachment of sheathing. Fastening of braced wall panel sheathing shall not be less than that prescribed in Table 2308.12.4 or 2304.9.1. Wall sheathing shall not be attached to framing members by adhesives. Staple fasteners in Table 2304.9.1 shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the building official.

All braced wall panels shall extend to the roof sheathing and be attached to parallel roof rafters or blocking above with framing clips (18 gauge minimum) spaced at maximum 24 inches (6096 mm) on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels shall be laterally braced at each top corner and at maximum 24 inches (6096 mm) intervals along the top plate of discontinuous vertical framing.

Amend Appendix J section J 101 by adding a new section J 101.3 Protection of Adjacent Properties that reads as follows:

The owner and permittee of any property on which grading has been performed and that requires a grading permit is responsible for the prevention of damage to adjacent property and no person shall excavate on land sufficiently close to the property line to endanger any adjoining public street, sidewalk, alley, or other public or private property without supporting and protecting such property from settling, cracking or other damage that might result. Special precautions approved by the building official shall be made to prevent imported or exported materials from being deposited on the adjacent public way and/or drainage courses. A 30 day excavation notice shall be provided as required by California Civil Code Section 829-834 when the excavation is of sufficient depth and proximity to adjacent lot structures.

Amend Appendix J section J 101 by adding a new section J101.4 Safety Precautions that reads as follows:

1. General
   a) If at any stage of work on an excavation or fill, the building official determines that the work has become or is likely to become dangerous to any person, or is likely to endanger any property, public or private, the building official shall be authorized to require safety precautions to be immediately taken by the property owner as a condition to continuing...
such permitted work or to require cessation thereof forthwith unless and until it is made
safe and to amend the plans for such work.

b) Safety precautions may include, but shall not be limited to, specifying a flatter exposed
slope or construction of additional drainage facilities, berms, terracing, compaction,
crribing, retaining walls or buttress fills, slough walls, desilting basins, check dams,
benching, wire mesh and guniting, rock fences, revetments or diversion walls.

c) Upon the determination of the building official that such safety precautions during grading
are necessary, the building official shall provide a notice and order to the permittee to
implement same. After receiving such notice, oral or written, it is unlawful for the
permittee or any person to proceed with such work contrary to such order.

2. Removal of Ground Cover
   a) The existing vegetative ground cover of any watershed in any hillside area shall not
   be destroyed, removed or damaged except for routine maintenance pursuant to
   lawful grading, use or occupancy of the property or to clear hazardous vegetation
   near structures and roads in areas designated as High Fire Hazard areas
   b) Whenever ground cover is removed or damaged pursuant to a validly issued grading
   permit, the permittee shall restore and maintain the affected area with an approved
   ground cover, or shall accomplish such other erosion control protection measures as
   may be approved by the building official. Such erosion control shall be completed
   within thirty days after cessation of the grading work or other work pursuant to a
   validly issued building permit.

3. Maintenance of Protective Devices
   All devices used to protect hillside areas from erosion or landslide damage including, but not
   limited to, retaining walls, cribbing, terracing, surface and subsurface drainage structures,
   interceptor drains, check dams, and riprap shall be maintained in good condition and repair
   as approved by the building official at the time of completion of construction thereof.

Amend Appendix J section J 101 by adding a new section J101.5 Protection of Utilities that reads as
follows:

The owner and permittee of any property on which grading has been performed and that requires a
grading permit shall be responsible for the prevention of damage to any public utilities or services.

Amend Appendix J section J 103.2 Exemptions item 1 and add 1-A to read as follows:

1. An excavation which (a) is less than 2 feet (610 mm) in depth, or (b) which does not create a
cut slope greater than 5 feet (1524 mm) in height and steeper than one unit vertical in two units
horizontal (50 percent slope). This exception shall not apply to cut which exceeds 50 cubic yards
(38.3 m³) or which changes the existing drainage pattern.
A. Fill that is less than one foot (305 mm) in depth and placed on natural terrain with a slope flatter than
one unit vertical in 10 units horizontal (10 percent slope). This exception shall not apply when the fill
exceeds 50 cubic yards (38.3 m³) or when the fill changes the existing drainage pattern.

Amend Appendix J section J 109.4 Drainage across property lines, to read as follows:
J 109.4 Site Drainage. All lots with new cut or fill; projects with concentrated drainage such as roof or deck drainage, and which change the existing drainage pattern shall have drainage that slopes a minimum of two percent to an approved drainage device or facility, or to a public way without crossing adjacent lots. Where used, the drainage device shall be an adequately designed system of catch basins, swales and/or drain lines, which conducts the water to a Public Way, without crossing adjacent lot's, via a non erosive device.

EXCEPTION: Where the slope of the underlying natural ground does not exceed three percent and the compacted fill is less than three feet (914 mm) in depth, the slope of the drainage pattern may be reduced to one percent. Compliance with California Building Code Section 1803.3 is still required, and the slope is not to be reduced per this section.

Appendix V – Voluntary Retrofit Standards are added to the CBC as follows:

**APPENDIX V – SECTION V101 - VOLUNTARY EARTHQUAKE HAZARD REDUCTION IN EXISTING TILT-UP CONCRETE WALL BUILDINGS**

**SECTION V101. PURPOSE.**
The purpose of this Chapter is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of earthquakes on tilt-up concrete wall buildings designed under the building codes in effect prior to January 1, 1976. The provisions of this Chapter are minimum voluntary standards for structural seismic resistance established primarily to reduce the risk of life loss or injury on both subject and adjacent properties and will not necessarily prevent loss of life or injury or prevent earthquake damage to an existing building which complies with these standards. This Chapter provides systematic procedures and standards for identification and classification of tilt-up concrete wall building based on the current use of the building.

**SECTION V102. SCOPE.**
The provisions of this Chapter shall apply to all buildings designed under building codes in effect prior to January 1, 1976, which, on the effective date of this Chapter have tilt-up concrete walls as defined herein.

**SECTION V103. DEFINITIONS.**
For purposes of this Chapter, the applicable definitions in Sections 1602, 1902, 2302 and Section 11.2 of ASCE 7, and the following shall apply:

**COMMENCED CONSTRUCTION.** Construction pursuant to a valid building permit has progressed to the point that one of the called inspections as required by the Department has been made and the work for which the inspection has been called has been judged by the Department to be substantial and has been approved by the Department.

**DEPARTMENT.** The Department of Building and Safety.

**ESSENTIAL BUILDING.** For purposes of this Chapter, any building housing a hospital or other medical facility having surgery or emergency treatment areas, fire or police stations, municipal government disaster operations, and communication centers.
TILT-UP CONCRETE WALL. A form of precast concrete panel construction either cast in the horizontal position at the site and after curing, lifted and moved into place in a vertical position, or cast off-site in a fabricator's shop.

SECTION V104. RATING CLASSIFICATIONS.
The rating classification as exhibited in Table No. 91-A is hereby established and each building within the scope of this Chapter shall be placed in one rating classification by the Department. The total occupant load as determined by Section 1004.1 for the entire building plus the occupant load of any adjacent building, which interconnects with the subject building or uses the subject building for exiting purposes, shall be used to determine the rating classification.

SECTION V105. ANALYSIS AND DESIGN.
For the purpose of this section, “anchorage system(s)” shall mean all structural elements, which supports the wall in the lateral direction, including wall anchorage and continuity tie (cross-tie) connectors in subdiaphragms and main diaphragms for retrofit and repairs.

V105.1. Wall Panel Anchorage. Concrete walls shall be anchored to all floors and roofs which provide lateral support for the wall. The anchorage shall provide a positive direct connection between the wall and floor or roof construction capable of resisting a horizontal force equal to 30 percent of the tributary wall weight for all buildings, and 45 percent of the tributary wall weight for essential buildings, or a minimum force of 250 pounds per linear foot of wall, whichever is greater. The required anchorage shall be based on the tributary wall panel assuming simple supports at floors and roof.

V105.2. Special Requirements for Wall Anchors and Continuity Ties. The steel elements of the wall anchorage systems and continuity ties shall be designed by the allowable stress design method using a load factor of 1.7. The 1/3 stress increase permitted by Section 12.4.3.3 of ASCE 7 shall not be permitted for materials using allowable stress design methods. The strength design specified in Section 1912, using a load factor of 2.0 in lieu of 1.4 for earthquake loading, shall be used for design of embedments in concrete. Wall anchors shall be provided to resist out-of-plane forces, independent of existing shear anchors.

EXCEPTION: Existing cast-in-place shear anchors may be used as wall anchors if the tie element can be readily attached to the anchors and if the engineer or architect can establish tension values for the existing anchors through the use of approved as-built plans or testing, and through analysis showing that the bolts are capable of resisting the total shear load while being acted upon by the maximum tension force due to earthquake.

Expansion anchors are not allowed. Attaching the edge of plywood sheathing to steel ledgers is not considered as complying with the positive anchoring requirements of the Code; and attaching the edge of steel decks to steel ledgers is not considered as providing the positive anchorage of this Code unless testing and/or analysis are performed, which establish shear values for the attachment perpendicular to the edge of the deck.

**EXCEPTION:** If continuously tied girders are present, then the maximum spacing of the continuity ties is the greater of the girder spacing or 24 feet (7315 mm). In wood diaphragms, anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal, nor shall wood ledgers, top plates or framing be used in cross-grain bending or cross-grain tension. The continuous ties required by Section 12.11 of ASCE 7 shall be in addition to the diaphragm sheathing. Lengths of development of anchor loads in wood diaphragms shall be based on existing field nailing of the sheathing unless existing edge nailing is positively identified on the original construction plans or at the site.

At reentrant corners, continuity collectors may be required for existing return walls not designed as shear walls, to develop into the diaphragm a force equal to the lesser of the rocking or shear capacity of the return wall, or the tributary shear, but not exceeding the capacity of the diaphragm. Shear anchors for the return wall shall be commensurate with the collector force. If a truss or beam, other than rafters or purlins, is supported by the return wall or by a column integral with the return wall, an independent secondary column, is required to support the roof or floor members whenever rocking or shear capacity of the return wall is governing. Seismic deflection shall be determined at the return walls, and fins/canopies at entrances, to ensure deflection compatibility with the diaphragm, by either seismically isolating the element or attaching the element and integrating its load into the diaphragm.

V105.4. Anchorage at Pilasters. Anchorage of pilasters shall be designed for the tributary wall anchoring load per Section 9105.1 of this Code, considering the wall as a two-way slab. The edge of the two-way slab shall be considered “fixed” when there is continuity at pilasters, and considered “pinned” at roof or floor levels. The pilasters or the walls immediately adjacent to the pilasters shall be anchored directly to the roof framing such that the existing vertical anchor bolts at the top of the pilasters are by-passed without causing tension or shear failure at the top of the pilasters.

**EXCEPTION:** If existing vertical anchor bolts at the top of the pilasters are used for the anchorage, then additional exterior confinement shall be provided. The minimum anchorage at a floor or roof between the pilasters shall be that specified in Section 9105.1 of this Code.

V105.5. Symmetry. Symmetry of connectors in the anchorage system is required. Eccentricity may be allowed when it can be shown that all components of forces are positively resisted and justified by calculations or tests.

V105.6. Minimum Roof Member Size. Wood members used to develop anchorage forces to the diaphragm must be at least 3x for new construction and replacement. All such members must be checked for gravity and earthquake as part of the wall anchorage system. For existing buildings, the member check shall be without the 1/3 stress increase per Section 9108.2.

V105.7. Combination of Anchor Types. To repair and retrofit existing buildings, a combination of different anchor types of different behavior or stiffness shall not be permitted. The capacity of the new and existing connectors cannot be added.
V105.8. Prohibited Anchors. Usage of connectors that were bent and/or stretched from the intended use shall be prohibited.

V105.9. Crack and Damage Repairs, Evaluation of Existing Structural Alterations. The engineer shall report any observed structural conditions and structural damage that have imminent life safety effects on the buildings and recommend repairs. Evaluations and repairs shall be reviewed and approved by the Department. The engineer shall also evaluate the effects of alterations such as openings cut in existing wall panels without a permit, that may present immediate life safety hazard and correct when necessary.

V105.10. Miscellaneous. Existing mezzanines relying on the tilt-up walls for vertical and/or lateral support shall be anchored to the walls for the tributary mezzanine load. Walls depending on the mezzanine for lateral support shall be anchored per Sections 9105.1, 9105.2 and 9105.3.

EXCEPTION: Existing mezzanines that have independent lateral and vertical support need not be anchored to the walls. Existing interior masonry or concrete walls not designed as shear walls, that extend to the floor above or to the roof diaphragm shall also be anchored for out-of-plane forces per Sections 9105.1, 9105.2 and 9105.3 of this Code. In the in-plane direction, the walls may be isolated or shall be developed into the diaphragm for a lateral force equal to the lesser of the rocking or shear capacity of the wall, or the tributary shear but not exceeding the diaphragm capacity.

SECTION V110. INFORMATION REQUIRED ON PLANS.

V110.1. General. In addition to the seismic analysis required elsewhere in this Chapter, the licensed engineer or architect responsible for the seismic analysis of the building shall record the information required by this section on the approved plans.

V110.2. Information Required. The plans shall accurately reflect the results of the engineering investigation and design and show all pertinent dimensions and sizes for plan review and construction. The following shall be provided:

1. Floor plans and roof plans shall show existing framing construction, diaphragm construction, proposed wall anchors, cross-ties and collectors. Existing nailing, anchors, ties and collectors shall also be shown on the plans if these are part of the design, and these structural elements need to be verified in the field.
2. At elevations where there are alterations or damage, details shall show roof and floor heights, dimensions of openings, location and extent of existing damage, and proposed repair.
3. Typical wall panel sections with panel thickness, height, location of anchors shall be provided.
4. Details shall include existing and new anchors and the method of development of anchor forces into the diaphragm framing; existing and/or new cross-ties; existing and/or new or improved support of roof and floor girders at pilasters or walls.

V110.3. Engineer's or Architect's Statement.
The responsible engineer or architect shall state on the approved plans, the following:

1. I am responsible for this building's seismic strengthening design in compliance with the minimum seismic resistance standards of Chapter 91 of the California Building Code, and when applicable:
2. The Registered Deputy Inspector, required as a condition of the use of structural design stresses requiring continuous inspection, will be responsible to me as required by Section 1704 of the California Building Code.

SECTION V111. REQUIRED BUILDING MAINTENANCE.

Every building within the scope of this Chapter which has been analyzed to demonstrate compliance or structurally altered to comply with the minimum earthquake standards in this Chapter shall be maintained in conformity with the requirements of this Chapter in effect at the time of such analysis or structural alteration.

**TABLE NO. 91-A**

**RATING CLASSIFICATIONS**

<table>
<thead>
<tr>
<th>Classification</th>
<th>Occupant Load</th>
</tr>
</thead>
<tbody>
<tr>
<td>Essential</td>
<td>N/A</td>
</tr>
<tr>
<td>Group I</td>
<td>300 or more</td>
</tr>
<tr>
<td>Group II</td>
<td>100 to 299</td>
</tr>
<tr>
<td>Group III</td>
<td>50 to 99</td>
</tr>
<tr>
<td>Group IV</td>
<td>Less than 50</td>
</tr>
</tbody>
</table>

Appendix V-Cripple Wall is hereby added to the CBC to read as follows:

**CHAPTER V — SECTION V201 - VOLUNTARY EARTHQUAKE HAZARD REDUCTION IN EXISTING WOOD FRAME RESIDENTIAL BUILDINGS WITH WEAK CRIppLE WALLS AND UNBOLTED SILL PLATES**

**SECTION V201. GENERAL.**

**V201.1. Purpose.**

The provisions of this Chapter are intended to promote public safety and welfare by reducing the risk of earthquake-induced damage to existing wood-framed residential buildings. The voluntary minimum standards contained in this Chapter shall substantially improve the seismic performance of these residential buildings but will not necessarily prevent all earthquake damage. When fully followed, these standards will strengthen the portion of the structure that is most vulnerable to earthquake damage.

Prior to 1960, most wood frame residential buildings were built with raised wood floors supported by short wood stud walls known as cripple walls. These cripple walls are typically braced with weak seismic materials such as portland cement plaster or horizontal wood siding. In addition, wood frame buildings built under building codes in effect prior to July 1938 were not required to be bolted to their foundations. Recent earthquakes have shown that if a building has weak cripple walls or is unbolted, it may fall off its foundation even in moderate earthquakes.
Fallen buildings have collapsed, caught fire or needed extensive repairs to restore their occupancy.

This Chapter sets prescriptive standards for strengthening of underfloor enclosures that shall be permitted by the Building Official without requiring plans or calculations prepared by an architect or an engineer. This Chapter also provides a design standard for the use of alternate materials or an alternate method of construction in lieu of the prescriptive standards. Construction documents for strengthening using alternate materials or methods shall be prepared by an architect or engineer.

V201.2. Scope. The provisions of this Chapter may be applied to light wood frame Group R Occupancies with no more than four dwelling units when they contain one or more of the structural weaknesses specified in Section V203.1. The provisions of this Chapter do not apply to the buildings or elements of the buildings, listed below. These buildings or elements require analysis by an engineer or architect in accordance with Chapter 16 or other approved standards to determine appropriate strengthening.
1. Buildings with a lateral force resisting system using poles or columns embedded in the ground.
2. Cripple walls that exceed four feet (1234 mm) in height.
3. Buildings exceeding three stories in height and any three-story building with cripple wall studs exceeding 14 inches (360 mm) in height.
4. Buildings, or portions of buildings, constructed on a concrete slab on grade or constructed on or into a slope steeper than three horizontal to one vertical.
5. Buildings where the Building Official determines that conditions exist that are beyond the scope of the requirements of this Chapter. The standard details approved by the Building Official and these prescriptive provisions are not intended to be the only acceptable strengthening methods permitted. Alternate details and methods shall be permitted when approved by the Building Official. Qualified Historical Buildings shall be permitted to use alternate building regulations of Section 8119 of this Code in order to preserve their original or restored architectural elements and features.

V201.3. Alternative Design Procedures. When analysis by an engineer or architect is required or provided for a building within the scope of this Chapter, that analysis shall be in accordance with all requirements of this Code except as provided in this Chapter. The design shall provide strengthening for any structural weakness listed in Section V203 that is at least equivalent to that provided by the prescriptive requirements of this Chapter with respect to strength, deflection, and capacity. The Building Official may require that sufficient evidence be submitted to substantiate that equivalence. The base shear may be determined in accordance with the following:
\[ V = 0.1375W \text{ (V2-1)} \]
Where:
\[ V = \text{The total design lateral force or shear at the base.} \]
\[ W = \text{The total seismic dead load defined in Section 12.7.2 of ASCE 7} \]

SECTION V202. DEFINITIONS.
For the purpose of this Chapter, in addition to the applicable definitions, symbols and notations in this Code, certain additional terms are defined as follows:
ADHESIVE ANCHOR is a fastener placed in hardened concrete or masonry that derives its holding strength from a chemical adhesive compound placed between the wall of the hole and the embedded portion of the anchor.

ANCHOR SIDE PLATE is a metal plate or plates used to connect a sill plate to the side of a concrete or masonry stem wall.

CRIPLLE WALL is a wood-framed stud wall extending from the top of the foundation to the underside of the lowest floor framing.

EXPANSION ANCHOR is a mechanical fastener placed in hardened concrete or assembled masonry, designed to expand in a self-drilled or pre-drilled hole of a specified size and engage the sides of the hole in one or more locations to develop shear and/or tension resistance to applied loads without grout, adhesive or drypack.

PERIMETER FOUNDATION is a foundation system which is located under the exterior walls of a building.

SNUG-TIGHT is as tight as an individual can torque a nut on a bolt by hand using a wrench with a 10-inch (254 mm) long handle and the point at which the full surface of the plate washer is contacting the wood member and slightly indents the wood surface.

UNREINFORCED MASONRY includes adobe, burned clay, concrete or sand-lime brick, hollow clay or concrete block, hollow clay tile, rubble, cut stone and unburned clay masonry walls in which the area of reinforcement is less than 50 percent of the minimum steel ratios required for reinforced masonry.

SECTION V203. STRUCTURAL WEAKNESSES.

V203.1. General. For the purpose of this Chapter, structural weaknesses shall be as specified below.

1. Sill plates or floor framing which are supported directly on the ground without an approved foundation system.

2. A perimeter foundation system which is constructed of wood posts supported on isolated pad footings.

3. Perimeter foundation systems that are not continuous.

   EXCEPTIONS:

   A. Existing single-story exterior walls not exceeding 10 feet (3084 mm) in length forming an extension of floor area beyond the line of an existing continuous perimeter foundation.

   B. Porches, storage rooms and similar spaces not containing fuel-burning appliances.

4. A perimeter foundation system which is constructed of unreinforced masonry.
5. Sill plates which are not connected to the foundation or are connected with less than what is required by Section V204.3.1.

6. Cripple walls that are not braced in accordance with the requirements of Section V204.4 and Table V2-A.

SECTION V204. STRENGTHENING REQUIREMENTS.

V204.1. General.

V204.1.1. Scope. The structural weaknesses noted in Section V203 shall be strengthened in accordance with the requirements of this section. Strengthening work shall be allowed to include both new construction and alteration of existing construction. Except as provided here, all strengthening work and materials shall comply with the applicable provisions of this Code. All prescribe nailing in this Chapter shall be common nails. Alternate methods of strengthening shall be allowed provided the systems are designed by an engineer or architect and approved by the Building Official.

V204.1.2. Condition of Existing Wood Materials. All existing wood materials which will be a part of the strengthening work shall be in a sound condition and free from defects which substantially reduce the capacity of the member. Any wood material found to contain fungus infection shall be removed and replaced with new material. Any wood material found to be infested with insects or to have been infested shall be strengthened or replaced with new materials to provide a net dimension of sound wood at least equal to its undamaged original dimension.

V204.1.3. Floor Joists Not Parallel to Foundations. Floor joists framed perpendicular or at an angle to perimeter foundations shall be restrained by either a nominal two-inch (51 mm) wide continuous rim joist or a nominal two-inch (51 mm) wide full depth blocking between alternate joists in one- and two-story buildings, and between each joist in three-story buildings. Blocking for multistory buildings must occur at each joist space above a braced cripple wall panel. Existing connections at the top edge of an existing rim joist or blocking need not be verified. The bottom edge connection to either the foundation sill plate or top plate of a cripple wall shall be verified unless a supplemental connection is provided. The minimum existing bottom edge connection shall consist of 8d toe nails spaced six inches (152 mm) apart for a continuous rim joist or three 8d toe nails per block. When this minimum bottom edge connection is not present, or is not verified, a supplemental connection shall be provided.

When an existing continuous rim joist or the minimum existing blocking does not occur, new 1-1/8 inch (29 mm) wood structural panel blocking installed tightly between floor joists and nailed with 10d common nails at four inches on center to the sill or wall top plate shall be provided at the inside face of the cripple wall. In lieu of 1-1/8 inch (29 mm) wood structural panel blocking, tight fitting, full or near full depth two inches nominal width (51 mm) lumber blocking shall be allowed provided it does not split during installation. New blocking is not required where it will interfere with vents or plumbing which penetrates the wall.
V204.1.4. Floor Joists Parallel to Foundations. Where existing floor joists are parallel to the perimeter foundations, the end joist shall be located over the foundation and, except for required ventilation openings, shall be continuous and in continuous contact with any existing foundation sill plate or top plate of the cripple wall. Existing connections at the top edge connection of the end joist need not be verified; however, the bottom edge connection to either the foundation sill plate or the top plate of a cripple wall shall be verified unless a supplemental connection is provided. The minimum bottom edge connection shall be 8d toe nails spaced six inches (152 mm) apart. If this minimum bottom edge connection is not present or is not verified, a supplemental connection shall be provided.

V204.1.5. Supplemental Connections. Supplemental connections shall provide sufficient strength to transfer the seismic forces. Framing anchors of minimum 18 gauge steel and 12 approved fasteners may be considered to meet this requirement when spaced 32 inches (813 mm) on center for one story buildings, 24 inches (610 mm) on center for two story buildings and 16 inches (406 mm) on center for three story buildings.

EXCEPTION: A supplemental connection is not required when:

1. The structural wood panel sheathing extends from the sill plate to the rim joist or blocking above.

2. The floor sheathing is nailed directly into the sill or top plate of the cripple wall.

V204.1.6. Single Top Plate Ties. When a single top plate exists in the cripple wall, all end joints in the top plate shall be tied. Ties shall be connected to each end of the discontinuous top plate and shall be equal to one of the following:

1. 3-inch by 6-inch (76 mm by 152 mm) by 0.036-inch-thick (0.9 mm) galvanized steel and nailed with six 8d nails at each end.

2. 1-1/2 inches (38 mm) by 12-inch (305 mm) by 0.058 inches (1.47 mm) galvanized steel nailed with six 16d nails at each end.

3. 2-inch by 4-inch by 12-inch wood blocking nailed with six 16d nails at each end.

V204.2. Foundations.

V204.2.1. New Perimeter Foundations. New perimeter foundations shall be provided for structures with the structural weaknesses noted in Items 1 and 2 of Section V203.1. Soil investigations or geotechnical studies are not required for this work unless the building shows signs of excessive settlement or creep.

V204.2.2. Foundation Evaluation by Engineer or Architect. Partial perimeter foundations or unreinforced masonry foundations shall be evaluated by an engineer or architect for the force levels noted in Formula (V2-1). Test reports or other substantiating data to determine existing foundation material strengths shall be submitted for review. When approved by the Building
Official, these foundation systems may be strengthened in accordance with the
recommendations included
with the evaluation in lieu of being replaced.

**EXCEPTION:** In lieu of testing existing foundations to determine material strengths and when
approved by the Building Official, a new nonperimeter foundation system, designed for the
forces noted in Formula (V2-1), may be used to resist all exterior wall lateral forces.

**V204.2.3. Details for New Perimeter Foundations.** All new perimeter foundations shall be
continuous and constructed according to the standards for new buildings.

**EXCEPTIONS:**

1. When approved by the Building Official, the existing clearance between existing floor joists or
girders and existing grade below the floor need not comply with Section 2304.11.2.1. This
exception shall not be permitted when buildings are relocated on new foundations.

2. When approved by the Building Official, and when designed by an engineer or architect,
partial perimeter foundations may be used in lieu of a continuous perimeter foundation.

**V204.3. Foundation Sill Plate Anchorage.**

**V204.3.1. Existing Perimeter Foundations.** When the building has an existing continuous
perimeter foundation, all perimeter wall sill plates shall be connected to the foundation in
accordance with Table V2-A and this section. Anchors shall be installed with the plate washer
installed between the nut and the sill plate. The nut shall be tightened to a snug tight condition
after curing is complete for adhesive anchors and after expansion wedge engagement for
expansion anchors. The installation of nuts on all anchors shall be subject to verification by the
Building Official. Torque testing shall be performed for 25 percent of all adhesive or expansion
anchors. Minimum test values shall be 30 foot pounds (41 N-m) for 1/2-inch (12.7 mm) and 40
foot pounds (55 N-m) for 5/8-inch (15.9 mm) diameter anchors.

Anchor side plates shall be permitted when conditions prevent anchor installation vertically
through the sill plate. Anchor side plates shall be spaced as required for adhesive or expansion
anchors but only one anchor side plate is required on individual pieces of sill plate less than 32
inches (813 mm) in length. Wood structural panel shims shall be used on sill plates for single
plate anchor side plates when the foundation stem wall is from 3/16 inch (4.8 mm) to 3/4 inch
(19 mm) wider than the sill plate.
The shims length shall extend a minimum of two inches (50.8 mm) past each end of the anchor
side plate. Two plate anchor side plates shall be used when the total thickness of the required
shim exceeds 3/4 inch (19 mm). All anchor side plates, which use lag or wood screws shall pre-
drill the sill plate to prevent splitting as required by Section 2304.9. Lag or wood screws shall be
installed in the center of the thickness of the existing sill plate. Expansion anchors shall not be
used in unreinforced masonry or concrete or masonry grout of poor quality. Adhesive anchors
shall be required when expansion anchors will not tighten to the required torque or their
installation causes surface cracking of the foundation wall.

**V204.3.2. Placement of Anchors.** Anchors shall be placed within 12 inches (305 mm), but not
less than nine inches (229 mm), from the ends of sill plates and shall be placed near the center
of the stud space closest to the required spacing. New sill plates may be installed in pieces when necessary because of existing conditions. The minimum length of new sill plate pieces shall be 30 inches (762 mm).

**EXCEPTION:** Where physical obstructions such as fireplaces, plumbing or heating ducts interfere with the placement of an anchor, the anchor shall be placed as close to the obstruction as possible, but not less than nine inches (229 mm) from the end of the plate. Center-to-center spacing of the anchors shall be reduced as necessary to provide the minimum total number of anchors required based on the full length of the wall. Center-to-center spacing shall not be less than 12 inches (305 mm).

**V204.3.3. New Perimeter Foundations.** Sill plates for new perimeter foundations shall be anchored as required by Section 1805.6.

**V204.4. Cripple Wall Bracing.**

**V204.4.1. General.**
Exterior cripple walls, not exceeding four feet (1219 mm) in height shall use the prescriptive bracing method listed below. Cripple walls more than four feet (1219 mm) in height require analysis by an engineer or architect in accordance with Chapter 16.

**V204.4.1.1. Sheathing Requirements.**
Wood structural panel sheathing shall not be less than 15/32-inch (12 mm) thick. When used, plywood panels shall be constructed of five or more plies. All wood structural panels shall be nailed with 8d common nails spaced four inches (102 mm) on center at all edges and at 12 inches (305 mm) on center at each intermediate support with not less than two nails for each stud. Nails shall be driven so that their head or crown is flush with the surface of the sheathing and shall penetrate the supporting member a minimum of 1-1/2 inch (38 mm). When a nail fractures the surface, it shall be left in place and not counted as part of the required nailing. A new 8d nail shall be located within two inches (51 mm) of the discounted nail and hand driven flush with the sheathing surface.

**EXCEPTION:** No. 6 x 1-1/2 inch (38 mm) wood screws may be used for sheathing nailing when bracing materials are installed on the interior face of studs and cement plaster or other brittle finishes are on the exterior of the sheathed wall. All horizontal joints must occur over nominal two-inch by four-inch (51 mm by 102 mm) blocking installed with the nominal four-inch (102 mm) dimension against the face of the plywood. All vertical joints must occur over studs. Vertical joints at adjoining pieces of wood structural panels shall be centered on existing studs such that there is a minimum 1/8 inch (3.2 mm) between the panels. Nails shall be placed a minimum of 1/2 inch (12.7 mm) from the edges of the existing stud. When such edge distance cannot be maintained because of the width of the existing stud, a new stud shall be added adjacent to the existing and connected with 16d common nails at eight inches (206 mm) on center. A minimum of three such nails shall be provided.

**V204.4.2. Distribution and Amount of Bracing.**
See Table V2-A for the distribution and amount of bracing required. Bracing for a building with three or more floor levels above cripple wall studs exceeding 14 inches (356 mm) in height must be designed in accordance with Chapter 16.
The braced panel must be at least two times the height of the cripple stud wall but not less than 48 inches (1219 mm) in width. All panels along a wall shall be nearly equal in length and shall be nearly equally spaced along the length of the wall. Braced panels at ends of walls shall be located as near the end as possible.

Where physical obstructions such as fireplaces, plumbing or heating ducts interfere with the placement of cripple wall bracing, the bracing shall then be placed as close to the obstruction as possible. The total amount of bracing required shall not be reduced because of obstructions but the required length of bracing need not exceed the length of the wall.

Underfloor ventilation openings shall be maintained in accordance with Section 2306.7. Braced panels may include underfloor ventilation openings when the height of the solid portion of the panel meets or 75 percent of the height of the cripple stud wall. When the minimum amount of bracing prescribed in Table V2-A cannot be installed due to obstructions along any wall, the bracing must be designed by an architect or engineer in accordance with Section 1203.3.

V204.4.3. Stud Space Ventilation. When bracing materials are installed on the interior face of studs forming an enclosed space between the new bracing and existing exterior finish, each braced stud space must be ventilated. Adequate ventilation and access for future inspection shall be provided by drilling on two-inch to three-inch (51 mm to 76 mm) diameter round hole through the sheathing nearly centered between each stud at the top and bottom of the cripple wall. Such holes should be spaced a minimum of one-inch (25 mm) clear from the sill or top plates. In stud spaces containing sill bolts, the hole shall be located on the center line of the sill bolt but not closer than one-inch (25 mm) clear from the nailing edge of the sheathing.

When existing blocking occurs within the stud space, additional ventilation holes shall be placed above and below the blocking or the existing block shall be removed and a new nominal two-inch (51 mm) by four-inch (102 mm) block installed with the nominal four-inch (102 mm) dimension against the face of the plywood. For stud heights less than 18 inches (457 mm) only one ventilation hole need be provided.

V204.4.4. Existing Underfloor Ventilation. Existing underfloor ventilation shall not be reduced without providing equivalent new ventilation as close to the existing as possible. New sheathing may be installed around existing vent openings in braced panels when the length of the panel is increased a distance equal to the length of the vent opening or one stud space minimum.

EXCEPTION: For residential buildings with a post and pier foundation system where a new continuous perimeter foundation system is being installed, ventilation shall be provided in accordance with this Code.

SECTION V205. QUALITY CONTROL.

V205.1. Inspection by the Department. All work shall be subject to inspection by the Building Official including, but not limited to:
1. Placement and installation of new adhesive or expansion anchors or anchor side plates installed in existing foundations.

2. Placement of required blocking and framing anchors.
3. Installation and nailing of new cripple wall bracing.

The torque testing of sill plate anchors per Section V204.3.1 shall be performed by the building inspector.

**V205.2. Special Inspection.**

Special inspection is not required for sill plate anchors installed in existing foundations regulated by the provisions of this Chapter. Any work may be subject to special inspection when required by the Building Official or when so designated by the architect or engineer of record.

**V205.3. Structural Observation.**

Structural observation is not required for work done under the prescriptive provisions of this Chapter. When construction documents for strengthening are prepared by an architect or engineer and alternate materials or methods are used, structural observation shall be provided as required in Section 1709.

**V205.4. Engineer's or Architect's Statement.**

When an alternative design is provided per Section V201.3, the responsible engineer or architect shall place the following statement on the approved plans:

1. "I am responsible for this building's seismic strengthening design for the underfloor cripple walls and sill bolting in compliance with the minimum seismic resistance standards of Appendix Chapter V201 of the Building Code." or when applicable:

2. "The Registered Deputy Inspector, required as a condition of the use of structural design stresses requiring continuous inspection, will be responsible to me as required by Section 1704 of the El Segundo Building Code."

**TABLE V2-A**

**SILL PLATE ANCHORAGE AND CRIPPLE WALL BRACING 1,2,3**

Number of Stories above Cripple Walls Minimum Sill Plate Connection and Maximum Spacing Amount of Wall Bracing

One Story Adhesive or expansion anchors shall be 1/2-inch (12.7 mm) minimum diameter spaced at six feet (1829 mm) maximum center to center. Each end and not less than 50% of the wall length. Two Story Adhesive or expansion anchors shall be 1/2-inch (12.7 mm) minimum diameter spaced at four feet (1219 mm) maximum center to center; or 5/8 inch (15.9 mm) spaced at six feet maximum center to center. Each end and not less than 70% of the wall length. Three Story Adhesive or expansion anchors shall be 1/2-inch minimum (12.7 mm) diameter spaced at two feet eight inches (813 mm) maximum center to center; or 5/8-inch minimum (15.9 mm) diameter spaced at four feet (1219 mm) maximum center to center. 100% of the wall length. 1. Plate washers for use with adhesive or expansion anchors shall be two-inch (51 mm) by two-inch (51 mm) by 3/16-inch (4.8 mm) for 1/2-inch (12.7 mm) diameter anchors and 2-1/2-inch (64 mm) by 2-1/2-inch (64 mm) by 1/4-inch (6 mm) for 5/8 inch (15.9 mm) diameter anchors. 2. Existing sill plate anchor bolts shall be permitted to provide all or a portion of the sill plate connection requirement if:
a. the anchor bolt is cast in concrete and in sound condition, and:
b. the diameter size and maximum spacing meets or exceeds the requirements of Table V2-A,
and:
c. a new plate washer conforming to footnote 1 is installed, and:
d. the sill plate is connected to a snug tight condition and torque tested per Section V204.3.1.3. Anchor side plates shall be permitted when conditions prevent anchor installation vertically through the sill plate

APPENDIX V301 - VOLUNTARY – EARTHQUAKE HAZARD REDUCTION IN EXISTING REINFORCED CONCRETE AND REINFORCED MASONRY WALL BUILDINGS WITH FLEXIBLE DIAPHRAGMS

SECTION V301. PURPOSE.
The purpose of this Chapter is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of earthquakes on reinforced concrete and masonry wall buildings with flexible diaphragms designed under the building codes in effect prior to January 1, 1995. These buildings are potentially hazardous and prone to significant damage, including possible collapse, in a moderate to major earthquake. These structures typically shelter large numbers of persons and property for retail, food markets, food distribution centers, warehousing, aerospace, industrial/manufacturing and general business and office use. Their continued use after an earthquake is also essential to the local economy and its post-earthquake recovery.

The provisions of this Chapter are minimum standards for structural seismic resistance established primarily to reduce the risk of loss of life or injury on both subject and adjacent properties and will not necessarily prevent all earthquake damage to an existing building which complies with these standards. This Chapter shall not require existing electrical, plumbing, mechanical or fire safety systems to be altered unless they constitute a hazard to life or property.

This Chapter provides voluntary retrofit standards for deficient wall anchorage systems on structures that are not subject to the mandatory provisions of Chapter When fully followed, these standards will strengthen the portion of the structure that is most vulnerable to earthquake damage.

SECTION V302. SCOPE.
The voluntary provisions of this Chapter shall apply to existing buildings of the following types:
1. Cast-in-place reinforced concrete or masonry wall buildings with flexible diaphragms designed under building codes in effect prior to January 1, 1995.
2. Tilt-up concrete wall buildings with flexible diaphragms designed under the building codes in effect prior to January 1, 1995, but after January 1, 1976.
All tilt-up concrete wall buildings designed under the Building Code in effect prior to January 1, 1976 are subject to the mandatory provisions of this Chapter. All existing reinforced masonry or concrete buildings with flexible diaphragms, including tilt-up concrete wall buildings, designed
under the Building Code in effect on or after January 1, 1995, shall be designed in conformance with Chapter 16.

SECTION V303. DEFINITIONS.
For the purposes of this Chapter, the applicable definitions in Chapter 2, Sections 1602, 1613.2, 1902 and 2302 of this Code; Sections 1.2, 3.1.1, 4.1, 5.2, 6.2 and 11.2 of ASCE 7, and the following shall apply:

ANCHORAGE SYSTEM is the system of all structural elements and connections, which support the concrete or masonry wall in the lateral direction, including diaphragms and subdiaphragms, wall anchorage and continuity or cross tie connectors in subdiaphragms and main diaphragms.

COMMENCED CONSTRUCTION is construction pursuant to a valid building permit that has progressed to the point that one of the called inspections as required by the Department has been made and the work for which the inspection has been called has been judged by the Department to be substantial and has been approved by the Department.

EXISTING BUILDING is an erected building for which a legal building permit and a certificate of occupancy have been issued.

FLEXIBLE DIAPHGRAM is any diaphragm constructed of wood structural panel, diagonal or straight wood sheathing, metal decking without a structural concrete topping, or horizontal rod bracing.

HISTORICAL BUILDING is any building designated or currently in the process of being designated as a historical building by an appropriate federal, state or City jurisdiction.

REINFORCED CONCRETE WALL is a concrete wall that has 50 percent or more of the reinforcing steel required for reinforced concrete in Chapter 19.

REINFORCED MASONRY WALL is a masonry wall that has 50 percent or more of the reinforcing steel required by Item 2.3 of Section 2106.4.

RETROFIT is strengthening or structurally improving the lateral force resisting system of an existing building by alteration of existing or addition of new structural elements.

TILT-UP CONCRETE WALL is a form of precast concrete panel construction either cast in the horizontal position at the site and after curing, lifted and moved into place in a vertical position, or cast off-site in a fabricator's shop.

SECTION V304. ANALYSIS AND DESIGN.

V304.1. Wall Panel Anchorage. Concrete and masonry walls shall be anchored to all floors and roofs which provide lateral support for the wall. The anchorage shall provide a positive direct connection between the wall and floor or roof construction capable of resisting a horizontal force equal to 30 percent of the tributary wall weight for all buildings, and 45 percent of the tributary wall weight for essential buildings, or a minimum force of 250 pounds per linear foot of wall, whichever is greater. The required anchorage shall be based on the tributary wall panel assuming simple supports at floors and roof.
EXCEPTION: An alternate design may be approved by the Building Official when justified by well established principles of mechanics.

V304.2. Special Requirements for Wall Anchors and Continuity Ties. The steel elements of the wall anchorage systems and continuity ties shall be designed by the allowable stress design method using a load factor of 1.7. The 1/3 stress increase permitted by Section 1605.3.2 shall not be permitted for materials using allowable stress design methods. The strength design specified in Section 1912.1, using a load factor of 2.0 in lieu of 1.4 for earthquake loading, shall be used for the design of embedment in concrete. Wall anchors shall be provided to resist out-of-plane forces, independent of existing shear anchors.

EXCEPTION: Existing cast-in-place shear anchors may be used as wall anchors if the tie element can be readily attached to the anchors and if the engineer or architect can establish tension values for the existing anchors through the use of approved as-built plans or testing, and through analysis showing that the bolts are capable of resisting the total shear load while being acted upon by the maximum tension force due to seismic loading. Criteria for analysis and testing shall be determined by the Building Official. Expansion anchors are not allowed without special approval of the Building Official. Attaching the edge of plywood sheathing to steel ledgers is not considered as complying with the positive anchoring requirements of the Code; and attaching the edge of steel decks to steel ledgers is not considered as providing the positive anchorage of this Code unless testing and analysis are performed, which establish shear values for the attachment perpendicular to the edge of the deck.

V304.3. Development of Anchor Loads into the Diaphragm. Development of anchor loads into roof and floor diaphragms shall comply with Section 12.11.2.2.3 of ASCE 7.

EXCEPTION: If continuously tied girders are present, then the maximum spacing of the continuity ties is the greater of the girder spacing or 24 feet (7315 mm). In wood diaphragms, anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal, nor shall wood ledgers, top plates or framing be used in cross-grain bending or cross-grain tension. The continuous ties required by Section 12.11.2.2.3 of ASCE 7 shall be in addition to the diaphragm sheathing. Lengths of development of anchor loads in wood diaphragms shall be based on existing field nailing of the sheathing unless existing edge nailing is positively identified on the original construction plans or at the site. At reentrant corners, continuity collectors may be required for existing return walls not designed as shear walls, to develop into the diaphragm a force equal to the lesser of the rocking or shear capacity of the return wall, or the tributary shear but not exceeding the capacity of the diaphragm. Shear anchors for the return wall shall be commensurate with the collector force. If a truss or beam other than rafters or purlins is supported by the return wall or by a column integral with the return wall, an independent secondary column is required to support the roof or floor members whenever rocking or shear capacity of the return wall is governing.

V304.4. Anchorage at Pilasters. Anchorage of pilasters shall be designed for the tributary wall anchoring load per Section V304.1 of this Code, considering the wall as a two-way slab. The edge of the two-way slab shall be considered "fixed" when there is continuity at pilasters, and considered "pinned" at roof or floor levels. The pilasters or the walls immediately adjacent to the pilasters shall be anchored directly to the roof framing such that the existing vertical anchor
bolts at the top of the pilasters are by-passed without causing tension or shear failure at the top of the pilasters.

**EXCEPTION:** If existing vertical anchor bolts at the top of the pilasters are used for the anchorage, then additional exterior confinement shall be provided. The minimum anchorage at a floor or roof between the pilasters shall be that specified in Section V304.1 of this Code.

**V304.5. Symmetry.** Symmetry of connectors in the anchorage system is required. Eccentricity may be allowed when it can be shown that all components of forces are positively resisted and justified by calculations or tests.

**V304.6. Minimum Roof Member Size.** Wood members used to develop anchorage forces to the diaphragm shall be of minimum nominal width for new construction and replacement. All such members must be designed for gravity and earthquake forces as part of the wall anchorage system. For existing structural members, the allowable stresses shall be without the 1/3 stress increase per Section V304.2.

**V304.7. Combination of Anchor Types.** To repair and retrofit existing buildings, a combination of different anchor types of different behavior or stiffness shall not be permitted. The capacity of the new and existing connectors cannot be added.

**V304.8. Prohibited Anchors.** Usage of connectors that were bent or stretched from the intended use shall be prohibited.

**V304.9. Crack and Damage Repairs, Evaluation of Existing Structural Alterations.** The engineer or architect shall report any observed structural conditions and structural damage that have imminent life safety effects on the buildings and recommend repairs. This includes alterations such as openings cut in existing wall panels without a building permit. Evaluations and repairs shall be reviewed and approved by the Department.

**V304.10. Miscellaneous.** Existing mezzanines relying on the concrete or masonry walls for vertical or lateral support shall be anchored to the walls for the tributary mezzanine load. Walls depending on the mezzanine for lateral support shall be anchored per Sections V304.1, V304.2 and V304.3 of this Code.

**EXCEPTION:** Existing mezzanines that have independent lateral and vertical support need not be anchored to the concrete or masonry walls. Existing interior masonry or concrete walls not designed as shear walls, which extend to the floor above or to the roof diaphragm shall also be anchored for out-of-plane forces per Section V304.1, V304.2 and V304.3 of this Code. In the in-plane direction, the walls may be isolated or shall be developed into the diaphragm for a lateral force equal to the lesser of the rocking or shear capacity of the wall, or the tributary shear but not exceeding the diaphragm capacity.

**V304.11. Historical Buildings.** Qualified historical buildings shall be permitted to use alternate building standards or deviations from this Chapter in order to preserve their original or restored architectural elements and features.

**SECTION V305. MATERIALS OF CONSTRUCTION.**
All materials permitted by this Code.
SECTION V306. INFORMATION REQUIRED ON PLANS.

V306.1. General. In addition to the seismic analysis required elsewhere in this Chapter, the licensed engineer or architect responsible for the seismic analysis of the building shall record the information required by this section on the approved plans.

V306.2. Information Required. The plans shall accurately reflect the results of the engineering investigation and design and show all pertinent dimensions and sizes for plan review and construction. The following shall be provided:
1. Floor plans and roof plans shall show the existing framing construction, diaphragm construction, proposed wall anchors, cross-ties and collectors. Existing nailing, anchors, ties and collectors shall also be shown on the plans if these are part of the design, and these structural elements need to be verified in the field.
2. At elevations where there is alterations or damage, the details shall show the roof and floor heights, dimensions of openings, location and extent of existing damage, and proposed repair.
3. Typical concrete or masonry wall sections with wall thickness, height, and location of anchors shall be provided.
4. Details shall include the existing and new anchors and the method of development of anchor forces into the diaphragm framing; existing and new cross-ties, existing and new or improved support of the roof and floor girders at pilasters or walls.

V306.3. Engineer's or Architect's Statement. The responsible engineer or architect shall state on the approved plans, the following:
1. "I am responsible for this building's seismic strengthening design of the tilt-up concrete wall anchorage system in compliance with the minimum seismic resistance standards of Chapter V3 of the El Segundo Building Code." or when applicable:
2. "The Registered Deputy Inspector, required as a condition of the use of structural design stresses requiring continuous inspection, will be responsible to me as required by Section 1704 of the El Segundo Building Code."
Section 5. ESMC Section 13-1-4 is amended in its entirety to read as follows:

13-1-4 Residential Noise Insulation Standards; Further Amendments to Code:

CBC Section 1255 is added to read as follows:

SECTION 1255. Residential Noise Insulation Standards

Airport Noise Sources

1255.01: Noise Insulation Requirements For New Construction

1255.02: Purpose And Scope:

The purpose of this section is to establish minimum noise insulation performance standards for new residential dwelling units and additions of habitable rooms to existing residential dwelling units to protect public health, safety, and welfare from the effects of excessive noise, including without limitation, indoor quality of life, speech interference, and sleep disruption.

1255.03: Applicability: This section applies to all newly constructed residences and habitable room additions to existing residences.

1255.04: Definitions: For purposes of this section, the following words must have the following meaning:

"Community Noise Equivalent Level (CNEL)" means the noise measure defined in 21 Code of California Regulations § 5001(d), and any successor regulation or amendment.

"Habitable Room" means a room that is a space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, garages, and similar areas are not considered habitable space.

"LAX" means Los Angeles International Airport.

"Noise Impact Boundary For LAX" means the area around LAX as defined in 21 California Code of Regulations § 5001(1), and any successor regulation or amendment. The city's building safety department must at all times maintain a current map of the noise impact boundary.

"Residence" means any occupancy group R building as used in El Segundo title 15 of the El Segundo municipal code.
1255.05: Standards: Any new residence or addition of one or more habitable rooms to an existing residence that is within the noise impact boundary for LAX must be designed to ensure that internal noise levels due to LAX do not exceed 45 dB CNEL. This standard may be satisfied in two ways: (1) by performing the acoustical analysis described in section E, below, or (2) by employing the prescribed construction methods described in section F, below.

1255.06: Acoustical Analysis: A building permit application for a new residence or addition of one or more habitable rooms to an existing residence must comply with the minimum noise insulation performance standards established in this section if it includes an acoustical analysis demonstrating that the proposed design will ensure that internal noise levels due to LAX aircraft noise will not exceed 45 dB CNEL. The acoustical analysis is subject to verification by the building official, who has the discretion to require post-construction/pre-occupancy acoustic measurement to verify compliance with the 45 dB CNEL standard.

A. The acoustical analysis must be prepared by or under the supervision of a person experienced in the field of acoustical engineering. The analysis must consider and include: the topographical relationship between LAX aircraft noise sources and the dwelling site, the characteristics of those noise sources, predicted noise spectra and levels at the exterior of the dwelling site, the basis for this prediction (measured or obtained from published data), the noise insulation measures to be employed, and the effectiveness of the proposed noise insulation measures.

B. If the interior allowable noise levels are to be met by requiring that windows be unopenable or closed, the design for the structure must also specify a ventilation or air-conditioning system to provide a habitable interior environment. The ventilation system must not compromise the interior room noise reduction.

1255.07: Prescribed Construction Methods: A building permit application for a new residence or addition of one or more habitable rooms to an existing residence must comply with the minimum noise insulation performance standards established in this section if the design incorporates the following construction methods.

**Construction Methods In The 70 dB CNEL And Greater Noise Zone**

1255.08: Exterior Walls: New walls that form the exterior portion of habitable rooms must be constructed as follows:

A. Studs must be at least 4 inches in nominal depth.

B. Exterior finish must be stucco, minimum 7/8-inch thickness, brick veneer, masonry, or any siding material allowed by this code. Wood or metal siding must be installed over 1/2-inch minimum solid sheathing.
C. Masonry walls with a surface weight of less than 40 pounds per square foot must require an interior supporting studwall that is finished with at least \( \frac{5}{8} \)-inch thick gypsum wall board or plaster.

D. Wall insulation must be at least R-11 glass fiber or mineral wool and must be installed continuously throughout the stud space.

E. Exterior solid sheathing must be covered with overlapping asphalt felt.

F. Interior wall finish must be at least \( \frac{5}{8} \)-inch thick gypsum wall board or plaster.

1255.09: Exterior Windows

A. Openable Windows: All openable windows in the exterior walls of habitable rooms must have a laboratory sound transmission class rating of at least STC 40 dB and must have an air infiltration rate of no more than 0.5 cubic feet per minute when tested according to ASTM E-283.

B. Fixed Windows: All fixed windows in the exterior walls of habitable rooms must:

1. Have a sound transmission class rating of at least STC 40 dB, or

2. Must be \( \frac{5}{8} \)-inch laminated glass with STC rating of 40 dB and must be set in non-hardening glazing materials, or

3. Must be glass block at least 3\( \frac{1}{2} \) inches thick.

C. The total areas of glazing in rooms used for sleeping must not exceed 20% of the wall area.

1255.10: Exterior Doors

A. Exterior hinged doors to habitable rooms that are directly exposed to aircraft noise and are facing the source of the noise must be a door and edge seal assembly that has a laboratory sound transmission class of at least STC 40 dB.

B. Exterior hinged doors to habitable rooms that are not directly exposed to aircraft noise and do not face the source of the noise must have a minimum STC rating of 35 dB.

C. Sliding glass doors in habitable rooms must not be allowed in walls that are directly exposed to aircraft noise. Sliding glass doors in walls that are not directly exposed must have an STC rating of at least 40 dB.
D. Access doors from attached garage to the interior of a residence must have an STC rating of at least 30 dB.

1255.11: Roof/Ceiling Construction

A. Roof rafters must have a minimum slope of 4:12 and must be covered on their top surface with minimum 7/8-inch solid sheathing and any roof covering allowed by this code.

B. Attic insulation must be batt or blow-in glass fiber or mineral wool with a minimum R-30 rating applied between the ceiling joists.

C. Attic ventilation must be:

1. Gable vents or vents that penetrate the roof surface that are fitted with transfer ducts at least 6 feet in length that are insulating flexible ducting or metal ducts containing internal 1-inch thick coated fiberglass sound absorbing duct liner. Each duct must have a lined 90-degree bend in the duct so that there is no direct line of sight from the exterior through the duct into the attic, or

2. Noise control louver vents, or

3. Eave vents that are located under the eave overhang.

4. Ceilings must be finished with gypsum board or plaster that is at least 9/16-inch thick. Ceiling materials must be mounted on resilient channels.

5. Skylights must penetrate the ceiling by means of a completely enclosed light well that extends from the roof opening to the ceiling opening. A secondary openable glazing panel must be mounted at the ceiling line or at any point that provides at least a 4-inch space between the skylight glazing and the secondary glazing and must be glazed with at least 9/16-inch plastic or laminated glass. The weather-side skylight must be any type that is permitted by the building code. The size of skylights must be no more than 20 percent of the roof area of the room.

1255.12: Ventilation

A. A ventilation system must be provided that will provide at least the minimum air circulation and fresh air supply requirements of this code in each habitable room without opening any window, door or other opening to the exterior. All concealed ductwork must be insulated flexible glass fiber ducting that is at least 10 feet long between any two points of connection.

B. Kitchen cooktop vent hoods must be the non-ducted recirculating type with no ducted connection to the exterior.

1255.13: Fireplaces: Each fireplace must be fitted with a damper at the top of the chimney that is operated from the firebox and must have glass doors across the front of the firebox.
1255.14: Wall And Ceiling Openings: Openings in the shell of the residence that degrade its ability to achieve an interior CNEL rating of 45 dB or less when all doors and windows are closed are prohibited unless access panels, pet doors, mail delivery drops, air-conditioning, or other openings are designed to maintain the 45 dB CNEL (or less) standard in the room to which they provide access.

Construction Methods In The 65 dB CNEL To 70 dB CNEL Noise Zone

1255.15: Exterior Walls: New walls that form the exterior portion of habitable rooms must be constructed as follows:

A. Studs must be at least 4 inches in nominal depth.

B. Exterior finish must be stucco, minimum 7/8-inch thickness, brick veneer, masonry, or any siding material allowed by this code. Wood or metal siding must be installed over 1/2-inch solid sheathing.

C. Masonry walls with a surface weight of less than 40 pounds per square foot will require an interior studwall that is finished with at least 5/8-inch thick gypsum wallboard or plaster.

D. Wall insulation must be at least R-11 glass fiber or mineral wool and must be installed continuously throughout the stud space.

E. Exterior solid sheathing must be covered with overlapping asphalt felt.

F. Interior wall finish must be at least 5/8-inch thick gypsum wallboard or plaster.

1255.16: Exterior Windows

A. Openable Windows: All openable windows in the exterior walls of habitable rooms must have a laboratory sound transmission class rating of at least STC 35 dB and must have an air infiltration rate of no more than 0.5 cubic feet per minute when tested according to ASTM E-283.

B. Fixed Windows: All fixed windows in the exterior walls of habitable rooms must be at least 1/4-inch thick and must be set in non-hardening glazing materials.

C. The total area of glazing in rooms used for sleeping must not exceed 20% of the floor area.

1255.17: Exterior Doors
A. Exterior hinged doors to habitable rooms that are directly exposed to aircraft noise and are facing the source of the noise must be a door and edge seal assembly that has a laboratory sound transmission class of at least STC 35 dB.

B. Exterior hinged doors to habitable rooms that are not directly exposed to aircraft noise and do not face the source of the noise must have a minimum STC rating of 30 dB.

C. Sliding glass doors in habitable rooms must have glass that is 1/4-inch thick.

D. Access doors from a garage to a habitable room must have an STC rating of at least 30 dB.

1255.18: Roof/Ceiling Construction

A. Roof rafters must have a minimum slope of 4:12 and must be covered on their top surface with minimum 1/2-inch solid sheathing and any roof covering allowed by this code.

B. Attic insulation must be batt or blow-in glass fiber or mineral wool with a minimum R-30 rating applied between the ceiling joists.

C. Attic ventilation must be:

1. Gable vents or vents that penetrate the roof surface that are fitted with transfer ducts at least 6 feet in length that are insulating flexible ducting or metal ducts containing internal 1-inch thick coated fiberglass sound absorbing duct liner. Each duct must have a lined 90-degree bend in the duct so that there is no direct line of sight from the exterior through the duct into the attic, or

2. Noise control louver vents, or

3. Eave vents that are located under the eave overhang.

D. Ceilings must be finished with gypsum board or plaster that is at least 5/8-inch thick.

E. Skylights must penetrate the ceiling by means of a completely enclosed light well that extends from the roof opening to the ceiling opening. A secondary openable glazing panel must be mounted at the ceiling line and must be glazed with at least 3/16-inch plastic, tempered or laminated glass. The weather-side skylight must be any type that is permitted by the building code.

1255.19: Floors: The floor of the lowest habitable rooms must be concrete slab on grade or wood framed floors.

1255.20: Ventilation
A. A ventilation system must be provided that will provide at least the minimum air circulation and fresh air supply requirements of this code in each habitable room without opening any window, door or other opening to the exterior. All concealed ductwork must be insulated flexible glass fiber ducting that is at least 10 feet long between any two points of connection.

B. Kitchen cooktop vent hoods must be the non-ducted recirculating type with no ducted connection to the exterior.

1255.21: Fireplaces: Each fireplace must be fitted with a damper at the top of the chimney that is operated from the firebox and must have glass doors across the front of the firebox.

1255.22: Wall And Ceiling Openings: Openings in the shell of the residence that degrade its ability to achieve an interior CNEL rating of 45 dB or less when all doors and windows are closed are prohibited. Any access panels, pet doors, mail delivery drops, air-conditioning, or other openings must be designed to maintain the 45 dB CNEL or less standard in the room to which they provide access.

Section 6. ESMC Chapter 16 of Title 13 is repealed.

SECTION 7: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “State CEQA Guidelines”) because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment.

SECTION 8: SAVINGS CLAUSE. Repeal of any provision of the ESMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 9: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 10: VALIDITY OF PREVIOUS CODE SECTIONS. If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the ESMC or other the city ordinance by this Ordinance will be rendered void and cause such ESMC provision or other the city ordinance to remain in full force and effect for all purposes.
SECTION 11: EFFECTIVE DATE. This Ordinance will take effect on January 1, 2011.

PASSED AND ADOPTED this ____ day of __________, 2010.

__________________________________________
Eric Busch, Mayor

APPROVED AS TO FORM
MARK HENSLEY, CITY ATTORNEY

By: ______________________________________
Karl H. Berger
Assistant City Attorney

ATTEST:

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. 1449 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
ORDINANCE NO. 1450

AN ORDINANCE ADOPTING THE 2010 EDITION OF THE CALIFORNIA ELECTRICAL CODE WITH AMENDMENTS.

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

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

A. Health and Safety Code § 17958 requires the City is required to adopt certain uniform codes that are set forth in Health and Safety Code § 17922 and published in the California Code of Regulations;

B. Pursuant to Government Code § 50022.2, et seq., the City may adopt other uniform codes by reference;

C. It is in the public interest to adopt the 2010 Edition of the California Electrical Code ("CEC") with the changes set forth in this Ordinance;

D. At least one copy of the CEC was filed with the City Clerk of the City was available for public inspection for at least fifteen (15) days preceding the date of the hearing.

SECTION 2: Chapter 2 to Title 13 of the El Segundo Municipal Code ("ESMC") is amended in its entirety to read as follows:

CHAPTER 2

ELECTRICAL CODE

SECTION:

13-2-1: California Electrical Code Adopted.

13-2-1: ADOPTION OF CALIFORNIA ELECTRICAL CODE, 2010 EDITION. Pursuant to California Government Code § 50022.1 to 50022.8, the California Electrical Code, 2010 Edition, published at Title 24, Part 3. of the California Code of Regulations, including Annexes A thru G ("CEC") is adopted by reference, subject to the amendments, additions and deletions set forth below. One true copy of the CEC, is on file in the office of the Building Official and is available for public inspection as required by law.
SECTION 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt in accordance with CEQA Guidelines §§ 15301 as a minor alteration of existing public or private structures involving no expansion of use; 15305 as a minor alteration in land use limitations which do not result in any changes in land use or density; and 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment.

SECTION 4: SAVINGS CLAUSE. Repeal of any provision of the ESMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the ESMC or other the city ordinance by this Ordinance will be rendered void and cause such ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 7: EFFECTIVE DATE. This Ordinance will take effect on January 1, 2011.

PASSED AND ADOPTED this ___ day of ________, 2010.

________________________________________
Eric Busch,
Mayor
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. 1450 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
ORDINANCE NO. 1451

AN ORDINANCE ADOPTING THE 2010 EDITION OF THE CALIFORNIA PLUMBING CODE WITH AMENDMENTS.

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

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

A. Health and Safety Code § 17958 requires the City is required to adopt certain uniform codes that are set forth in Health and Safety Code § 17922 and published in the California Code of Regulations;

B. Pursuant to Government Code § 50022.2, et seq., the City may adopt other uniform codes by reference;

C. It is in the public interest to adopt the 2010 Edition of the California Plumbing Code (“CPC”) with the changes set forth in this Ordinance;

D. Amendments have been made to Codes are hereby found to be either administrative or procedural in nature or concern themselves with subjects not covered in such Codes. The changes made include provisions making each of said Codes compatible with other Codes enforced by the City.

E. At least one copy of the CPC was filed with the City Clerk of the City was available for public inspection for at least fifteen (15) days preceding the date of the hearing

SECTION 2: Chapter 5 to Title 13 of the El Segundo Municipal Code (“ESMC”) is amended in its entirety to read as follows:

CHAPTER 5

PLUMBING CODE

SECTION:

13-5-1: California Plumbing Code Adopted.

13-5-1: ADOPTION OF CALIFORNIA PLUMBING CODE, 2010 EDITION. Pursuant to California Government Code § 50022.1 to 50022.8, the California Plumbing Code, 2010 Edition,
published at Title 24, Part 4, of the California Code of Regulations, including Appendices A, B, D, I, and L ("CPC") is adopted by reference, subject to the amendments, additions and deletions set forth below. One true copy of the CPC, is on file in the office of the Building Official and is available for public inspection as required by law.

SECTION 3: ESMC Section 13-5-2 is amended to the California Plumbing Code including the adopted appendices is hereby amended as follows:

Section 103.3 of the CPC is hereby amended to read as follows:

CPC Section 103.3, Permit Issuance, is deleted in its entirety. The 2010 California Building Code, as incorporated into the El Segundo Municipal Code, will govern the administration of the CPC.

Section 103.4 of the CPC is hereby amended to read as follows:

CPC Section 103.4 Fees, is deleted in its entirety. The 2010 California Building Code, as incorporated into the El Segundo Municipal Code, will govern the administration of the CPC.

SECTION 4: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt in accordance with CEQA Guidelines §§ 15301 as a minor alteration of existing public or private structures involving no expansion of use; 15305 as a minor alteration in land use limitations which do not result in any changes in land use or density; and 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment.

SECTION 5: SAVINGS CLAUSE. Repeal of any provision of the ESMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed
part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 6: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 7: VALIDITY OF PREVIOUS CODE SECTIONS. If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the ESMC or other the city ordinance by this Ordinance will be rendered void and cause such ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 8: EFFECTIVE DATE. This Ordinance will take effect on January 1, 2011.

PASSED AND ADOPTED this ____ day of _________, 2010.

__________________________________________
Eric Busch,
Mayor

APPROVED AS TO FORM
MARK HENSLEY, CITY ATTORNEY

By: __________________________________________
Karl H. Berger
Assistant City Attorney
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. 1451 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
ORDINANCE NO. 1452

AN ORDINANCE ADOPTING THE 2010 EDITION OF THE CALIFORNIA MECHANICAL CODE WITH AMENDMENTS.

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

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

A. Health and Safety Code § 17958 requires the City is required to adopt certain uniform codes that are set forth in Health and Safety Code § 17922 and published in the California Code of Regulations;

B. Pursuant to Government Code §§ 50022.2, et seq., the City may adopt other uniform codes by reference;

C. It is in the public interest to adopt the 2010 Edition of the California Mechanical Code ("CMC") with the changes set forth in this Ordinance;

D. Amendments have been made to Codes are hereby found to be either administrative or procedural in nature or concern themselves with subjects not covered in such Codes. The changes made include provisions making each of said Codes compatible with other Codes enforced by the City.

E. At least one copy of the CMC was filed with the City Clerk of the City was available for public inspection for at least fifteen (15) days preceding the date of the hearing

SECTION 2: Chapter 6 to Title 13 of the El Segundo Municipal Code ("ESMC") is amended in its entirety to read as follows:

CHAPTER 6

MECHANICAL CODE

SECTION:

13-6-1: California Mechanical Code Adopted.
13-6-2: Amendments to California Mechanical Code.

13-6-1: ADOPTION OF CALIFORNIA MECHANICAL CODE, 2010 EDITION. Pursuant to California Government Code §§ 50022.1 to 50022.8, the California Mechanical Code, 2010 Edition,
published at Title 24, Part 4, of the California Code of Regulations, including Appendices A through D ("CMC") is adopted by reference, subject to the amendments, additions and deletions set forth below. One true copy of the CMC, is on file in the office of the Building Official and is available for public inspection as required by law.

SECTION 3: ESMC Section 13-6-2 is amended to the California Mechanical Code including the adopted appendices is hereby amended as follows:

Section 110.0 of the CMC is hereby amended to read as follows:

CMC Section 110.0, Board of Appeals, is deleted in its entirety. The 2010 California Building Code, as incorporated into the El Segundo Municipal Code, will govern the administration of the CMC.

Section 114.0 of the CMC is hereby amended to read as follows:

CMC Section 114.0 Permits, is deleted in its entirety. The 2010 California Building Code, as incorporated into the El Segundo Municipal Code, will govern the administration of the CMC.

Section 115.0 of the CMC is hereby amended to read as follows:

CMC Section 115.0 Fees, is deleted in its entirety. The 2010 California Building Code, as incorporated into the El Segundo Municipal Code, will govern the administration of the CMC.

SECTION 4: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt in accordance with CEQA Guidelines §§ 15301 as a minor alteration of existing public or private structures involving no expansion of use; 15305 as a minor alteration in land use limitations which do not result in any changes in land use or density; and 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of
the environment.

SECTION 5: SAVINGS CLAUSE. Repeal of any provision of the ESMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 6: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 7: VALIDITY OF PREVIOUS CODE SECTIONS. If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the ESMC or other the city ordinance by this Ordinance will be rendered void and cause such ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 8: EFFECTIVE DATE. This Ordinance will take effect on January 1, 2011.

PASSED AND ADOPTED this ____ day of _________, 2010.

______________________________
Eric Busch,
Mayor

APPROVED AS TO FORM
MARK HENSLEY, CITY ATTORNEY

By: ____________________________
Karl H. Berger
Assistant City Attorney
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. 1452 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
ORDINANCE No. XXX

AN ORDINANCE ADOPTING BY REFERENCE THE 2010 EDITION OF THE CALIFORNIA FIRE CODE, CHAPTERS 1, 3, and 4, Appendix J OF THE INTERNATIONAL FIRE CODE, 2009 EDITION, AND AMENDING THESE CODES THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY.

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

SECTION 1: FINDINGS. The City Council finds that certain local climatic, geological, or topographical conditions exist as follows:

A. Climatic - The City experiences periods of extremely high temperatures accompanied by low humidity and high winds each year. These conditions could create an environment in which the Fire Department may be unable to control fires occurring in vegetation as well as structures not having built in fire protection.

B. Geological - The City is located in a seismically active area. A significant earthquake could render the Fire Department incapable of providing adequate fire protection. In that instance, built-in fire protection would be relied upon for controlling most structural fires.

C. After due consideration, the City Council finds and determines that due to these local climatic, geological, or topographical conditions that amendments, additions, and deletions to the California Fire Code, 2007 Edition, are reasonably necessary to provide sufficient and effective levels of fire safety for the protection of life, health and property. Specifically, these amendments are made as follows:

1. CFC § 503.1.1, 5.3.2.1, 503.2.1.1, 503.2.1.2, 503.2.4, 503.4, 505.1, 505.1.1 – Provides a means of ensuring that fire department access to buildings and fire hydrants is provided uniformly in the City during periods of low humidity and high winds, potential seismic activity, or in areas of restricted access present in the City.

2. CFC § 507.5.1. – Provides a means of ensuring fire hydrants in the City are located a maximum distance to buildings and structures to allow for efficient firefighting operations during periods of low humidity and high winds, potential seismic activity, or in areas of restricted access present in the City.

3. CFC § 510.1. – Provides a means of ensuring that safe and efficient firefighting operations are conducted in buildings with limited radio reception during periods of low humidity and high
winds, potential seismic activity, or in areas of restricted access present in the City.

4. CFC § 901.4.1.1 – 910.1. Provides a means of ensuring that fire protection systems are installed and maintained in a manner that will provide adequate protection during periods of low humidity and high winds, potential seismic activity, or in areas of restricted access present in the City.

5. CFC § 915.1 – 915.8.2.6. Requires the installation of fire protection and life safety equipment in new mid-rise buildings/structures that increase the fire and life safety of the structures/buildings in order to provide adequate fire protection during periods of low humidity and high winds, potential seismic activity, or in areas of restricted access present in the City.

6. CFC § 1030.9. Requires fire escapes to be kept clear, maintained and an annual inspection by a certified individual to ensure the fire escapes are operable due to potential seismic activity.

7. CFC § 3301.2 and 3310 Prohibits the general use of fireworks, including "Safe and Sane" fireworks and authorizes the fire code official to confiscate fireworks in order to reduce the danger from fire during periods of low humidity and high winds, potential seismic activity, or in areas of restricted access present in the City.

8. CFC Appendix B § B105.2. Reduces the available fire flow reduction to 50 percent to increase site available fire flow to provide adequate fire protection and life safety during periods of low humidity and high winds, potential seismic activity, or in areas of restricted access present in the City.

9. CFC § 105.7.11.1, 304.1.1.1, 504.4 and Appendix M requires roof top obstructions (solar voltaic systems, roof top gardens, and landscaped roofs) that limit firefighting operations to have minimum clearances and identification to provide adequate firefighting access during periods of low humidity and high winds, potential seismic activity or in areas of restricted access present in the City.

SECTION 2: Chapter 10 to Title 13 of the El Segundo Municipal Code ("ESMC") is amended in its entirety to read as follows:

"CHAPTER 10
13-10-2: FIRE CODE

A. SECTIONS:
13-10-1: ADOPTION OF CODES.
13-10-2: AMENDMENTS, ADDITIONS, AND DELETIONS.
13-10-3: ADDING APPENDIX M TO THE CFC.
13-10-4: GEOGRAPHICAL LIMITS.

13-10-1: ADOPTION OF CODES.
Pursuant to California Government Code §§ 50022.1 to 50022.8, the City adopts and incorporates by reference the California Fire Code, 2010 Edition ("CFC"), including Appendixes A, B, and C published drafted and published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington DC, 20001-2070 and the California Building Standards Commission, 2525, Natoma Park Drive, Ste 130, Sacramento, California 95833. The City also adopts and incorporates by reference Chapters 1, 3, 4, and Appendix J of the International Fire Code, 2009 Edition, published by the International Code Council, not included in the California Building Standards Code, as modified and amended by this chapter. Should the changes set forth below conflict with the provisions of any other locally adopted code, these changes will prevail. The CFC and the IFC will apply to all occupancies within the City’s jurisdiction. One (1) true copy of each code is on file with the City Clerk and is available for public inspection as required by law.

13-10-2: AMENDMENTS, ADDITIONS, AND DELETIONS.
After due consideration, the City Council has found that as a result of existing local climatic, geological, or topographical conditions that amendments, additions, and deletions to the CFC are reasonably necessary to provide sufficient and effective levels of fire safety for the protection of life, health and property. Therefore, the CFC is amended, added to, or deleted from, as set forth below:

§ 102.8 Subjects Not Specifically Regulated by this Code. Where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations or ordinances, the fire code official may interpret, administer and enforce this Code by reference to the standards of the National Fire Protection Association and such other nationally recognized fire safety standards as are set out in Chapter 45. Any decision of the fire code official relating to the interpretation of this Code may be appealed to the Board of Appeals.

§ 104.10 Investigations. The Fire Department is authorized to promptly investigate the cause, origin and circumstances of each and every fire, explosion, unauthorized release of hazardous materials, or any other hazardous condition within the City. If it appears to the bureau of investigation that such fire is suspicious in origin, it is authorized to take immediate charge of all physical evidence relating to the cause of fire and to pursue investigation to its conclusion.

§ 104.10.1 Assistance from other agencies. The Police Department and other public agencies are authorized to assist the Fire Department in its investigations when requested to do so.
§ 104.10.2 Technical assistance. When there is a fire, explosion, hazardous materials incident or other potential life or serious property threatening situation, the fire code official can request the owner to or operator to hire a private fire protection or hazardous materials investigator, acceptable to the fire code official and at the expense of the owner or operator, to provide a full report of the incident, including, without limitation, such matters as origin, cause, circumstances or proposed solution to the problem.

§ 104.11.4 Financial Responsibility. Any person who personally, or through another, willfully, negligently, or in violation of law, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him/her to escape from his/her control, allows any hazardous material to be handled, stored, disposed of, or transported in a manner not in accordance with this Code, State law or nationally recognized Standards, allows any hazardous material to escape from his/her control, allows continuation of a violation of this Code is liable for the expense of fighting the fire or for the expenses incurred during a hazardous materials incident, and such expense will be a charge against that person.

§ 105.2 Application for Permit. Applications for permits will be made to the fire prevention office in such form and detail as prescribed by the fire code official. Applications for permits must be accompanied by such plans as required by the fire code official. Any applicable permit fees must be paid at the time of application for the permit.

§ 105.6.48 Battery systems. To install or operate stationary storage battery systems having a liquid capacity of more than 50 gallons (189 L) for flooded lead acid, nickel cadmium (NiCad) and valve-regulated lead acid (VRLA), or 1,000 pounds (454 kg) for lithium-ion, used for facility standby power, emergency power or uninterruptible power supplies. See Section 608.

§ 105.6.49 Woodworking. To operate a business which conducts woodworking, or operates as a cabinet shop or other similar purposes.

§ 105.7.11.1 Roof obstructions. A construction permit is required for installation of roof solar voltaic systems, roof gardens or a landscaped roof when constructed on a building that covers more than 50% or 10,000 square feet of the total roof surface area, whichever is less

Exception:
1. Buildings that are four or more stories in height and protected with an approved automatic fire extinguishing system throughout.

2. Non-habitable structures include, but are not limited to, shade structures, private carports, solar trellises, etc.
§ 106.2.1 Inspection requests. It is the duty of the holder of the permit or their duly authorized agent to notify the fire code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspection of such work that are required by this code. Every request for inspection must be filed not less than two working days before such inspection is desired. Such request may be in writing or by telephone.

§ 108.4 Filing fee and application. The City will assess a fee in an amount set by resolution at the time that an appellant files an appeal of any order, decisions, or determination made by the fire code official relative to the application and interpretation of this Code. The fee is refundable should the appellant prevail in a decision by the Board. The appeal must be taken by filing a written notice of appeal, in letterform, to the Board of Appeals. The Board’s decision constitutes the City’s final decision.

§ 202 GENERAL DEFINITIONS are amended to add and/or modify the following definitions to read as follows:

“Administrator” means the City Manager, or designee, of the city of El Segundo.

“Building Access” means an exterior door opening conforming to all of the following:

1. Suitable and available for fire department use, opening onto or adjacent to a public way or a fire department access road as described in Section 902.

2. Located not more than 2 feet (609.6 mm) above adjacent ground level.

3. Leading to a space, room or area having foot traffic communication capabilities with the remainder of the building.

4. Designed to permit access with the use of keys available in an approved key lock box.

“Fire Code Official” is the Fire Chief or a duly authorized representative.

“Low-Rise Building” is any building that is less than four stories in height from the lowest level of fire department access. Measurement will be from the topside of the highest floor level that can be occupied to the lowest floor level of building access, as defined in Section 202.

“Mid-Rise Building” is any building having space used for human occupancy four complete stories or more in height while being 75 feet (22,860 mm) or less in height and not defined as a high-rise building by Section 202. Measurement will
be from the topside of the highest floor level that can be occupied to the lowest floor level of building access, as defined in Section 202.

§ 304.1.1.1 Waste material near ground mounted photovoltaic array. Accumulation of waste material shall not be permitted underneath nor within 10 feet from a ground mounted photovoltaic array.

§ 405.2 Table 405.2 Footnote ‘a’
   a. The frequency in all school levels are allowed to be modified in accordance with Section 408.3.2. Secondary level schools need only conduct evacuation drills twice each school year.

§ 408.1 General. is deleted

§ 408.2 Group A occupancies. is deleted

§ 408.3 Group E occupancies and Group R-2 college and university buildings. is deleted

§ 408.5 I occupancies. is deleted

§ 408.6 Group I-2 occupancies. is deleted

§ 408.7 Group I-3 occupancies. is deleted

§ 408.8 Group R-1 occupancies. is deleted

§ 408.9 Group R-2 occupancies. is deleted

§ 408.10 Group R-4 occupancies. is deleted

§ 408.11 Covered mall buildings. is deleted

§ 503.1.1 Buildings and facilities. Approved fire apparatus access roads must be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road must comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the of the first story of the building as measured by an approved route around the exterior of the building or facility. The fire code official has the authority to designate fire apparatus access roads on private property.

Exception: The fire code official is authorized to increase to dimension of 150 feet (45,720 mm) where:
1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.1.2 or 903.3.1.3.

2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grade or other similar conditions, and an approved alternative means of fire protection is provided.

3. There are not more than two Group R-3 or Group U occupancies.

§ 503.2.1 Dimensions. Fire apparatus access roads must have an unobstructed width of not less than 20 feet (6096 mm) exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4572 mm).

**Exception:**

1. When serving only one Group R, Division 3 or Group U Occupancy the unobstructed width of the access road may be 12 feet (3658 mm).

§ 503.2.1.1 Access roads with vehicle parking. No access roads can be less than 32 feet (9754 mm) in width if the vehicle parking is permitted on one side of the access road and not less than 40 feet (12,192 mm) if vehicle parking is permitted on both sides of the access road. To permit the free passage of vehicles, access roads designated for vehicle parking on only one side must have signs or markings prohibiting the parking of vehicles on the traffic flow side of the roadway.

§ 503.2.1.2 Road divider. An access road divider into separate adjacent one-way traffic lanes by a curbed divider or similar obstacle must not be less than 15 feet (4572 mm) in unobstructed width on each side of the divider.

§ 503.2.4 Turning radius. The inside turning radius of a fire apparatus access road must be a minimum of 60 feet, outside and 40 feet, inside.

§ 503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads cannot be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 must be maintained at all times. Speed bumps and speed humps must be approved before installation.

§ 504.4 Roof top access and safety. Roof top solar photovoltaic systems, roof gardens and landscaped roofs shall be in accordance with Appendix M.

§ 505.1 Address numbers. Approved address numbers and letters must be placed on all new and existing buildings and units in such a location as to be plainly visible and legible from the street or road fronting such buildings and units. Numbers and letters must be at least four (4) inches in height for residential, six (6) inches in height for commercial, and twelve (12) inches in height for industrial
buildings and units and may not be located on doors or other areas that can be obstructed from view. The numbers and letters will be in a color that contrasts with their background and must be in the City’s approved numbering sequence. Commercial and industrial buildings and units that are served by an alley must also have approved address numbers and letters posted in a visible location near the primary door to the alley.

§ 505.1.1 Directory. For complexes and large buildings, a directory or premises map with approved addressing must be installed and maintained at a location and in format as approved by the fire code official.

§ 507.5.1 Additional On-site fire hydrants. When any portion of the facility or building protected is in excess of 150 feet (45 720 mm) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow must be provided when required by the fire code official. See Appendix C.

§ 510.1 Emergency responder radio coverage in buildings. All buildings, including existing buildings, shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communications systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication system.

Exceptions:

1. Where approved by the building official and the fire code official, a wired communication system in accordance with section 907.2.13.2 shall be permitted to be installed or maintained in lieu of an approved radio coverage system.

2. Where it is determined by the fire code official that the radio coverage system is not needed.

§ 805 Upholstered Furniture and Mattress In New and Existing Buildings. is deleted

§ 808 Furnishings Other Than Upholstered Furniture and Mattresses or Decorative Materials in New and Existing Buildings. is deleted

§ 901.4.5 Partial fire sprinkler systems. Where in this Code or the Building Code a partial fire sprinkler system is required, the fire sprinkler system must be installed, modified or extended to protect the entire building or structure.

§ 901.10 Problematic systems. In the event of a failure of a fire protection system or 2 or more alarms in a week where the fire code official finds no evidence of a
situation requiring a response, the fire code official is authorized to require the building owner or occupant to provide a fire watch until the system is repaired. Fire watch personnel must be provided with at least one approved means for notification of the Fire Department and their only duty is to perform constant patrols of the protected premises and keep watch for fires.

§ 903.2.11.3 Building 4 stories or more in height. An automatic sprinkler system must be installed throughout all buildings having usable floor area four stories or more above grade, or buildings attached thereto.

§ 903.2.19 Structures in the Smoky Hollow Specific Plan Area. An automatic sprinkler system must be provided throughout every facility or building hereafter constructed within the Smoky Hollow Specific Plan Area.

§ 903.3.1.2.2 Protection of attached garages. Residential occupancies protected by an automatic sprinkler system in accordance with NFPA 13R must have automatic sprinklers installed in attached garages and in other areas as required by the fire code official.

§ 903.3.1.3.1 Protection of attached garages. Residential occupancies protected by an automatic sprinkler system in accordance with NFPA 13D must have automatic sprinklers installed in attached garages and in other areas as required by the fire code official.

§ 905.5.3 Intentionally blank.

§ 910.1 General. Where required by this Code or otherwise installed, smoke and heat vents or mechanical smoke exhaust systems and draft curtains must conform to the requirements of this section.

Exceptions:

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an approved automatic sprinkler system.

2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, smoke and heat venting must be provided by mechanical smoke exhaust systems in accordance with Section 910.4 within these areas.

SECTION 915 MID-RISE BUILDINGS

SECTION 915.1 General

§ 915.1.1 Scope. In addition to other applicable provisions of this code, other laws and regulations, and any policies of the fire code official, the provisions of this article...
apply to every mid-rise building, of any type construction, newly constructed after the adoption of this Code, or which undergoes a complete renovation that requires the complete vacancy of the building.

**Exceptions:** The following structures, while defined as mid-rise buildings, will not be subject to the provisions of this article:

1. Buildings used exclusively as open parking garage;
2. Buildings where all floors above the third floor (9,144 mm) level are used exclusively as open parking garage;
3. Buildings such as power plants, lookout towers, steeple, grain houses, and similar structures with non-continuous human occupancy, when so determined by the fire code official;
4. Buildings used exclusively for jails, prisons and hospitals.

§ 915.1.2 **Definitions.** For definitions of MID-RISE BUILDING and BUILDING ACCESS, see Section 202.

§ 915.2 **Building Access.**

§ 915.2.1 **Building Access.** Building access must be provided and approved by the fire code official.

§ 915.3 **Fire and Life Safety Requirements.**

§ 915.3.1 **Automatic Fire Sprinklers.** Every mid-rise building must be protected throughout by an automatic fire sprinkler system that is designed and installed in conformance with NFPA 13. A shut-off valves and a water flow alarm device must be provided for each floor.

§ 915.3.2 **Standpipes.** Every mid-rise building must be provided with a class I standpipe system in each required stairway. The standpipe system must be interconnected with the fire sprinkler system. The system must consist of 2½ inch hose valves provided for each floor level above or below grade. Two hose outlets must also be located on the roof, outside of each stair shaft enclosure that penetrates the roof. Hose connections must be located in the exit vestibule, unless otherwise approved by the fire code official.

§ 915.3.3 **Smoke Detection.** Smoke detectors must be provided in accordance with this section. Smoke detectors must be connected to an automatic fire alarm system installed in accordance with NFPA 72. The actuation of any detector required by this section will operate the emergency voice alarm signaling system and will place into
operation all equipment necessary to prevent the circulation of smoke through air
return and exhaust ductwork.

§ 915.3.3.1 Location. Smoke detectors must be located as follows:

1. In every elevator machinery room and in all elevator lobbies. Elevator lobby detectors must be connected to an alarm verification zone or be listed as a releasing device.

2. In the main return-air and exhaust-air plenum of each air-conditioning system. Such device must be located in a serviceable area downstream of the last duct inlet.

3. At each connection to a vertical duct or riser serving two or more stories from a return-air duct or plenum of an air conditioning system. In Group R-1 and R-2 Occupancies, an approved smoke detector may be used in each return-air riser carrying not more than 5,000 cubic feet per minute and serving not more than 10 air inlet openings.

4. For Group R-1 and R-2 Occupancies, in all corridors serving as a means of egress for an occupant load for 10 or more.

§ 915.3.4 Smoke Control. A passive or active smoke control system must be provided for all mid-rise buildings whenever a complete floor is in excess of 55 feet (16.764 mm) from the lowest point of Fire Department access. Such system must be mechanical and must be designed, installed and tested to be in compliance with Section 909.

§ 915.3.5 Fire Alarm System. An approved and listed, automatic and manual, fully addressable and electronically supervised fire alarm system must be provided in conformance with this code and any policies of the Fire Prevention Division.

§ 915.3.6 Emergency voice alarm signaling system. The operation of any automatic or manual fire alarm initiating device must automatically sound an alert tone followed by a pre-recorded voice instruction giving appropriate information and direction on a general or selective basis to entire building, occupied and normally non-occupied areas.

§ 915.3.6.1 Pre-recorded instructions. The content of the voice alarm instruction must be approved by the El Segundo Fire Department.

§ 915.3.6.2 Manual override. A manual override for emergency voice communication must be provided for all paging zones.

§ 915.4 Central Control Station.
§ 915.4.1 General. A central control station room for fire department-operations must be provided. The location and accessibility of the central control station room must be approved by the fire department. The room must be separated from the remainder of the building by not less than one-hour, fire resistive occupancy separation. The room must be a minimum of 96 square feet with a minimum dimension of 8 feet. It must contain the following as a minimum:

1. The voice alarm and public address panels.
2. The fire alarm annunciator panel.
3. Elevator annunciator panel when the building exceeds 55 feet in height.
4. Status indicators and controls of air handling systems.
5. Controls for unlocking stairwell doors.
6. Annunciator panels for emergency and stand-by power status.
7. Annunciator panels for fire pump status.
8. Complete building plans set.
10. Elevator control switches for switching of emergency power.

§ 915.4.2 Annunciation identification. Control panels in the central control station must be permanently identified as to function. Water flow, automatic fire detection and manually activated fire alarms, supervisory and trouble signals must be monitored by an approved, UL listed Central Monitoring Station or Proprietary Monitoring Station and annunciated in the central control station by means of an audible and visual indicator. For the purposes of annunciation, zoning must be in accordance with the following:

1. When the system serves more that one building, each building must be considered separately.
2. Each floor must be considered a separate zone.
3. When one or more risers serve the same floor, each riser must be considered a separate zone.

§ 915.5 Elevators.

§ 915.5.1 Standards. Elevators and elevator lobbies be provided and must comply with the California Building Code and the following:

§ 915.5.2 General. At least one elevator cab must be assigned for Fire Department use, which must serve all floors of the building. All provisions hereinafter are in reference to said elevator cab(s).

§ 915.5.2.1 Size. The size of the elevator cab must have dimensions as specified in Section 915.5.2.1.1.

§ 915.5.2.1.1 Ambulance Stretcher. The elevator cab must be provided with adequate dimensions to accommodate an ambulance type stretcher in accordance with the provisions of Section 3002.4a.1 of California Building Code.
§ 915.6 Standby Power.

§ 915.6.1 General. An on-site standby power system conforming to the Electrical Code must be provided. In the event of failure of the normal power source, the standby power system must provide an alternate source of electrical power to serve at least the designated loads as set forth in Section 915.6.2 at full power. The system may consist of an on-site generator or a system of batteries, or both. The installation must be in accordance with this code, nationally recognized standards, and any policies of the fire code official.

§ 915.6.2 Loads. The power load requirements for sizing the standby power system must include, without limitation to the following:

1. Exit signs and exit path illumination;
2. Fire alarm system;
3. Elevator(s) assigned for fire department use;
4. Electrically driven fire pumps (if provided);
5. Smoke control systems;
6. Stairwell pressurization;
7. Lighting circuits supplying all elevator cabs, elevator lobbies, generator room, fire pump room, and other areas designated by the fire code official.

§ 915.6.3 Fuel Supplies. On-site fuel supplies for prime movers of a standby power generator must be sufficient for at least 48 hours at the generator's listed full load. Where fuel supplies require automatic transfer into a primary tank from a secondary fuel storage tank, the fuel transfer system must be provided with redundant fuel pumps to insure reliability. The fuel supply tank provided must be capable of storing at least 200% of the calculated amount of fuel needed.

§ 915.7 Emergency Electrical System

§ 915.7.1 General. Electrical systems and equipment specified in Section 915.6 are classed as emergency systems and must be installed in accordance with this code, NFPA 110, NFPA 111 and policies of the fire code official. Such systems must operate within 10 seconds of failure to normal power supply. Such emergency power supply may be separate from the standby power required for fire pumps and elevators assigned for fire department use.

§ 915.7.2 Emergency Systems. The following are classed as emergency systems:
1. Exit signs and means of egress illumination
2. Fire alarm system
3. Fire detection system
4. Sprinkler alarm system
5. Elevator cab lighting
6. Smoke control systems.

§ 915.8 Means of Egress

§ 915.8.1 General. Means of egress must comply with the provisions of Section 915.8.

§ 915.8.1 Stairway enclosures. All stairways used for exiting must be protected by an exit enclosure designed in accordance with the California Building Code, Section 1020.1 and this Section.

§ 915.8.2.1 Construction. Construction of stairway enclosures must in accordance with the California Building Code, Section 1005.3.3.2.

§ 915.8.2.2 Extent of Enclosure. Stairway enclosures must be continuous and must fully enclose all portions of the stairway. Exit enclosure must exit directly to the exterior of the building or include an exit passageway on the ground floor, leading to the exterior of the building. Each exit enclosure must extend completely through the roof and be provided with a door that leads onto the roof.

§ 915.8.2.3 Openings and Penetrations. Openings and Penetrations must be as specified in the California Building Code, Section 1020.1.1.

§ 915.8.2.4 Pressurized Enclosures. A pressurized stairway enclosure must be provided for all mid-rise buildings whenever a complete floor is in excess of 55 feet (16.764 mm) from the lowest point of Fire Department access. The pressurized stairway must be designed and pressurized as specified in the California Building Code, Section 909.20.

§ 915.8.2.4.1 Vestibules. Pressurized stairway enclosures, serving Mid-Rise buildings must be provided with a pressurized entrance vestibule on each floor that complies with the California Building Code, Section 909.20.

§ 915.8.2.4.1.1 Vestibule Size. Vestibule size must be not less than 44 inches in width and not less than 72 inches in the direction of travel.
§ 915.8.2.4.1.2 Vestibule Construction. Vestibules must have walls, ceilings and floors of not less than two-hour fire resistive construction.

§ 915.8.2.4.1.3 Vestibule Doors. Vestibule doors must be in accordance with the California Building Code, Section 909.20.

§ 915.8.2.4.1.4 Pressure Differences. The minimum pressure difference within a vestibule must be in accordance with the California Building Code, Section 909.20.

§ 915.8.2.4.1.5 Standpipes. Fire Department standpipe connections and valves serving the floor must be within the vestibule and located in a manner so as not to obstruct egress when hose lines are connected and charged.

§ 915.8.2.5 Locking of Stairway doors. All stairway doors that are locked to prohibit access from the stairway side must have the capability of being unlocked simultaneously, without unlatching, upon a signal from the fire control room. Upon failure of normal electrical service, or activation of any fire alarm, the locking mechanism must automatically retract to the unlocked position. Hardware for locking of stairway doors must be State Fire Marshal listed and approved by the fire code official by permit before installation. Stairway doors located between the vestibules and stairway shaft must not be locked.

§ 915.8.2.6 Communications. A telephone or other two-way communications system connected to an approved emergency service which operates continuously must be provided at not less than every third floor in each required exit stairway vestibule.

§ 1030.9 Fire escape maintenance. Fire escapes must be kept clear and unobstructed at all times, must be maintained in good working order at all times and must receive an annual inspection by a Los Angeles Fire Department Regulation 4 certified individual. The inspection records must remain on site for Fire Department review.

§ 1404.8 Fire retardant plastic sheeting and tarpaulins. Fire retardant tarpaulins and sheeting must be used to barricade construction areas from occupied building spaces and to provide floor or wall protection in occupied buildings.

§ 2201.7 Class IIIB fuels. Where in this Chapter there is a requirement or restriction for Class IIIA fuels, the same requirement or restriction applies to Class IIIB fuels.

§ 2306.2 Table 2306.2, Footnote 'j' is amended to read as follows:
j. Smoke and heat removal must be accomplished by mechanical ventilation in accordance with Section 910.4 when storage areas are protected by early suppression fast response (ESFR) sprinkler systems installed in accordance with NFPA 13.
§ 3301.2 Fireworks. The manufacturing, possession, storage sale, use and handling of fireworks, including without limitation, “Safe and Sane” fireworks, is prohibited

Exceptions:
1. Storage of fireworks in accordance with the requirements for low order explosives in Title 19, California Code of Regulations, Chapter 10.
2. Storage of fireworks, 1.4G in accordance with the Building Code.
3. Use and handling of fireworks for professional display in accordance with Title 19, California Code of Regulations, Chapter 6.

§ 3310 Seizure of Fireworks. The fire code official has the authority to seize, take and remove fireworks stored, sold, offered for sale, used or handled in violation of the provisions of Title 19, California Code of Regulations, Chapter 6 and California Health and Safety Code, Chapter 9.

Appendix B § B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings is specified in Table B105.1

Exception: A reduction in required fire-flow up to 50 percent, as approved, is allowed when the building is protected with an approved automatic sprinkler system installed in accordance with Section 903.1.1 or 903.1.2. The resulting fire-flow must not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1

13-10-3: A new Appendix M Roof Obstructions is added to the CFC to read as follows:

APPENDIX M
ROOF OBSTRUCTIONS

SECTION M101

SCOPE

§ M101.1 Scope: This appendix shall apply to the design, construction, and installation of all solar photovoltaic systems, roof gardens and landscaped roofs when located on the roof of a building.

Exception:
1. Buildings that are four or more stories in height and protected with an approved automatic fire extinguishing system throughout.

2. Non-habitable structures include, but are not limited to, shade structures, private carports, solar trellises, etc.
§ M101.2 Permits. The fire code official shall review and approve the installation of roof solar photovoltaic systems, roof gardens, landscaped roofs on building that obstruct more than 50% or 10,000 square feet of the total roof surface area prior to the building code official issuing a permit for the installation for such roof obstructions. See section 105.7 for required construction permits.

§ M101.3 Required construction document information. All roof top installations submitted for approval shall include the following:

1. Site plan to scale depicting the following:
   a. Dimensions of the building
   b. Location of all structures on site.
   c. Street address of building.
   d. Access from street to building.
   e. Location of roof top solar arrays, gardens, or landscaped areas.
   f. Location of disconnects.
   g. Location of signage.
   h. Location of required access paths.
   i. Northern reference

2. Roof and Elevation plan showing the following:
   a. Array or landscape placement.
   b. Roof ridge lines.
   c. Eave lines.
   d. Equipment on roof.
   e. Vents, skylights, roof hatches, etc.

3. Location and wording of all markings, labels and warning signs.

4. Building photographs that may be useful in the evaluation of the garden, landscaping, or array placement.

SECTION M102

DEFINITIONS

§ M102.1 Definitions. For the purpose of this appendix, certain terms are defined as follows:

ACCESS PATHWAY. A required walking pathway that is designed to provide emergency access to firefighters.

ARRAY. An uninterrupted section of solar photovoltaic panels or modules or a group of interconnected sub-arrays.
GRID. The electrical system that is on the service side of the electric meter designation of ridge, hip, and valley does not apply to roofs with 2-in-12 or less pitch. All roof dimensions are measured to centerlines.

INVERTER. A device used to convert direct current (DC) electricity from the solar system to alternating current (AC) electricity for use in the building’s electrical system or the grid.

LANDSCAPED ROOF. Vegetative landscaping located on the roof of a building that utilizes growing media and structures or containers to support the growth of vegetation.

ROOF ACCESS POINT. An area that does not require ladders to be placed over building openings (i.e., windows, vents, or doors), and that are located at structurally strong points of building construction and in locations where ladders will not be obstructed by tree limbs, wires, signs or other overhead obstructions.

ROOF GARDEN. A garden located on the roof of a building that utilizes growing media and structures or containers to support the growth of vegetation.

SOLAR PHOTOVOLTAIC SYSTEM. A system of component parts that receives sunlight and converts it into electricity.

SUB-ARRAY. Uninterrupted sections of solar photovoltaic panels interconnected into an array.

TRAVEL DISTANCE. The walking distance between two points.

VENTING CUT OUT. Section(s) in an array that are designed to accommodate emergency ventilating procedures.

SECTION M103

ROOF SOLAR PHOTOVOLTAIC SYSTEMS

§ M103.1. Solar photovoltaic systems. The requirements of section K103 applies to all solar photovoltaic systems installed on the roof of buildings regardless of system size or if used for residential and commercial purposes. Roof solar photovoltaic systems shall be designed, constructed and installed in accordance with sections M103.2 through M103.5.3.

§ M103.2 Marking. Photovoltaic systems shall be marked. Marking is needed to provide emergency responders with appropriate warning and guidance with respect to isolating the solar electric system. This can facilitate identifying energized electrical lines that connect the solar panels to the inverter, as these should not be
cut when venting for smoke removal. Materials used for marking shall be weather resistant. UL 969 shall be used as a standard for weather rating (UL listing of markings is not required).

§ M103.2.1 Building's electrical system main service disconnect marking. The buildings main electrical service disconnect shall be marked.

§ M103.2.1.1 Single and two dwelling unit residential buildings. The marking shall be placed within the main service disconnect.

Exception: If the main service disconnect is operable with the service panel closed, then the marking shall be placed on the outside cover.

§ M103.2.1.2 Commercial and industrial buildings. The marking shall be placed adjacent to the main service disconnect in a location clearly visible from the location where the lever is operated.

§ M103.2.1.3 Marking content and format. Marking content and format shall be as follows.

1. Marking content: "CAUTION: SOLAR ELECTRIC SYSTEM CONNECTED"
2. Red background
3. White lettering
4. Minimum 3/8 inch letter height
5. All capital letters
6. Arial or similar font, non-bold
7. Reflective weather resistant material suitable for the environment (durable adhesive materials must meet this requirement)

§ M103.2.2 Photovoltaic circuits marking. Photovoltaic circuit marking is required on all interior and exterior photovoltaic DC circuit conduit, raceways, enclosures, cable assemblies and junction boxes to alert firefighters to avoid cutting them. Marking shall be placed every 10 feet, at turns, and above and/or below penetrations, and at all photovoltaic circuit combiner and junction boxes.

§ M103.2.2.1 Marking content and format. Marking content and format shall be as follows.

1. Marking content: "CAUTION: SOLAR CIRCUIT"
2. Red background
3. White lettering

4. Minimum 3/8 inch letter height

5. All capital letters

6. Arial or similar font, non-bold

7. Reflective weather resistant material suitable for the environment (durable adhesive materials must meet this requirement)

§ M103.2.3 Inverter marking. No markings are required for the inverter unless the inverter is used also as a required remote electrical disconnect.

§ M103.2.4 Remote electrical disconnect marking. Marking shall be located immediately next to the remote electrical disconnect control as follows:

1. Marking content: “CAUTION: SOLAR CIRCUIT DISCONNECT”
2. Red background

3. White lettering

4. Minimum 3/8 inch letter height

5. All capital letters

6. Arial or similar font, non-bold

7. Reflective weather resistant material suitable for the environment (durable adhesive materials must meet this requirement)

§ M103.3 Remote electrical disconnect. Photovoltaic circuits shall be equipped with a means for remote electrical disconnect located downstream from the photovoltaic array at the point where the photovoltaic circuit first enters the structure, or at another approved location. The manual control to operate the remote electrical disconnect shall be located within five feet of the building’s main electrical panel. The remote electrical disconnect shall be listed and meet the requirements of the California Electrical Code.

Exceptions:

1. Photovoltaic circuits contained in rigid or electrical metallic tubing running between the array combiner box and the main electrical panel which are entirely exterior to the building need not be equipped with a means of remote electrical disconnect other than the disconnects intrinsic to the system.
2. Photovoltaic circuits contained in rigid or electrical metallic tubing running between the array combiner box and the main electrical panel that run through the interior of the building when installed a minimum of 18 inches below the roof assembly when measured parallel to the surface of the roof.

3. The photovoltaic system inverter may be used for remote electrical disconnect when the inverter is located immediately upstream of the roof penetration where the circuit enters the structure.

§ M103.4 Access pathways and emergency ventilation. Access and spacing requirements shall be provided in order to ensure firefighter access to the roof, provide access pathways to specific areas of the roof, provide for venting cut out areas, and to provide emergency egress from the roof. For the purpose of access pathways and emergency ventilation, designation of ridge, hip, and valley does not apply to roofs with 2-in-12 or less pitch. All roof dimensions are measured to centerlines.

§ M103.4.1 Alternative materials and methods. Alternative materials and methods per Section 104.9 for access pathways or venting cut outs may be requested for approval by the fire code official due to:

1. Unique site specific limitations

2. Alternative access opportunities (as from adjoining roofs)

3. Ground level access to the roof area in question

4. Other adequate venting cut out opportunities when approved by the fire code official.

5. Adequate venting cut out areas afforded by panel set back from other roof top equipment (for example: shading or structural constraints may leave significant areas open for ventilation near HVAC equipment.)

6. Automatic ventilation device.

7. New technology, methods, or other innovations that ensure adequate fire department access pathways and ventilation opportunities.

§ M103.4.2 Single and two dwelling unit residential buildings access pathways and venting cut outs. Access pathways and venting cut outs for single and two dwelling unit residential buildings shall be provided as per Section M103.4.2.1 though M103.4.2.4.

§ M103.4.2.1 Hip roof layout. Solar modules shall be located in a manner that provides one three (3) foot wide clear access pathway from the eave to the ridge on Page 21 of 29
each roof slope where solar modules are located. The access pathway shall be located at a structurally strong location on the building, such as a bearing wall.

§ M103.4.2.2 **Single roof ridge.** Solar modules shall be located in a manner that provides two three (3) foot wide access pathways from the eave to the ridge on each roof slope where solar modules are located.

§ M103.4.2.3 **Roof hips and valleys.** Solar modules shall be located no closer than one and one half (1.5) feet to a hip or a valley if modules are to be placed on both sides of a hip or valley. If the solar modules are to be located on only one side of a hip or valley, that is of equal length then the panels may be placed directly adjacent to the hip or valley.

§ M103.4.2.4 **Venting cut out areas.** Solar modules shall be located no higher than three (3) feet below the ridge.

§ M103.4.3 **Commercial and industrial buildings and multi-residential buildings containing three or more dwelling units required access pathways and venting cut outs.** Access pathways and venting cut outs for commercial and industrial buildings and multi-residential buildings containing three or more dwelling units shall be provided as accordance with Section M103.4.3.1 through M103.4.3.2.6.

**Exception:** If the fire code official determines that the roof configuration is similar to that found in single and two dwelling unit residential buildings, the design requirements found in Section M103.4.2 may be utilized.

§ M103.4.3.1 **Array dimension.** Arrays shall be no greater than 150 feet by 150 feet in distance in either axis.

§ M103.4.3.2 **Access pathways:** Access pathways shall be established in the design of the photovoltaic system installation. Access pathways shall be provided in accordance with Section M103.4.3.2.1 through M103.4.3.2.5.

§ M103.4.3.2.1 **Access pathways perimeter of the roof.** There shall be a minimum six (6’) foot wide clear perimeter around the edges of the roof.

**Exception:** If either axis of the building is 250 feet or less, there shall be a minimum four (4’) feet wide clear perimeter around the edges of the roof.

§ M103.4.3.2.2 **Access pathway location.** The center line axis of access pathways shall run on structural members or over the next closest structural member nearest to the center lines of the roof.

§ M103.4.3.2.3 **Access pathway center line.** The center line axis of access pathways shall be provided in both axis of the roof.
§ M103.4.3.2.4 Access pathway alignment. Access pathways shall be in a straight line and provide not less than four (4) feet clear to skylights, ventilation hatches or roof standpipes.

§ M103.4.3.2.5 Access pathway around roof access hatches. Access pathways shall provide not less than four (4) feet of clearance around roof access hatch with at least one not less than four feet (4) clear pathway to parapet or roof edge.

§ M103.4.3.2.6 Venting cut out areas. Venting cut outs between array sections shall be either:

1. An access pathway eight (8) feet or greater in width.
2. An access pathway that is four (4) feet or greater in width and bordering on existing roof skylights or ventilation hatches.

3. An access pathway that is four (4) feet or greater in width and bordering four (4) feet by eight (8') feet venting cut outs every twenty (20) feet on alternating sides of the access pathway.

§ M103.5 Location of conductors. Conduit, wiring systems and wiring raceways for photovoltaic circuits shall be provided in accordance with Section M103.5.1 through M103.5.3.

§ M103.5.1 Conductor location. Conduit, wiring systems, and wiring raceways shall be located as close as possible to the ridge or hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize venting cut out areas.

§ M103.5.2 Conductors between sub arrays and DC combiner boxes. Conduit runs between sub arrays and to DC combiner boxes shall use the design that minimizes the total amount of conduit on the roof by taking the shortest path from the array to the DC combiner box. The DC combiner boxes are to be located such that conduit runs are minimized in the pathways between arrays.

§ M103.5.3 Conduit within enclosed spaces. To limit the hazard of cutting live conduit in venting operations, DC wiring shall be run in metallic conduit or raceways when located within enclosed spaces in a building and shall be run, to the maximum extent possible, along the bottom of load-bearing members.

SECTION M104

ROOF GARDEN AND LANDSCAPED ROOFS

§ M104.1 Roof gardens and landscaped roofs. The requirements of Section M104 applies to all roof gardens and landscaped roofs regardless of size or if used for residential and commercial purposes. Roof gardens and landscaped roofs shall be
designed, constructed and installed in accordance with Section M104.2 through M104.4.

§ M104.2 Access pathways and emergency ventilation. Access and spacing requirements shall be provided in order to ensure firefighter access to the roof, provide access pathways to specific areas of the roof, provide for venting cut out areas, and to provide emergency egress from the roof. For the purpose of access pathways and emergency ventilation, designation of ridge, hip, and valley does not apply to roofs with 2-in-12 or less pitch. All roof dimensions are measured to centerlines.

§ M104.2.1 Alternative materials and methods. Alternative materials and methods per Section 104.9 for access pathways or venting cut outs may be requested for approval by the fire code official due to:

1. Unique site specific limitations
2. Alternative access opportunities (as from adjoining roofs)
3. Ground level access to the roof area in question
4. Other adequate venting cut out opportunities when approved by the fire code official.
5. Adequate venting cut out areas afforded by panel set back from other roof top equipment (for example: shading or structural constraints may leave significant areas open for ventilation near HVAC equipment.)
6. Automatic ventilation device.
7. New technology, methods, or other innovations that ensure adequate fire department access pathways and ventilation opportunities.

§ M104.2.2 Single and two dwelling unit residential buildings. Installation of roof gardens and landscaped roofs on single and two dwelling unit residential buildings shall be in accordance with Section M104.2.2.1 through M104.2.2.3.

§ M104.2.2.1 Hip roof design: Planted sections shall be located in a manner that provides a three (3) foot wide clear access pathway from the eave to the ridge on each roof slope where the planted sections are located. The access pathway shall be located at a structurally strong location on the building such as a bearing wall.

§ M104.2.2.2 Single ridge roof design: Planted sections shall be located in a manner that provides two three (3) foot wide access pathways from the eave to the ridge on each roof slope where the planted sections are located.
§ M104.2.2.3 Hips and valleys: Planted sections shall be located no closer than one and one half (1.5) feet to a hip or a valley if planted sections are to be placed on both sides of a hip or valley. If the planted sections are to be located on only one side of a hip or valley that is of equal length then the planted sections may be placed directly adjacent to the hip or valley. Planted sections shall not be located closer than three (3) feet below the ridge.

§ M104.2.3 Commercial and industrial buildings and multi-residential buildings containing three or more dwelling units required access pathways and venting cut outs. Access pathways and venting cut outs for commercial and industrial buildings and multi-residential buildings containing three or more dwelling units. Access pathways shall be provided in accordance with Section M104.2.3.1 through M104.2.3.6.

Exception: If the fire code official determines that the roof configuration is similar to that found in single and two dwelling unit residential buildings, the design requirements found in section M104.2.2 may be utilized.

§ M104.2.3.1 Planted dimension. Planted sections shall be no greater than 150 feet by 150 feet in distance in either axis.

§ M104.2.3.2 Access pathways: Access pathways shall be established in the design of the roof garden or landscaped roof installation. Access pathways shall meet the requirements of this section.

§ M104.2.3.2.1 Access pathways perimeter of the roof. There shall be a minimum six (6) foot wide clear perimeter around the edges of the roof.

Exception: If either axis of the building is 250 feet or less, there shall be a minimum four (4) feet wide clear perimeter around the edges of the roof.

§ M104.2.3.2.2 Access pathway location. The center line axis of access pathways shall run on structural members or over the next closest structural member nearest to the center lines of the roof.

§ M104.2.3.2.3 Access pathway center line. The center line axis of the access pathways shall be provided in both axis of the roof.

§ M104.2.3.2.4 Access pathway alignment. Access pathways shall be in a straight line and provide not less than four (4) feet clear to skylights, ventilation hatches or roof standpipes.

§ M104.2.3.5 Access pathway around roof access hatches. Access pathways shall provide not less than four (4) feet of clearance around roof access hatch with at least one not less than four feet (4) clear pathway to parapet or roof edge.
§ M104.2.3.6 Venting cut out areas. Venting cut outs between planted sections shall be either:

1. An access pathway eight (8) feet or greater in width.

2. An access pathway that is four (4) feet or greater in width and bordering on existing roof skylights or ventilation hatches.

3. An access pathway that is four (4) feet or greater in width and bordering four (4') feet by eight (8) feet venting cut outs every twenty (20) feet on alternating sides of the access pathway.

§ M105.4 Roof garden or landscaped roof maintenance plan. The fire code official is authorized to require an approved maintenance plan for vegetation placed on roofs due to the size of the garden or landscaping area, or if materials and plants used may create a fire hazard to the building or exposures.

13-10-4: GEOGRAPHICAL LIMITS
Geographic limits referred to in certain sections of this Code are established as follows:

Establishment of limits of districts in which storage of flammable cryogenic fluids in stationary containers are prohibited.
The limits referred to in Section 3204.3.1.1 in which storage of flammable cryogenic fluids in stationary containers is prohibited are established as the City of El Segundo's corporate boundaries.

Exceptions:
1. The storage of flammable cryogenic fluids in stationary containers is allowed in an M-1, MM, and MU-N Zone with a Conditional Use Permit issued by the Planning Department.

2. The storage of flammable cryogenic fluids in stationary containers is allowed in the M-2 Zone.

Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited.
The limits referred to in Sections 3404.2.9.5.1 and 3406.2.4.4 in which the storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is restricted are established as the City of El Segundo's corporate boundaries.

Exceptions: Such use is allowed in the following zoning districts:

1. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in M-1 and M-2, Zones;
2. The storage of Class II combustible liquids in aboveground tanks outside of buildings is allowed in C-0, MM, MU-N, MU-S or P-F Zones;

Establishment of limits of districts in which storage of liquefied petroleum gases is to be restricted.
The limits referred to in Section 3804.2, in which storage of liquefied petroleum gas in excess of an aggregate of 2,000 gallons water capacity is restricted are established as the City of El Segundo’s corporate boundaries.

Exceptions:

1. The storage of liquefied petroleum gas in excess of an aggregate of 2,000 gallons water capacity is allowed in the M-2 Zone, when located at least one-half (1/2) mile from property zoned or designated for residential use and at least one-half (1/2) mile from existing residential development with a density greater than one (1) dwelling unit per acre and at least one-half (1/2) mile from any hotel or motel.

2. The storage of liquefied petroleum gas in excess of an aggregate of 2,000 gallons water capacity is allowed in M-1 Zone with a Conditional Use Permit issued by the Planning Department.

SECTION 4: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt in accordance with CEQA Guidelines §§ 15301 as a minor alteration of existing public or private structures involving no expansion of use; 15305 as a minor alteration in land use limitations which do not result in any changes in land use or density; and 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment.

SECTION 5: SAVINGS CLAUSE. Repeal of any provision of the ESMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.
SECTION 6: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 7: VALIDITY OF PREVIOUS CODE SECTIONS. If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the ESMC or other the city ordinance by this Ordinance will be rendered void and cause such ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 8: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 9: This Ordinance will become effective on January 1, 2011.

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 ____________, 2007, 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 __________, 2007, 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
ORDINANCE NO.  1454

AN ORDINANCE ADOPTING THE 2010 EDITION OF THE CALIFORNIA ENERGY CODE WITH AMENDMENTS.

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

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

A. Health and Safety Code § 17958 requires the City is required to adopt certain codes that are set forth in Health and Safety Code § 17922 and published in the California Code of Regulations;

B. Pursuant to Government Code §§ 50022.2, et seq., the City may adopt other uniform codes by reference;

C. It is in the public interest to adopt the 2010 Edition of the California Energy Code set forth in this Ordinance;

D. At least one copy of the California Energy Code was filed with the City Clerk of the City was available for public inspection for at least fifteen (15) days preceding the date of the hearing

CHAPTER 15

ENERGY CODE

SECTION 2: Chapter 15 is amended in it’s entirety in Title 13 of the El Segundo Municipal Code ("ESMC") to read as follows:

SECTION 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “State CEQA Guidelines”) because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment.

SECTION 4: SAVINGS CLAUSE. Repeal of any provision of the ESMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the ESMC or other the city ordinance by this Ordinance will be rendered void and cause such ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 7: EFFECTIVE DATE. This Ordinance will take effect on January 1, 2011.

PASSED AND ADOPTED this ___ day of ________, 2010.

________________________________________
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. 1454 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
ORDINANCE NO. 1455

AN ORDINANCE INCORPORATING THE 2010 CALIFORNIA RESIDENTIAL CODE ("CRC") BY REFERENCE AND AMENDING THE CRC BASED UPON LOCAL CLIMATIC, TOPOGRAPHIC, AND GEOLOGICAL CONDITIONS.

The council of the city of El Segundo does ordain as follows:

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

A. In accord with Health & Safety Code § 17958.7, it is in the public interest to adopt the California Residential Code ("CRC") with the changes set forth in this Ordinance.

B. Pursuant to the requirements of Health & Safety Code Section 17958.7, the City Council finds that there are local geological conditions justifying the CRC amendments set forth below.

The City of El Segundo and the greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification emphasize that the design concern is for seismic-force-resisting elements and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the International Building Code. Experts predict a major earthquake in our area within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection of building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake. After due consideration, the City Council finds and determines that due to local climatic, geological, or topographical conditions, the structural and fire protection amendments to the 2010 CRC are necessary to give buildings a reasonable degree of structural integrity and fire life safety to help protect public health and safety in the event of a seismic event;

Additional amendments have been made to Codes are hereby found to be either administrative or procedural in nature or concern themselves with subjects not covered in such Codes. The changes made include provisions making each of said Codes compatible with other Codes enforced by the City.

C. The specific amendments of the CRC that fulfill this requirement are:

1. Amend CRC Section R301.1.3.2 Woodframe Structures
2. Amend CRC Section R301.2.2.2.5 Irregular Buildings
3. Amend CRC Section R311.2.2.3.5.1 AISI S230 Section B1
4. Amend CRC Section R322.1.4.1 Design Flood Elevations
5. Amend CRC Section R322.1.4.1 Design Flood Elevations
6. Amend CRC Section R401.1 Foundation Application
7. Amend CRC Section R403.1 General Footings
8. Amend CRC Section R404.2 Wood Foundation Walls
9. Amend CRC Section R501.1 Application
10. Amend CRC Section R503.2.4 Openings In Horizontal Diaphragms
11. Amend CRC Table R602.3(1) Fastener Schedule
12. Amend CRC Table R602.3(2) Alternate Attachment
13. Amend CRC Table R602.10.1.2(2) Bracing Requirement
14. Amend CRC Table R602.10.2 Intermittent Bracing Method
15. Amend CRC Figure R602.10.3.2 Alternate Braced Wall Panel
16. Amend CRC Figure R602.10.3.3 Portal Frame
17. Amend CRC Section R602.10.3.3 Method PFH
18. Amend CRC Table R602.10.4.1 Continuous Sheathing
19. Amend CRC Figure R602.10.4.1.1 Method CS-PF
20. Delete CRC Section R602.10.7.1 Braced Wall Panel
21. Amend CRC Section R606.2.4 Parapet Walls
22. Amend CRC Section R606.12.2.2.3 Reinforcement for Masonry
23. Amend CRC Section R602.3.2 Single Top Plate
24. Amend CRC Table R802.5.1(9) Joist Heel Joint Connection
25. Amend CRC Section R802.8 Lateral Support
26. Amend CRC Section R802.10.2 Design of Wood Trusses
27. Add CRC Section R803.2.4 Openings in Horizontal Diaphragms
28. Amend CRC Section R1001.3.1 Vertical Reinforcing

D. At least one copy of the CBC was filed with the City Clerk of the City was available for public inspection for at least fifteen (15) days preceding the date of the hearing.
SECTION 2: El Segundo Municipal Code ("ESMC") § 13-16-1 is added in its entirety to read as follows:

CHAPTER 16

RESIDENTIAL CODE

13-16-1: California Residential Code Adopted
13-16-2: Amendments to California Residential Code

13-16-1: ADOPTION OF CALIFORNIA RESIDENTIAL CODE, 2010 EDITION. Pursuant to California Government Code § 50022.2, the California Residential Code, 2010 Edition, published at Title 24, Part 2.5, of the California Code of Regulations is adopted by reference, subject to the amendments, additions and deletions set forth below. One true copy of the CRC, is on file in the office of the Building Official and is available for public inspection as required by law.”

SECTION 3: ESMC § 13-16-2 is added to read as follows:

“13-16-2: AMENDMENTS TO THE CALIFORNIA RESIDENTIAL CODE:

Section R301.1.3.2 of the 2010 Edition of the California Residential Code is amended to read as follows:

R301.1.3.2 Woodframe structures. The building official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than two stories and basement in height located in Seismic Design Category A, B or C. Notwithstanding other sections the law, the law establishing these provisions is found in Business and Professions Code Section 5537 and 6737.1.

The building official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than one story in height or with a basement located in Seismic Design Category D, D₁, D₂ or E.
Section R301.2.2.5 of the 2010 Edition of the California Residential Code is amended to read as follows:

1. When exterior shear wall lines or braced wall panels are not in one plane vertically from the foundation to the uppermost story in which they are required.

3. When the end of a braced wall panel occurs over an opening in the wall below.

5. When portions of a floor level are vertically offset.

Section R301.2.2.3.5.1 is added to Section 301.2.2.3.5 of the 2010 Edition of the California Residential Code as follows:

R301.2.2.3.5.1 AISI S230, Section B1. Modify AISI S230, Section B1 to read as follows:

Where No. 8 screws are specified, the required number of screws in a steel-to-steel connection shall be permitted to be reduced in accordance with the reduction factors in Table B1-1 when larger screws are used or when the sheets of steel being connected is thicker than 33 mils (0.84mm). When applying the reduction factor, the resulting number of screws shall be rounded up.

Section R322.1.4.1 of the 2010 Edition of the California Residential Code is amended to read as follows:

R322.1.4.1 Determination of design flood elevations. If design flood elevations are not specified, the building official is authorized to require the applicant to:

1. Obtain and reasonably use data available from a federal, state or other source; or
2. Determine the design flood elevation in accordance with accepted hydrologic and hydraulic undertaken by a registered civil engineer who shall determine that the technical methods used reflect currently accepted engineering practice. Studies, analyses and computations shall be submitted insufficient detail to allow thorough review and approval.
Section R401.1 of the 2010 Edition of the California Residential Code is amended to read as follows:

**R401.1 Application.** The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for all buildings. In addition to the provisions of this chapter, the design and construction of foundations in areas prone to flooding as established by Table R301.2(1) shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AF&PA PWF.

**Exception:** The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof.

2. When interior basement and foundation walls are constructed at intervals not exceeding 50 feet (15,240 mm).

Wood foundations in Seismic Design Category $D_0$, $D_1$ or $D_2$ shall not be permitted.

**Exception:** In non-occupied, single-story, detached storage sheds and similar uses other than carport or garage, provided the gross floor area does not exceed 200 square feet, the plate height does not exceed 12 feet in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches.
Sections R403.1.2, R403.1.3, R403.1.5 of the 2010 Edition of the California Residential Code are amended to read as follows:

**R403.1.2 Continuous footing in Seismic Design Categories D₀, D₁ and D₂.** The braced wall panels at exterior walls of buildings located in Seismic Design Categories D₀, D₁ and D₂ shall be supported by continuous footings. All required interior braced wall panels in buildings shall be supported by continuous footings.

**R403.1.3 Seismic reinforcing.** Concrete footings located in Seismic Design Categories D₀, D₁ and D₂, as established in Table R301.2(1), shall have minimum reinforcement. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D₀, D₁ and D₂ where construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D₀, D₁ and D₂ where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories D₀, D₁ and D₂ masonry stem walls without solid grout and vertical reinforcing are not permitted.

**Exception:** In detached one- and two-family dwellings located in Seismic Design Category A, B or C which are three stories or less in height and constructed with stud bearing walls, plain concrete footings without longitudinal reinforcement supporting walls and isolated plain concrete footings supporting columns or pedestals are permitted.

**R403.1.5 Slope.** The top surface of footings shall be level. The bottom surface of footings shall be permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than one unit vertical in 10 units horizontal (10-percent slope).

For structures located in Seismic Design Categories D₀, D₁ or D₂, stepped footings shall be reinforced with four 1/2-inch diameter (12.7 mm) deformed reinforcing bars. Two bars shall be place at the top and bottom of the footings as shown in Figure R403.1.5.
Section R404.2 of the 2010 Edition of the California Residential Code is amended to read as follows:

**R404.2 Wood foundation walls.** Wood foundation walls shall be constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with the details shown in Figures R403.1(2) and R403.2(3). Wood foundation walls shall not be used for structures located in Seismic Design Category D₀, D₁, or D₂.

Section R501.1 of the 2010 Edition of the California Residential Code is amended to read as follows:

**R501.1 Application.** The provision of this chapter shall control the design and construction of the floors for all buildings including the floors of attic spaces used to house mechanical or plumbing fixtures and equipment weighing less than 400 lbs and maximum height of 4 feet above the floor or attic level.
Section R503.2.4 is added to Chapter 5 of the 2010 Edition of the California Residential Code to read as follows:

**R503.2.4 Openings in horizontal diaphragms.** Openings in horizontal diaphragms with a dimension perpendicular to the joist that is greater than 4 feet (1.2 m) shall be constructed in accordance with Figure R503.2.4.

**FIGURE R503.2.4**
OPENINGS IN HORIZONTAL DIAPHRAGMS

---

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

a. Blockings shall be provided beyond headers.
b. Metal ties not less than 0.058 inch [1.47 mm (16 galvanized gage)] by 1.5 inches (38 mm) wide with eight 16d common nails on each side of the header-joist intersection. The metal ties shall have a minimum yield of 33,000 psi (227 MPa).
c. Openings in diaphragms shall be further limited in accordance with Section R301.2.2.2.5.
Lines 34 thru 37 of Table R602.3(1) of the 2010 Edition of the California Residential Code are amended to read as follows:

<table>
<thead>
<tr>
<th></th>
<th>Other wall sheathing</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>34</td>
<td>(\frac{1}{2})&quot; structural cellulose fiberboard sheathing</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>(\frac{7}{16})&quot; galvanized roofing nail; (\frac{7}{16})&quot; crown-or-(\frac{1}{2})&quot; crown-staple-16-ga.; (\frac{1}{4})&quot; long.</td>
<td>6</td>
</tr>
<tr>
<td>35</td>
<td>(\frac{3}{8})&quot; structural cellulose fiberboard sheathing</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>(\frac{7}{16})&quot; galvanized roofing nail; (\frac{7}{16})&quot; crown-or-(\frac{1}{2})&quot; crown-staple-16-ga.; (\frac{1}{2})&quot; long.</td>
<td>6</td>
</tr>
<tr>
<td>36</td>
<td>(\frac{1}{8})&quot; gypsum sheathing(^d)</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>(\frac{7}{16})&quot; galvanized roofing nail; staple-galvanized; (\frac{1}{2})&quot; long; (\frac{1}{4})&quot; screws, Type W or S</td>
<td>7</td>
</tr>
<tr>
<td>37</td>
<td>(\frac{5}{9})&quot; gypsum sheathing(^d)</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>(\frac{7}{16})&quot; galvanized roofing nail; staple-galvanized; (\frac{5}{9})&quot; screws, Type W or S</td>
<td>7</td>
</tr>
</tbody>
</table>
Table R602.3(2) of the 2010 Edition of the California Residential Code is amended to read as follows:

### Wood structural panels subfloor, roof and wall sheathing to framing and particleboard wall sheathing to framing

<table>
<thead>
<tr>
<th>Thickness</th>
<th>Nail Type</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>up to 7/8</td>
<td>0.097 - 0.099 Nail</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>9/32 and 5/8</td>
<td>Staple 16 ga. 7/16</td>
<td>-2</td>
<td>-5</td>
</tr>
<tr>
<td>7/32 and 3/4</td>
<td>0.113 Nail 2</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>1</td>
<td>Staple 16 ga. 7/16</td>
<td>-2</td>
<td>-5</td>
</tr>
<tr>
<td>1/4 and 5/16</td>
<td>1 1/4 ring or screw shank</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>11/32, 3/8, 15/32, and 7/16</td>
<td>1 1/4 ring or screw shank</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>19/32, 5/8, 23/32, and 3/4</td>
<td>1 1/4 ring or screw shank</td>
<td>6</td>
<td>8</td>
</tr>
</tbody>
</table>

### Floor underlayment: plywood, hardboard, particleboard

<table>
<thead>
<tr>
<th>Thickness</th>
<th>Nail Type</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/4 and 5/16</td>
<td>1 1/4 ring or screw shank</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>11/32, 3/8, 15/32, and 7/16</td>
<td>1 1/4 ring or screw shank</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>19/32, 5/8, 23/32, and 3/4</td>
<td>1 1/4 ring or screw shank</td>
<td>6</td>
<td>8</td>
</tr>
</tbody>
</table>

*Staple 16 ga. 7/16*
Table R602.10.1.2(2) of the 2010 Edition of the California Residential Code is amended to read as follows:

**TABLE R602.10.1.2(2)**

BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY
(AS A FUNCTION OF BRACED WALL LINE LENGTH)

<table>
<thead>
<tr>
<th>Seismic Design Category (SDC)</th>
<th>Story Location</th>
<th>Braced Wall Line Length</th>
<th>Method LIB</th>
<th>Method WSP</th>
<th>Continuous Sheathing</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>DWB, SFB, GB, PBS, PCP, HPS</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SOIL CLASS D**
10 PSF FLOOR DEAD LOAD
15 PSF ROOF/CEILING DEAD LOAD
BRACED WALL LINE SPACING ≤ 25 FT

<table>
<thead>
<tr>
<th>SDC D₀ or D₁</th>
<th>10</th>
<th>NP</th>
<th>30-60</th>
<th>20</th>
<th>1.7</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20</td>
<td>NP</td>
<td>12-24</td>
<td>40</td>
<td>3.4</td>
</tr>
<tr>
<td></td>
<td>30</td>
<td>NP</td>
<td>18-30</td>
<td>60</td>
<td>5.1</td>
</tr>
<tr>
<td></td>
<td>40</td>
<td>NP</td>
<td>24-40</td>
<td>80</td>
<td>6.8</td>
</tr>
<tr>
<td></td>
<td>50</td>
<td>NP</td>
<td>30-40</td>
<td>100</td>
<td>8.5</td>
</tr>
</tbody>
</table>

**SDC D₂**

<table>
<thead>
<tr>
<th>SDC D₂</th>
<th>10</th>
<th>NP</th>
<th>4-10</th>
<th>20</th>
<th>5.0</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20</td>
<td>NP</td>
<td>12-24</td>
<td>40</td>
<td>7.5</td>
</tr>
<tr>
<td></td>
<td>30</td>
<td>NP</td>
<td>18-40</td>
<td>60</td>
<td>10.0</td>
</tr>
<tr>
<td></td>
<td>40</td>
<td>NP</td>
<td>24-60</td>
<td>80</td>
<td>12.5</td>
</tr>
<tr>
<td></td>
<td>50</td>
<td>NP</td>
<td>30-70</td>
<td>100</td>
<td>15.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SDC D₂</th>
<th>10</th>
<th>NP</th>
<th>4-10</th>
<th>20</th>
<th>5.0</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20</td>
<td>NP</td>
<td>12-24</td>
<td>40</td>
<td>7.5</td>
</tr>
<tr>
<td></td>
<td>30</td>
<td>NP</td>
<td>18-40</td>
<td>60</td>
<td>10.0</td>
</tr>
<tr>
<td></td>
<td>40</td>
<td>NP</td>
<td>24-60</td>
<td>80</td>
<td>12.5</td>
</tr>
<tr>
<td></td>
<td>50</td>
<td>NP</td>
<td>30-70</td>
<td>100</td>
<td>15.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SDC D₂</th>
<th>10</th>
<th>NP</th>
<th>4-10</th>
<th>20</th>
<th>5.0</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20</td>
<td>NP</td>
<td>12-24</td>
<td>40</td>
<td>7.5</td>
</tr>
<tr>
<td></td>
<td>30</td>
<td>NP</td>
<td>18-40</td>
<td>60</td>
<td>10.0</td>
</tr>
<tr>
<td></td>
<td>40</td>
<td>NP</td>
<td>24-60</td>
<td>80</td>
<td>12.5</td>
</tr>
<tr>
<td></td>
<td>50</td>
<td>NP</td>
<td>30-70</td>
<td>100</td>
<td>15.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SDC D₂</th>
<th>10</th>
<th>NP</th>
<th>4-10</th>
<th>20</th>
<th>5.0</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20</td>
<td>NP</td>
<td>12-24</td>
<td>40</td>
<td>7.5</td>
</tr>
<tr>
<td></td>
<td>30</td>
<td>NP</td>
<td>18-40</td>
<td>60</td>
<td>10.0</td>
</tr>
<tr>
<td></td>
<td>40</td>
<td>NP</td>
<td>24-60</td>
<td>80</td>
<td>12.5</td>
</tr>
<tr>
<td></td>
<td>50</td>
<td>NP</td>
<td>30-70</td>
<td>100</td>
<td>15.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SDC D₂</th>
<th>10</th>
<th>NP</th>
<th>4-10</th>
<th>20</th>
<th>5.0</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20</td>
<td>NP</td>
<td>12-24</td>
<td>40</td>
<td>7.5</td>
</tr>
<tr>
<td></td>
<td>30</td>
<td>NP</td>
<td>18-40</td>
<td>60</td>
<td>10.0</td>
</tr>
<tr>
<td></td>
<td>40</td>
<td>NP</td>
<td>24-60</td>
<td>80</td>
<td>12.5</td>
</tr>
<tr>
<td></td>
<td>50</td>
<td>NP</td>
<td>30-70</td>
<td>100</td>
<td>15.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SDC D₂</th>
<th>10</th>
<th>NP</th>
<th>4-10</th>
<th>20</th>
<th>5.0</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20</td>
<td>NP</td>
<td>12-24</td>
<td>40</td>
<td>7.5</td>
</tr>
<tr>
<td></td>
<td>30</td>
<td>NP</td>
<td>18-40</td>
<td>60</td>
<td>10.0</td>
</tr>
<tr>
<td></td>
<td>40</td>
<td>NP</td>
<td>24-60</td>
<td>80</td>
<td>12.5</td>
</tr>
<tr>
<td></td>
<td>50</td>
<td>NP</td>
<td>30-70</td>
<td>100</td>
<td>15.0</td>
</tr>
</tbody>
</table>

**d. Methods** GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D₀, D₁, and D₂. Methods DWB, SFB, PBS, and HPS are not permitted in SDC D₀, D₁, and D₂.
Table R602.10.2 of the 2010 Edition of the California Residential Code is amended to read as follows:

**TABLE R602.10.2**
INTERMITTENT BRACING METHODS

<table>
<thead>
<tr>
<th>WSP</th>
<th>Wood structural panel (see Section R904)</th>
<th>3/8 x 1502'</th>
<th>For exterior sheathing: see Table R602.9(f) For interior sheathing: see Table R602.9(h)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SFB</td>
<td>Structural fiberboard sheathing</td>
<td>1/2'' or 25/32'' for maximum 16'' stud spacing</td>
<td>1 1/2'' galvanized roofing nails or 8d common (2 1/2'' x 0.131') nails at 3'' spacing (panel edges) at 6'' spacing (intermediate supports)</td>
</tr>
<tr>
<td>GB</td>
<td>Gypsum board</td>
<td>1/2''</td>
<td>Nails or screws at 7'' spacing at panel edges including top and bottom plates; for all braced wall panel locations for exterior sheathing nail or screw size, see Table R602.3.1; for interior gypsum board nail or screw size, see Table R702.3.5</td>
</tr>
<tr>
<td>PBS</td>
<td>Particleboard sheathing (see Section R905)</td>
<td>3/8'' or 1/2'' for maximum 16'' stud spacing</td>
<td>1 1/2'' galvanized roofing nails or 8d common (2 1/2'' x 0.131') nails at 3'' spacing (panel edges) at 6'' spacing (intermediate supports)</td>
</tr>
<tr>
<td>PCP</td>
<td>Portland cement plaster</td>
<td>See Section R702.6 For maximum 16'' stud spacing</td>
<td>1 1/2'' .11 gage, 7/16'' head nails at 6'' spacing 6'' spacing 7/16'' 6'' gage staples at 6'' spacing</td>
</tr>
</tbody>
</table>

a. Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D6, D1, and D2. Methods LIB, DWB, SFB, PBS, HPS, and PFG are not permitted in SDC D6, D1, and D2.
Figure R602.10.3.2 of the 2010 Edition of the California Residential Code is amended to read as follows:

**Figure R602.10.3.2**

**ALTERNATE BRACED WALL PANEL**
Figure R602.10.3.3 of the 2010 Edition of the California Residential Code is amended to read as follows:

1. Each panel shall be fabricated in accordance with Figure R602.10.3.3. The wood structural panel sheathing shall extend up over the solid sawn or glued-laminated header and shall be nailed in accordance with Figure R602.10.3.3. A spacer, if used with a built-up header, shall be placed on the side of the built-up beam opposite the wood structural panel sheathing. The header shall extend between the inside faces of the first full-length outer studs of each panel. One anchor bolt not less than 5/8-inch-diameter (16 mm) and installed in accordance with Section R403.1.6 shall be provided in the center of each sill plate. The hold-down devices shall be an embedded-strap type, installed in accordance with the manufacturer's recommendations. The panels shall be supported directly on a foundation that is continuous across the entire length of the braced wall line. The foundation shall be reinforced as shown on Figure R602.10.3.2. This reinforcement shall be lapped not less than 24 inches (610 mm) with the reinforcement required in the continuous foundation located directly under the braced wall line.
Table R602.10.4.1 of the 2010 Edition of the California Residential Code is amended to read as follows:

**TABLE R602.10.4.1**
CONTINUOUS SHEATHING METHODS

<table>
<thead>
<tr>
<th>METHOD</th>
<th>MATERIAL</th>
<th>MINIMUM THICKNESS</th>
<th>FIGURE</th>
<th>CONNECTION CRITERIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>CS-WSP</td>
<td>Wood structural panel</td>
<td>15/32&quot;</td>
<td><img src="image1" alt="Diagram" /></td>
<td>6d common (2&quot; x 0.113&quot;) nails at 6&quot; spacing (panel edges) and at 12&quot; spacing (intermediate supports) or 16 ga. x 1 1/4&quot; staples at 3&quot; spacing (panel edges) and 6&quot; spacing (intermediate supports)</td>
</tr>
<tr>
<td>CS-G</td>
<td>Wood structural panel adjacent to garage openings and supporting roof load only</td>
<td>15/32&quot;</td>
<td><img src="image2" alt="Diagram" /></td>
<td>See Method CS-WSP</td>
</tr>
<tr>
<td>CS-PF</td>
<td>Continuous portal frame</td>
<td>See Section R602.10.4.1.1</td>
<td><img src="image3" alt="Diagram" /></td>
<td>See Section R602.10.4.1.1</td>
</tr>
</tbody>
</table>
Figure R602.10.4.1.1 of the 2010 Edition of the California Residential Code is amended to read as follows:

- **Braced Wall Segment Per R602.10.4**
  - Min. 3" x 11-1/4" net header.
  - 2" to 18" (finished width)
  - Fasten sheathing to header with 8d common nails in 3" grid pattern as shown and 3" o.c. in all framing (studs and sills) typ.
  - Header shall be fastened to the king stud with 6 16d sinker nails.
  - Minimum 1000 lb strap shall be centered at bottom of header and installed on backside as shown on side elevation.
  - For a panel splice (if needed), panel edges shall occur over and be nailed to common blocking and occur within middle 2/4 of wall height. One row of 3" o.c. nailing is required in each panel edge.
  - Wood structural panel strength axis.
  - Min. number of studs shown.
  - Min. length based on 6.1 height-to-length ratio.
  - For example, 1/6 min. from height.
  - Anchor bolt per R403.1.6 typ.
  - 2 anchor bolts per R403.1.6 required.
  - Min. 3/8" x 44 plate washer.
  - Over concrete or masonry block foundation.

- **Min. 1000 lb tension strap**
  - Strap shall be centered at bottom of header.
  - Sheathing filler if needed.

- **10d sinker nails in 3 rows @ 3" o.c.**
  - Wood structural panel must be continuous from top of wall to bottom of wall, or from top of wall to permitted splice area.

- **Thickness wood structural panel sheathing.**
Section R602.10.7.1 of the 2010 Edition of the California Residential Code is deleted in its entirety:

Section R606.2.4 of the 2010 Edition of the California Residential Code is amended to read as follows:

**R606.2.4 Parapet walls.** Unreinforced solid masonry parapet walls shall not be less than 8 inches (203 mm) thick and their height shall not exceed four times their thickness. Unreinforced hollow unit masonry parapet walls shall not be less than 8 inches (203 mm) thick, and their height shall not exceed three times their thickness. Masonry parapet walls in areas subject to wind loads of 30 pounds per square foot (1.44 kPa) or located in Seismic Design Category D₀, D₁ or D₂, or on townhouses in Seismic Design Category C shall be reinforced in accordance with Section R606.12.

Section R606.12.2.2.3 of the 2010 Edition of the California Residential Code is amended to read as follows:

**R606.12.2.2.3 Reinforcement of requirements for masonry elements.** Masonry elements listed in Section R606.12.2.2 shall be reinforced in either the horizontal or vertical direction as shown in Figure R606.11(2)R606.11(3) and in accordance with the following:

1. **Horizontal reinforcement.** Horizontal joint reinforcement shall consist of at least one No. 4 bar spaced not more than 48 inches (1219 mm). Horizontal reinforcement shall be provided within 16 inches (406 mm) of the top and bottom of these masonry elements.

2. **Vertical reinforcement.** Vertical reinforcement shall consist of at least one No. 4 bar spaced not more than 48 inches (1219 mm). Vertical reinforcement shall be within 8 inches (406 mm) of the ends of masonry walls.

Exception of Section 602.3.2 of the 2010 Edition of the California Residential Code is amended to read as follows:

Exception: In other than Seismic Design Category D₀, D₁ or D₂, a single top plate may be installed in stud walls, provided the plate is adequately tied at joints, corners and interesting walls by a minimum 3-inch-by-6-inch by a 0.036-inch-thick (76 mm by 152 mm by 0.914 mm) galvanized steel plate that is nailed to each wall or segment of wall by six 8d nails on each side, provided the rafters or joists are centered over the studs with a tolerance of no more than 1 inch (25 mm). The top plate may be omitted over lintels that are adequately tied to adjacent wall sections with steel plates or equivalent as previously described.

Footnote "i" is added to Table R802.5.1(9) of the 2010 Edition of the California Residential Code to read as follows:

i. **Edge distances, end distances and spacings for nails shall be sufficient to prevent splitting of the wood.**

Section R802.8 of the 2010 Edition of the California Residential Code is amended to read as follows:

**R802.8 Lateral support.** Roof framing members and ceiling joists having a depth-to-thickness ratio exceeding 62 to 1 based on nominal dimensions shall be provided with lateral support at points of bearing to prevent rotation. For roof rafters with ceiling joists attached per Table R602.3(1), the depth-thickness ratio for the total assembly shall be determined using the combined thickness of the rafter plus the attached ceiling joist.
Section R802.10.2 of the 2010 Edition of the California Residential Code is amended to read as follows:

**R802.10.2 Design.** Wood trusses shall be designed in accordance with accepted engineering practice. The design and manufacture of metal-plate-connected wood trusses shall comply with ANSI/TPI 1. The truss design drawings shall be prepared by a registered professional.

Section R803.2.4 is added to Chapter 8 of the 2010 Edition of the California Residential Code to read as follows:

**R803.2.4 Openings in horizontal diaphragms.** Openings in horizontal diaphragms shall conform with Section R503.2.4.

Section R1001.3.1 of the 2010 Edition of the California Residential Code is amended to read as follows:

**R1001.3.1 Vertical reinforcing.** For chimneys up to 40 inches (1016 mm) wide, four No. 4 continuous vertical bars adequately anchored into the concrete foundation shall be placed between wythes of solid masonry or within the cells of hollow unit masonry and grouted in accordance with Section R609. Grout shall be prevented from bonding with the flue liner so that the flue liner is free to move with thermal expansion. For chimneys more than 40 inches (1016 mm) wide, two additional No. 4 vertical bars adequately anchored into the concrete foundation shall be provided for each additional flue incorporated into the chimney or for each additional 40 inches (1016 mm) in width or fraction thereof.

**SECTION 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION.** The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “State CEQA Guidelines”) because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment.

**SECTION 4: SAVINGS CLAUSE.** Repeal of any provision of the ESMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

**SECTION 5: SEVERABILITY.** If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

**SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS.** If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the ESMC or
other the city ordinance by this Ordinance will be rendered void and cause such ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 7: EFFECTIVE DATE. This Ordinance will take effect on January 1, 2011.

PASSED AND ADOPTED this _____day of __________, 2010.

__________________________
Eric Busch, Mayor

__________________________
Cindy Mortesen
City Clerk

APPROVED AS TO FORM
MARK HENSLEY, CITY ATTORNEY

By: _______________________
Karl H. Berger
Assistant City Attorney

ATTEST:

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. 1455 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
ORDINANCE NO. 1456

AN ORDINANCE ADOPTING THE 2010 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE WITH AMENDMENTS.

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

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

A. Health and Safety Code § 17958 requires the City is required to adopt certain codes that are set forth in Health and Safety Code § 17922 and published in the California Code of Regulations;

B. Pursuant to Government Code §§ 50022.2, et seq., the City may adopt other uniform codes by reference;

C. It is in the public interest to adopt the 2010 Edition of the California Green Building Code set forth in this Ordinance;

D. At least one copy of the California Energy Code was filed with the City Clerk of the City was available for public inspection for at least fifteen (15) days preceding the date of the hearing

SECTION 2: Chapter 17 is amended in its entirety in Title 13 of the El Segundo Municipal Code ("ESMC") to read as follows:

CHAPTER 17

GREEN BUILDING STANDARDS CODE

SECTION 3: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “State CEQA Guidelines”) because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor. This ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment.

SECTION 4: SAVINGS CLAUSE. Repeal of any provision of the ESMC or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the ESMC or other the city ordinance by this Ordinance will be rendered void and cause such ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 7: EFFECTIVE DATE. This Ordinance will take effect on January 1, 2011.

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. 1456 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
Consideration and possible action to adopt a resolution establishing a fee for Tobacco Retail Licenses. (Fiscal Impact: none)

RECOMMENDED COUNCIL ACTION:
1. Open a Public Hearing to consider establishing a Tobacco Retail License fee;
2. Adopt a resolution establishing a fee for Tobacco Retail Licenses; and
3. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Proposed Tobacco Retail License Fee Cost Summary - Exhibit “A”
Resolution

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

ORIGINATED BY: Brian Evanski, A/Captain
REVIEWED BY: Mitch Tavera, Chief of Police
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

On April 3, 2003, the City Council adopted Ordinance No. 1358, which added § 5-6B-1, et seq. to the El Segundo Municipal Code (ESMC) requiring tobacco retailers to obtain a license. ESMC Chapter 5-6B is captioned “Tobacco Retailer License” and regulates the licensing of tobacco retailers including the administration, issuance and enforcement; however no license fee was established. Under Section 5-6B-2-2 the City Council may by resolution establish a fee for the license application and issuance.

On June 15, 2010, City Council directed Staff to develop and proceed with the implementation of a Tobacco Retail License Fee of $250.

Administration and enforcement of regulations covered under Chapter 5-6B requires staff time for each retailer as reflected in Exhibit “A.” Based on the required staff time to administer and enforce the provisions of the tobacco retailer license, the proposed fee is $250.00 per year for each tobacco retailer license. It is recommended that at the time of the initial application, said fee be paid to the City of El Segundo on the first day of January of each year in conjunction with the City business license schedule.
A penalty of ten percent (10%) would be added on any delinquent fees on the last day of each month after the due date. The penalty would not exceed fifty percent (50%) of the fee.

The fee would be calculated annually to recover the cost of both the administration and enforcement of the license, including the cost of issuance, renewal, retailer inspection and compliance checks, documentation of violations and other related actions.
CITY OF EL SEGUNDO

REVENUE AND COST SUMMARY STUDY

<table>
<thead>
<tr>
<th>SERVICE: TOBACCO RETAIL LICENSE FEE</th>
<th>REFERENCE: ESMC 5-6B</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRIMARY DEPARTMENT:</td>
<td>UNIT OF SERVICE: RETAIL LICENSE</td>
</tr>
</tbody>
</table>

DESCRIPTION OF SERVICE:

To provide funding for the administration and enforcement of annual Tobacco Retail Licenses; specifically license processing, compliance checks and enforcement actions directed at businesses engaged in the sale of tobacco products.

CURRENT FEE STRUCTURE:

$0.00 per license

SUGGESTED FEE FOR COST RECOVERY OF: 100%

$250.00 annual, per each retail license

NOTE: Unit costs are an average of total unit.

<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>POSITION</th>
<th>QTY.</th>
<th>UNIT TIME</th>
<th>@UNIT COST</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>POLICE</td>
<td>Admin. Analyst</td>
<td>1</td>
<td>5.0</td>
<td>$58.00</td>
<td>$290.00</td>
</tr>
<tr>
<td>POLICE</td>
<td>Admin. Sergeant</td>
<td>1</td>
<td>20.0</td>
<td>$122.00</td>
<td>$2,440.00</td>
</tr>
<tr>
<td>POLICE</td>
<td>Admin. Officer</td>
<td>2</td>
<td>20.0</td>
<td>$97.00</td>
<td>$3,880.00</td>
</tr>
</tbody>
</table>

Calculations: Annual cost divided by 26 retailers in the City.

Estimated Fee: $250.00 per license.
RESOLUTION NO. ________________

A RESOLUTION ESTABLISHING FEES FOR OBTAINING A TOBACCO RETAILER LICENSE IN ACCORDANCE WITH EL SEGUNDO MUNICIPAL CODE CHAPTER 5-6B.

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

SECTION 1: The City Council finds as follows:

A. The City Council may establish fees for services under various provisions of California Law including, without limitation, Business & Professions Code § 16000; Government Code §§ 36936.1, 43000, 54344, 65104, 65456, 65874, 65909.5, 65943, 66013, 66014, 66451.2; and Health & Safety Code §§ 510, 17951, 17980.1, 19852.

B. Pursuant to Government Code § 6253, the fees established herein represent the estimated costs of administering the City's tobacco retailer license including, without limitation, noticing costs; collection costs; and costs for levying assessments, based on the average hourly salary of the staff enforcing the El Segundo Municipal Code as more completely set forth in attached Exhibit "A," which is incorporated by reference ("Calculations").

C. Pursuant to Government Code § 66016, the City made data available regarding the cost, or estimated cost, of providing services for various fees ten (10) days before the public hearing held on November 16, 2010.

D. On November 16, 2010 the City Council heard public testimony and considered evidence in a public hearing held and noticed in accordance with Government Code § 66016.

E. At the recommendation of the City Manager, the City Council believes that it is in the public interest to establish the recommended fees to recover the City's costs.

SECTION 2: The fee attached as Exhibit "A" and incorporated into this Resolution as if fully set forth, are approved and adopted.

SECTION 3: Unless otherwise revised, the fee established by this Resolution will be automatically adjusted on an annual basis at the beginning of each fiscal year based on the average percentage change over the previous calendar year to the City's costs for administering the services set forth in Exhibit "A." The first fee adjustment cannot be made before a minimum of ten (10) months after the effective date of this Resolution.

SECTION 4: This Resolution is exempt from review under the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000, et seq.; "CEQA") and CEQA regulations.
(Cal. Code Regs. Tit. 14, §§ 15000, et seq.) because it establishes, modifies, structures, restructures, and approves rates and charges for meeting operating expenses; purchasing supplies, equipment, and materials; meeting financial requirements; and obtaining funds for capital projects needed to maintain service within existing service areas. This Resolution, therefore, is categorically exempt from further CEQA review under Cal. Code Regs. Tit. 14, § 15273.

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

SECTION 6: The City Clerk will certify to 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 16TH day of November, 2010

______________________________________
Eric Busch, Mayor
STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES ) SS
CITY OF EL SEGUNDO )

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, hereby certify that the whole number of members of the City Council of the City is five; that the foregoing Resolution No. ______________ was duly passed and adopted by said City Council, approved and signed by the Mayor of said City, and attested to by the City Clerk of said City, all at a regular meeting of said Council held on the 17th day of August, 2010, and the same was so passed and adopted by the following roll call vote:

AYES: 
NOES: 
ABSENT: 
ABSTAIN: 

ATTEST:

______________________________
Cindy Mortesen
City Clerk

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

By: ____________________________
Karl H. Berger
Assistant City Attorney
CITY OF EL SEGUNDO
WARRANTS TOTALS BY FUND

<table>
<thead>
<tr>
<th>Code</th>
<th>Fund Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>GENERAL FUND</td>
<td>357,168.23</td>
</tr>
<tr>
<td>104</td>
<td>TRAFFIC SAFETY FUND</td>
<td>-</td>
</tr>
<tr>
<td>105</td>
<td>STATE GAS TAX FUND</td>
<td>-</td>
</tr>
<tr>
<td>108</td>
<td>ASSOCIATED RECREATION ACTIVITIES FUND</td>
<td>-</td>
</tr>
<tr>
<td>109</td>
<td>ASSET FORFEITURE FUND</td>
<td>1,212.47</td>
</tr>
<tr>
<td>110</td>
<td>COMM DEVEL. BLOCK GRANT</td>
<td>-</td>
</tr>
<tr>
<td>112</td>
<td>PROP &quot;A&quot; TRANSPORTATION</td>
<td>2,098.90</td>
</tr>
<tr>
<td>114</td>
<td>PROP &quot;C&quot; TRANSPORTATION</td>
<td>50.11</td>
</tr>
<tr>
<td>115</td>
<td>AIR QUALITY INVESTMENT PROGRAM</td>
<td>-</td>
</tr>
<tr>
<td>116</td>
<td>HOME SOUND INSTALLATION FUND</td>
<td>11,047.56</td>
</tr>
<tr>
<td>117</td>
<td>HYPERION MITIGATION FUND</td>
<td>-</td>
</tr>
<tr>
<td>118</td>
<td>TDA ARTICLE 3 SB 821 BIKEWAY FUND</td>
<td>-</td>
</tr>
<tr>
<td>119</td>
<td>MTA GRANT</td>
<td>-</td>
</tr>
<tr>
<td>121</td>
<td>FEMA</td>
<td>-</td>
</tr>
<tr>
<td>120</td>
<td>D.G.S. FUND</td>
<td>5,850.13</td>
</tr>
<tr>
<td>122</td>
<td>L.A.W.A. FUND</td>
<td>-</td>
</tr>
<tr>
<td>202</td>
<td>ASSESSMENT DISTRICT #73</td>
<td>-</td>
</tr>
<tr>
<td>301</td>
<td>CAPITAL IMPROVEMENT FUND</td>
<td>551.90</td>
</tr>
<tr>
<td>302</td>
<td>INFRASTRUCTURE REPLACEMENT FUND</td>
<td>-</td>
</tr>
<tr>
<td>405</td>
<td>FACILITIES MAINTENANCE</td>
<td>-</td>
</tr>
<tr>
<td>501</td>
<td>WATER UTILITY FUND</td>
<td>7,087.42</td>
</tr>
<tr>
<td>502</td>
<td>WASTEWATER FUND</td>
<td>124,694.83</td>
</tr>
<tr>
<td>503</td>
<td>GOLF COURSE FUND</td>
<td>13,733.61</td>
</tr>
<tr>
<td>601</td>
<td>EQUIPMENT REPLACEMENT</td>
<td>902.07</td>
</tr>
<tr>
<td>602</td>
<td>LIABILITY INSURANCE</td>
<td>1,915.00</td>
</tr>
<tr>
<td>603</td>
<td>WORKERS COMP. RESERVE/INSURANCE</td>
<td>79.46</td>
</tr>
<tr>
<td>701</td>
<td>RETIRED EMP. INSURANCE</td>
<td>5,054.62</td>
</tr>
<tr>
<td>702</td>
<td>EXPENDABLE TRUST FUND - DEVELOPER FEES</td>
<td>-</td>
</tr>
<tr>
<td>703</td>
<td>EXPENDABLE TRUST FUND - OTHER</td>
<td>6,345.82</td>
</tr>
<tr>
<td>708</td>
<td>OUTSIDE SERVICES TRUST</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>TOTAL WARRANTS</td>
<td>537,419.20</td>
</tr>
</tbody>
</table>

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 funds for payment thereof.

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

CODES:

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

For Ratification:

A = Payroll and Employee Benefit checks

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

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

FINANCE DIRECTOR: [Signature]  
CITY MANAGER: [Signature]

DATE: 11/9/10
# CITY OF EL SEGUNDO
## PAYMENTS BY WIRE TRANSFER
### 10/21/10 THROUGH 11/04/10

<table>
<thead>
<tr>
<th>Date</th>
<th>Payee</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/28/2010</td>
<td>Employment Development</td>
<td>3,806.88</td>
<td>State Taxes</td>
</tr>
<tr>
<td>10/28/2010</td>
<td>Employment Development</td>
<td>51,149.37</td>
<td>State Taxes</td>
</tr>
<tr>
<td>10/28/2010</td>
<td>IRS</td>
<td>216,397.31</td>
<td>Federal Taxes</td>
</tr>
<tr>
<td>10/29/2010</td>
<td>State of CA EFT</td>
<td>1,768.14</td>
<td>Child support payment</td>
</tr>
<tr>
<td>10/29/2010</td>
<td>Nationwide EFT</td>
<td>32,784.58</td>
<td>EFT 457 payment</td>
</tr>
<tr>
<td>10/29/2010</td>
<td>UB</td>
<td>3,827.63</td>
<td>PARS payment</td>
</tr>
<tr>
<td>10/29/2010</td>
<td>Manufacturers &amp; Traders</td>
<td>27,568.00</td>
<td>457 payment Vantagepoint</td>
</tr>
<tr>
<td>10/29/2010</td>
<td>Unum</td>
<td>497.80</td>
<td>LTD</td>
</tr>
<tr>
<td>11/3/2010</td>
<td>Health Comp</td>
<td>2,805.18</td>
<td>Weekly claims</td>
</tr>
<tr>
<td>11/4/2010</td>
<td>Lane Donovan Golf Pte</td>
<td>19,415.33</td>
<td>Payroll Transfer</td>
</tr>
<tr>
<td>11/4/2010</td>
<td>Cal Pers</td>
<td>296,356.29</td>
<td>Retirement</td>
</tr>
<tr>
<td>10/21-11/04/10</td>
<td>Workers Comp Activity</td>
<td>35,245.38</td>
<td>SCRMA checks issued</td>
</tr>
</tbody>
</table>

**DATE OF RATIFICATION: 11/15/10**
**TOTAL PAYMENTS BY WIRE:** 694,854.13

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, NOVEMBER 2, 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:

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) -1- matter

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 OF PUBLIC EMPLOYEE (Gov’t. Code § 54957) -1- matter
Position/Title: City Manager

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING
NOVEMBER 2, 2010
PAGE NO. 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, Bob Hyland and Richard Kreisler

Unrepresented Group: Management Confidential Group
Negotiator: Jack Wayt

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

Council recessed at 6:50 p.m.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, NOVEMBER 2, 2010 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Father Alexei Smith, St. Andrews Russian Greek Catholic Church

PLEDGE OF ALLEGIANCE – Council Member Carl Jacobson

PRESENTATIONS

a. Mayor Pro Tem Fisher presented a Proclamation announcing November 20, 2010 Hometown Forest Day to Tree Muskateers President Adam Gerrard.

b. Council Member Brann presented a Proclamation encouraging citizens to observe Veterans Day on November 11, 2010 to Pamela Ament, retired U.S. Air Force.

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.

Loretta Frye, Resident; spoke regarding the Life Line reduction for solid waste hauling. She also talked about the problems encountered with trash haulers that use automated hands for trash pick up.

Liz Garnholz, Resident; spoke regarding the Firefighter proposal recommendations and the costs; Agenda Consent Items, on the possible concessions for Police and asked what the concessions were.

Ron Swanson, Resident; thanked the City Staff for the Halloween Frolic.
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 Council Member Brann 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)


Mayor Busch stated that this was the time and place to conduct a public hearing on the Ordinances to adopt the 2010 California Building Code (Volumes I and II), 2010 California Fire Code, 2010 California Electrical Code, 2010 California Plumbing Code, 2010 California Mechanical Code, 2010 California Energy Code, 2010 California Residential Code, and 2010 California Green Building Standards Code, with amendments.

City Clerk Mortensen stated that proper notice had been given in a timely manner and that no communications had been received in the City Clerk's Office.

Sam Lee, Building Official, gave a report.

MOTION by Council Member Brann, SECONDED by Mayor Busch to continue the public hearing to November 16, 2010 and introduce all eight Ordinances. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. UNFINISHED BUSINESS

2. Consideration and possible by action to indicate a willingness to establish lifeline rates in the event that trash rates are ultimately imposed by the City after the Proposition 218 process has been completed (Fiscal Impact: Unknown, but estimated to be approximately $3,000.00 in lost revenue).

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Brann to indicate a willingness to establish lifeline rates with a reduction of 100% in the event that trash rates are ultimately imposed by the City after the Proposition 218 process has been completed. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0
3. Consideration and possible action to either (1) accept proposal from Firefighters Association to reduce budgeted employment costs for the Fire Department, or (2) direct staff to implement layoff procedures and layoffs of Fire Department employees to reduce employment costs for the Fire Department

MOTION by Council Member Jacobson, SECONDED by Mayor Busch to direct staff to implement layoff procedures and layoffs of Fire Department employees to reduce employment costs for the Fire Department unless an acceptable proposal is provided to Council prior to the 30 day waiting period. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: BUSCH, FISHER, JACOBSON, FUENTES; NOES: BRANN. 4/1

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.

4. Approved Warrant Numbers 2579479 to 2579704 on Register No. 2 in the total amount of $968,727.74 and Wire Transfers from 10/8/10 through 10/21/10 in the total amount of $4,371,095.70. 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 addendum, in a form approved by the City Attorney, to Agreement No. 4077 with Advance Sewer Technologies, Inc. The amendment would add the Cleaning and Closed Circuit Television (CCTV) inspection of sewer lines east of Sepulveda Boulevard between Rosecrans Avenue and Imperial Highway. (Project No.: PW 10-02) (Fiscal Impact: $54,172.21) Authorized the City Manager or designee to execute the amendment.

7. Received and filed report without objecting to a new Alcoholic Beverage Control (ABC) license for on-site sale of alcohol for on-site and off-site consumption for an accessory tasting room within a proposed brewery, El Segundo Brewery, (Type 23 – Beer Manufacturer) located at 140 Main Street. Applicant: Robert Croxall (Fiscal Impact: N/A)

8. Approved the purchase of hardware from Metro Video for an audio/video security system for the police station using funds from the Citizens Option for Public Safety (COPS) Grant and the Justice Assistance Grant (JAG). (Fiscal impact to the city is $99,364.35).

10. PULLED FOR DISCUSSION BY MAYOR BUSCH

11. PULLED FOR DISCUSSION BY MAYOR BUSCH

MOTION by Mayor Pro Tem Fisher, SECONDED by Council Member Fuentes to approve Consent Agenda Items 4, 5, 6, 7, 8, and 9. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA


MOTION by Jacobson, SECONDED by Mayor Busch to approve the Side Letter between the City of El Segundo and El Segundo Police Managers' Association regarding salary and benefit concessions for FY 2009/2010 and FY 2010/2011 by the City of El Segundo Police Managers' Association (ESPMA) and to approve the Side Letter between the City of El Segundo and El Segundo Police Officers Association regarding salary and benefit concessions for FY 2009/2010 and FY 2010/2011 by the City of El Segundo Police Officers Association. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

G. REPORTS – CITY MANAGER - NONE

H. REPORTS – CITY ATTORNEY - NONE

I. REPORTS – CITY CLERK - NONE

J. REPORTS – CITY TREASURER - NONE

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fuentes – Thanked the City for the Halloween Frolic and commended the Veterans.

Council Member Brann – None

Council Member Jacobson – None
Mayor Pro Tem Fisher – Thanked the sponsors for the Halloween Frolic

Mayor Busch – Thanked Jane Harmon for attending the Halloween Frolic and her efforts to obtained sponsorships. Congratulated the Veterans.

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

Liz Garnholz, Resident; requested the dollar number for the PERS deficit.

MEMORIALS – NONE

ADJOURNMENT at 8:03 p.m.

___________________________

Cindy Mortesen, City Clerk
AGENDA DESCRIPTION:
Consideration and possible action regarding the annual Resolutions updating the employer’s contribution under the Public Employees’ Medical and Hospital Care Act for the El Segundo Fire Fighters’ Association, the El Segundo Police Officers’ Association, the El Segundo City Employees’ Association, the El Segundo Police Support Services Association, and the El Segundo Supervisory and Professional Employees’ Association. Fiscal Impact: $31,611.80.

RECOMMENDED COUNCIL ACTION:
1. Adopt the required Resolutions.
2. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Proposed Resolutions

FISCAL IMPACT: $31,611.80
   Amount Budgeted: $31,611.80
   Additional Appropriation: None
   Account Number(s):

ORIGINATED BY: Martha Dykstra, Human Resources Manager
REVIEWED BY: Bob Hyland, Human Resources Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION
As required, the City files with the Public Employees Retirement System (PERS) the annual Resolutions reflecting changes in the City’s contribution for employees and annuitants under the Public Employees Medical and Hospital Care Act (PEMHCA).

The Memorandum of Understanding contract provisions with the El Segundo Firefighters’ Association and the El Segundo Police Officers’ Association provide that the City’s contribution is based on the average dollar cost of the premium for an employee and two (2) or more dependents for the HMO’s available to employees under the Public Employees Medical and Hospital Care Program in the Los Angeles area, as that term is defined by CalPERS (Los Angeles, San Bernardino and Ventura County). In the 2011 calendar year the maximum City contribution based on this calculation for medical coverage will be $1177.38 per month per employee.

The Memorandum of Understanding contract provisions with the El Segundo City Employees’ Association and the El Segundo Police Support Services Association provide that the City’s contribution is based on 50% of the increase in the 2011 premium, based on the average dollar cost of the premium for an employee and two (2) or more dependents for the HMO’s available to employees under the Public Employees’ Medical and Hospital Care Program in the Los Angeles area, as that term is defined by CalPERS (Los Angeles, San Bernardino, and Ventura County) above the rate in effect January 1, 2008. In the 2011 calendar year the maximum City contribution based on this calculation for medical coverage will be $1096.36 per month per employee.
The Memorandum of Understanding contract provisions with the El Segundo Supervisory and Professional Employees’ Association provide that the City’s contribution is based on 50% of the increase in the premium based on the average dollar cost of the premium for an employee and two (2) or more dependents for the HMO’s, PERS Choice PPO, and PERS Select PPO medical plans available to employees under the Public Employees’ Medical and Hospital Care Program in the Los Angeles area, as that term is defined by CalPERS (Los Angeles, San Bernardino, and Ventura County) above the rate in effect January 1, 2009. In the 2001 calendar year the maximum City contribution based on this calculation for medical coverage will be $1136.27 per month per employee.

The City’s maximum contribution for the annuitants in all of these groups is the same as for active, represented employees.
RESOLUTION NO.__________

A RESOLUTION FIXING THE EMPLOYER’S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT FOR THE EL SEGUNDO FIREFIGHTERS’ ASSOCIATION

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

Section 1: The City Council finds as follows:

A. Government Code § 22892(a) provides that a local agency contracting under the Public Employees’ Medical and Hospital Care Act shall fix the amount of the employer’s contribution at an amount not less than the amount required under Section 22825 of the Act, and

B. Government Code §22892(c) provides that a contracting agency may fix the amount of the employee’s contribution for employees and the employer’s contribution for annuitants at different amounts provided that the monthly contribution for annuitants be annually increased by an amount not less than 5 percent of the monthly contribution for employees, until such time as the amounts are equal; and

C. The City of El Segundo (“employer”) is a local agency contracting under the Act for participation by members of the El Segundo Firefighters’ Association.

Section 2: The employer’s contribution for each employee is the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan up to a maximum of $1177.38 per month effective January 1, 2011.

Section 3: The employer’s contribution for each annuitant is the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan up to a maximum of $1177.38 per month effective January 1, 2011.

Section 4: 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 5: The Resolution will become effective immediately upon adoption, and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this ___16th___ day of __November__, 2010.
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 16th day of November, 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
RESOLUTION NO.__________

A RESOLUTION FIXING THE EMPLOYER’S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT FOR THE EL SEGUNDO POLICE OFFICERS’ ASSOCIATION

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

Section 1: The City Council finds as follows:

A. Government Code § 22892(a) provides that a local agency contracting under the Public Employees’ Medical and Hospital Care Act shall fix the amount of the employer’s contribution at an amount not less than the amount required under Section 22825 of the Act, and

B. Government Code §22892(c) provides that a contracting agency may fix the amount of the employee’s contribution for employees and the employer’s contribution for annuitants at different amounts provided that the monthly contribution for annuitants be annually increased by an amount not less than 5 percent of the monthly contribution for employees, until such time as the amounts are equal; and

C. The City of El Segundo (“employer”) is a local agency contracting under the Act for participation by members of the El Segundo Police Officers’ Association.

Section 2: The employer’s contribution for each employee is the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan up to a maximum of $1177.38 per month effective January 1, 2011.

Section 3: The employer’s contribution for each annuitant is the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan up to a maximum of $1177.38 per month effective January 1, 2011.

Section 4: 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 5: The Resolution will become effective immediately upon adoption, and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this ___ day of ___ , 2010.
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 16th day of November, 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:
Assistant City Attorney

Mark D. Hensley, City Attorney

By: __________________________
    Karl H. Berger
RESOLUTION NO.__________

A RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT FOR THE EL SEGUNDO CITY EMPLOYEES' ASSOCIATION

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

Section 1: The City Council finds as follows:

A. Government Code § 22892(a) provides that a local agency contracting under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22825 of the Act, and

B. Government Code §22892(c) provides that a contracting agency may fix the amount of the employee's contribution for employees and the employer’s contribution for annuitants at different amounts provided that the monthly contribution for annuitants be annually increased by an amount not less than 5 percent of the monthly contribution for employees, until such time as the amounts are equal; and

C. The City of El Segundo ("employer") is a local agency contracting under the Act for participation by members of the El Segundo City Employees' Association.

Section 2: The employer’s contribution for each employee is the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan up to a maximum of $1096.36 per month effective January 1, 2011.

Section 3: The employer’s contribution for each annuitant is the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan up to a maximum of $1096.36 per month effective January 1, 2011.

Section 4: 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 5: The Resolution will become effective immediately upon adoption, and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this ___16th___ day of ___November___, 2010.
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 16th day of November, 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:
Assistant City Attorney

Mark D. Hensley, City Attorney

By: ____________________________
   Karl H. Berger
RESOLUTION NO.______________

A RESOLUTION FIXING THE EMPLOYER’S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT FOR THE EL SEGUNDO POLICE SUPPORT SERVICES EMPLOYEES’ ASSOCIATION

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

Section 1: The City Council finds as follows:

A. Government Code § 22892(a) provides that a local agency contracting under the Public Employees’ Medical and Hospital Care Act shall fix the amount of the employer’s contribution at an amount not less than the amount required under Section 22825 of the Act, and

B. Government Code §22892(c) provides that a contracting agency may fix the amount of the employee’s contribution for employees and the employer’s contribution for annuitants at different amounts provided that the monthly contribution for annuitants be annually increased by an amount not less than 5 percent of the monthly contribution for employees, until such time as the amounts are equal; and

C. The City of El Segundo (“employer”) is a local agency contracting under the Act for participation by members of the El Segundo Police Support Services Employees’ Association.

Section 2: The employer’s contribution for each employee is the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan up to a maximum of $1096.36 per month effective January 1, 2011.

Section 3: The employer’s contribution for each annuitant is the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan up to a maximum of $1096.36 per month effective January 1, 2011.

Section 4: 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 5: The Resolution will become effective immediately upon adoption, and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 16th day of November, 2010.
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 16th day of November, 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)
Assistant City Attorney

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

By: __________________________
    Karl H. Berger
RESOLUTION NO.________

A RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT FOR THE EL SEGUNDO SUPERVISORY AND PROFESSIONAL EMPLOYEES' ASSOCIATION

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

Section 1: The City Council finds as follows:

A. Government Code § 22892(a) provides that a local agency contracting under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22825 of the Act, and

B. Government Code §22892(c) provides that a contracting agency may fix the amount of the employee's contribution for employees and the employer's contribution for annuitants at different amounts provided that the monthly contribution for annuitants be annually increased by an amount not less than 5 percent of the monthly contribution for employees, until such time as the amounts are equal; and

C. The City of El Segundo ("employer") is a local agency contracting under the Act for participation by members of the El Segundo Supervisory and Professional Employees' Association.

Section 2: The employer's contribution for each employee is the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan up to a maximum of $1136.27 per month effective January 1, 2011.

Section 3: The employer's contribution for each annuitant is the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan up to a maximum of $1136.27 per month effective January 1, 2011.

Section 4: 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 5: The Resolution will become effective immediately upon adoption, and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this __16th__ day of __November__, 2010.
CERTIFICATION

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 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 16th day of November, 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)
Assistant City Attorney

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

By: ______________________
    Karl H. Berger
AGENDA DESCRIPTION:

Consideration and possible action to award HF & H Consultants, LLC a Professional Services Agreement for consulting services to aid City staff in the development of a Request for Proposals for Residential Trash Collection services and selection and award of a new waste hauler contract to commence in August, 2011. (Fiscal Impact: $81,000.00)

RECOMMENDED COUNCIL ACTION:

1. Approve a Professional Services Agreement to HF & H Consultants, LLC in a form approved by the City Attorney to aid City staff in all steps necessary to secure a new residential trash collection services contractor.

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

ATTACHED SUPPORTING DOCUMENTS:

1. Scope of Work

FISCAL IMPACT: Budget Adjustment Required

<table>
<thead>
<tr>
<th>Amount Budgeted:</th>
<th>$0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Appropriation:</td>
<td>Yes $81,000.00</td>
</tr>
<tr>
<td>Account Number(s):</td>
<td>001-400-4206-6206</td>
</tr>
</tbody>
</table>

ORIGINATED BY: Stephanie Katsouleas, Director of Public Works

REVIEWED BY: Stephanie Katsouleas, Director of Public Works

APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

On July 31, 2011, the City’s contract with Consolidated Disposal Services will expire. In preparation of securing a new residential trash collection contract, City staff recommends that a professional consultant with expertise in developing a Request for Proposals and negotiating with waste haulers be retained to assist city staff through the contract selection process. Staff anticipates that the cost of this service will be fully reimbursed by the waste hauling contractor ultimately awarded the contract in mid-2011 as part of the conditions for accepting the contract.

Staff solicited proposals from seven consultants, of which two responded (HF & H Consultants and R3 Consulting Group, Inc.). The submittals were reviewed by the Trash Subcommittee and HF & H was ultimately determined to be the most qualified responder. The complete scope of work to be performed is attached, and includes assisting in: 1) development and release of the trash hauling Request for Proposals, 2) development of the Agreement, 3) establishing rating criteria, 4) providing support to city staff throughout the process, 5) negotiating with the final successful bidder(s) and 6) preparing the final scope of work.
SECTION 4: SCOPE OF SERVICES AND SCHEDULE

HF&H offers the City full service competitive procurement assistance, as described in the work plan below. One key to a successful contracting experience is effective management of the public process. Each of HF&H’s clients have different service and contract needs, which we work with each city to address. All of our clients have the same desire for a smooth process, which we offer through our program outlined below.

TASK 1: Assist in Development of RFP Scope, Meet with Trash Subcommittee

Kickoff meeting – We understand that there is already a Subcommittee meeting scheduled in December. In preparation for this meeting, we will:

- Review the existing solid waste collection franchise agreement and the City’s solid waste and recycling ordinances to gain an understanding of the City’s existing solid waste programs and service arrangements.

- Review current service arrangements and issues, noting collection issues unique to your City, such as difficult-to-service areas due to terrain and space constraints.

- Prepare for and conduct a meeting to discuss key issues relating to the procurement of a new franchise agreement, and confirm the detailed schedule for the procurement process.

- Provide a meeting document, detailing current service terms and proposed changes to residential collection services and contact terms. This comparison facilitates an informed discussion and decision-making process.

We anticipated discussing issues with City staff prior to this meeting during the preparation of the meeting document. We will meet with the Subcommittee and/or City staff up to three times in addition to this project kickoff meeting to determine the contract scope and terms. The City may desire to conduct some of these meetings as conference calls if the abbreviated process schedule limits meeting options.

Analysis of Benefits and drawbacks – We will provide the City with clear, realistic expectations for each of the proposed service and contract changes. Our extensive experience in not only solid waste contracting, but auditing haulers and contract compliance, provides us with knowledge of challenges, costs and other concerns associated with solid waste services and contract terms. Our recent contracting experience in the South Bay geographic area allows us to provide expertise specific to your City’s needs.

Communications during the RFP process – Controlling communication between proposers, their agents, and the City is critical to the integrity of the process. Cities prefer different levels of
access to City staff and the City Council during the process. We will design communication
guidelines based upon the City’s preferences.

Document recommended options for inclusion in RFP and agreement - Based on our
discussions with City staff and the Subcommittee, we will prepare a Project Plan that documents
the project background, key issues, existing and alternative solid waste and recycling services,
and schedule. We will provide a copy of the Project Plan to the City and use it as a tool to
manage the procurement process.

Gather and review operating data - We will collect any data available regarding the current
services provided and prepare data collection forms to assist the City and/or hauler in providing
additional information in a user-friendly format. In our experience, when proposers are confident
about the accuracy of operating data contained in the RFP, they propose lower rates and include
fewer contingency costs. We analyze this data for reasonableness.

Evaluation criteria - The specific criteria for which we evaluate the complete proposals will be
developed using input received from City staff and the Trash Subcommittee. Based on our
experience in other cities, we anticipate evaluating the proposals based on the following criteria:

- Experience of the proposers in providing the requested services in other jurisdictions, based
  on information contained in their proposals;

- Exceptions taken to the terms and conditions of the draft agreement;

- Proposed total compensation (rate revenue) over the term of the agreement, based on the
  rates included in the financial section of the proposal;

- Financial resources of the proposers, based on information in their proposals; and,

- Unique proposal features that exceed the RFP’s minimum requirements.

Suitable waste haulers – Having conducted the recent RFP processes in the area, we are very
familiar with haulers that are actively pursuing contracts in the region, and what their abilities
and shortcomings are. We will identify for the City the likely candidates, as well as additional
potential proposers, to whom the City may also wish to distribute this RFP. Due to number of
recent RFP processes in the area, many regional haulers may be committed to other service
rollouts near August 1, 2011. We will seek to ensure that we market the RFP to a sufficient
number of quality haulers to overcome this possible challenge. HF&H has a track record of
obtaining numerous quality proposals in challenging processes, such as the City of El Centro, a
remote city in Imperial County with one primary hauler in the region, and the City of Rancho
Palos Verdes where a previous RFP attempt by another consultant failed due to lack of
proposals.
Schedule - The City requests that the new contract begin as of August 1, 2011. We have completed contracting processes under abbreviated schedules and will commit to the City’s proposed timeline. To meet this schedule, when HF&H meets with the Trash Subcommittee in December, we need to receive clear direction on desired service modifications. An ideal procurement schedule would extend for 18 months, to provide the City with sufficient time to consider the various service changes and for the hauler to order equipment and provide for a smooth transition. The City might consider obtaining a short-term contract extension from the current hauler to allow for additional time and to increase proposer interest.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Party</th>
<th>Target Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Select Consultant</td>
<td>City</td>
<td>November 16, 2010</td>
</tr>
<tr>
<td>2. Review existing documents, identify key service issues</td>
<td>HF&amp;H</td>
<td>December 2010</td>
</tr>
<tr>
<td>and meet with City Staff/Trash Committee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Define scope of services, gather operating data and tour collection</td>
<td>HF&amp;H</td>
<td>December 2011</td>
</tr>
<tr>
<td>area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Review Hauler Operating Data</td>
<td>HF&amp;H</td>
<td>January 2011</td>
</tr>
<tr>
<td>5. Prepare preliminary RFP and draft agreement</td>
<td>HF&amp;H</td>
<td>January 2010</td>
</tr>
<tr>
<td>6. Seek input from City staff and City Attorney</td>
<td>All</td>
<td>February 2011</td>
</tr>
<tr>
<td>7. Prepare revised RFP and draft agreement</td>
<td>HF&amp;H</td>
<td>February 2011</td>
</tr>
<tr>
<td>8. Present RFP package to Council for approval, and distribute to</td>
<td>City</td>
<td>February 2011</td>
</tr>
<tr>
<td>proposers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Conduct pre-proposal conference</td>
<td>City, HF&amp;H</td>
<td>March 2011</td>
</tr>
<tr>
<td>10. Deadline for submission of RFP questions</td>
<td>Proposers</td>
<td>March 2011</td>
</tr>
<tr>
<td>11. Prepare addenda</td>
<td>HF&amp;H</td>
<td>March 2011</td>
</tr>
<tr>
<td>12. Submit proposals</td>
<td>Proposers</td>
<td>March 2011</td>
</tr>
<tr>
<td>13. Evaluate proposals</td>
<td>City, HF&amp;H</td>
<td>April 2010</td>
</tr>
<tr>
<td>14. Contact references and finalize evaluation</td>
<td>HF&amp;H</td>
<td>April 2010</td>
</tr>
<tr>
<td>15. Select contractor(s) for negotiations</td>
<td>City</td>
<td>May 2010</td>
</tr>
<tr>
<td>16. Conduct negotiations and resolve exceptions to agreement</td>
<td>HF&amp;H/City/Proposer</td>
<td>May 2010</td>
</tr>
<tr>
<td>17. Present negotiated agreement to Council for approval</td>
<td>Council</td>
<td>May 2010</td>
</tr>
<tr>
<td>18. Order equipment</td>
<td>Contractor</td>
<td>May 2010</td>
</tr>
<tr>
<td>19. Outreach Campaign - Prepare and distribute educational materials,</td>
<td>Contractor</td>
<td>June - July 2011</td>
</tr>
<tr>
<td>conduct informational meetings and prepare for transition</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20. Initiate rollout of new service</td>
<td>Contractor</td>
<td>August 1, 2011</td>
</tr>
</tbody>
</table>

October 29, 2010
Page 8
HF&H Consultants, LLC

168
TASK 2: Prepare and Issue Request for Proposals and Agreement and Related Documents

Prepare draft RFP and agreement - Based on the information and direction received in Task 1, we will prepare the draft RFP, agreement, and criteria to be used in evaluating the proposals received. All items requested by the City for inclusion in the solid waste RFP are standard in our documents. In addition to a summary of the contract scope, we also attach a draft of the agreement so that the proposers are aware of expectations in full detail, and there is little, if anything, left to negotiate when the successful hauler is selected.

Revise RFP and agreement once, after review by the City Attorney, other City staff and potential proposers - We will submit the draft RFP and agreement to City staff, Trash Subcommittee, and the City Attorney for review. If the City obtains a contract extension, then we also recommend circulating the agreement to potential proposers for comment. After parties have reviewed the documents and provided us with their written comments, we will confer with City staff and make appropriate revisions once to these documents.

Attend Council meeting to approve RFP package - HF&H will attend one City Council meeting at which the City Council will approve the RFP and draft agreement.

TASK 3: Provide Support to City Staff During the RFP Response Period

Prepare for and attend proposers’ conference - With City staff coordination, we will schedule a proposers’ conference to be conducted shortly after release of the RFP. Potential proposers will have an opportunity to receive clarification of any issues and ask questions at this conference. We will also accept written requests for clarification, until a set deadline.

Prepare and distribute addenda - We will prepare written responses to questions posed at the proposers’ conference, or submitted in writing, and prepare any necessary addenda arising from issues posed at the proposers’ conference. All questions and responses shall be made available to all proposers in attendance at the conference. We will maintain a database of e-mail addresses, and e-mail addenda to interested parties.

TASK 4: Provide Support to City Staff During the Proposal Review Period

Review proposals for completeness - We will perform an initial review of each proposal submitted for compliance with the City’s RFP requirements and disregard substantially incomplete proposals.

Prepare follow-up questions for proposers for clarification of proposals - We will provide each proposer with our summary evaluation of the company’s individual proposal in order to confirm our understanding of the information presented in the proposal, and to instruct them to clarify any ambiguities or unusual assumptions.
Prepare evaluation report - All proposals receive a preliminary evaluation and technical review, as described above. A detailed evaluation is performed of the one or two proposals that appear to offer the most value for the services and costs proposed. We will review the overall reasonableness of the operational and financial assumptions contained in the technical section of the proposals selected for detailed evaluation.

Distribute draft evaluation - We will distribute eight copies of the draft evaluation packets to the City in a manner requested by the City. We recommend that the City request the proposers to submit the number of proposal copies needed, as these proposals often include sample items that are not easily copied. The remaining items in the evaluation packet may then be e-mailed, saving time.

Meeting to discuss draft evaluation – We recommend meeting with City staff and the Subcommittee to discuss our preliminary evaluation and the next steps in the evaluation process, such as selecting the proposers to be interviewed. We recommend a conference call to accommodate the abbreviated schedule.

Interview proposers - Along with the City's evaluation team, we will interview selected proposers, scheduling all interviews on one day.

Contact references for recommended proposer - We will contact references provided for the proposer to be recommended to the City Council for award of the agreement. We will summarize the results of the reference checks within the evaluation report.

TASK 5: Prepare Final Scope of Work to be Inserted into the Agreement

Participate in negotiating session - HF&H will participate in a negotiation session with one or more haulers. Based on our prior experience, final negotiations can usually be completed during one session per proposer, and the fee estimate includes costs for one session with one proposer. However, the City may prefer to negotiate with multiple proposers, as multiple proposals may appear attractive prior to finalizing the agreement(s). Proposers are most cooperative when they are still in competition. We would then assist the City's evaluation team in its determination of a final selection.

Prepare revised portions of agreement - Based upon the negotiations, we will make one set of revisions to the final agreement negotiated with each proposer and ask each proposer to sign the agreement. The City can then make a decision based on clearly defined contract terms, as opposed to general promises often made in proposals and during negotiations. Also, at award, neither the successful nor the unsuccessful proposers can debate what was or was not the final offer to the City.

City Council meetings - Attend two City Council meetings for approval of final agreement.
EL SEGUNDO CITY COUNCIL

AGENDA STATEMENT

MEETING DATE: November 16, 2010

AGENDA HEADING: Consent Agenda

AGENDA DESCRIPTION:

Consideration and possible action regarding acceptance of the project for the replacement of sanitary sewer mains at various locations within the Smoky Hollow Specific Plan area of the City of El Segundo. Project No.: PW 09-09, (Fiscal Impact: $872,430.39)

RECOMMENDED COUNCIL ACTION:

1. Approve Change Orders in the amount of $48,994.39.
2. Accept the work as complete.
3. Authorize the City Clerk to file a Notice of Completion in the County Recorder's Office.
4. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Notice of Completion

FISCAL IMPACT: Included in Adopted Budget

Amount Requested: $0
Additional Appropriation: No
Account Number(s): 301-400-8204-8317

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

BACKGROUND AND DISCUSSION:

On April 20, 2010 the City entered into a public works contract with Mathew and Stewart Company, Inc. in the amount of $930,963.00 for the replacement of sanitary sewer mains at various locations throughout the Smoky Hollow area of the City of El Segundo. The City Council also approved an additional $94,037.00 to cover construction contingencies.

The project replaced 6,218 lineal feet of deteriorated vitrified clay sewer pipe and rehabilitated an additional 1,471 lineal feet of sanitary sewer lines using a trenchless lining system. Construction began on June 1, 2010 and was completed on November 5, 2010. Changes in the final quantities installed, several minor additions and final contract deductions have resulted in a final contract decrease of $45,895.61. The change order request ($48,994.39) is for costs associated with discovery of unknown and unmarked utility service laterals, supporting and protecting encountered concrete blankets and/or concrete trust blocks over existing water mains.
and costs for excavating around multiple unmarked and unknown utilities. The final contract amount as constructed in the field is $872,430.39

This project was funded through a grant from the Environmental Protection Agency (EPA) for $833,500. The grant requires a cost sharing match of 55% EPA to 45% City. The match requirement of $684,955 was appropriated from the El Segundo Sewer Enterprise Fund. The balance of grant funding after all related expenditures have been processed will be returned to EPA and the City's Sewer Enterprise Fund accordingly.

A final inspection has been performed and it was determined that the project was completed per the plans and specifications. Staff recommends the City Council accept as complete the work performed by Mathew and Stewart Company, Inc.
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: El Segundo Sanitary Sewer System Rehabilitation Project

Project No.: PW 09-09

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq. that:

1. The undersigned is an officer of the owner of the interest stated below in the property hereinafter described.

2. The full name of the owner is: City of El Segundo

3. The full address of the owner is: City Hall, 350 Main Street, El Segundo, CA, 90245

4. The nature of the interest of the owner is: Public utilities

5. A work of improvement on the property hereinafter described was field reviewed by the City Engineer on November 5, 2010. The work done was: Replacement of deteriorated sewer pipes.

6. On November 16, 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.

7. The name of the Contractor for such work of improvement was: Mathew and Stewart Company, Inc.

8. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: Public Utilities.

9. The street address of said property is: Citywide

Dated: __________________________

Stephanie Katsouleas
Public Works Director

VERIFICATION

I, the undersigned, say: I am the Director of Public Works/City Engineer of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on ________________, 2010 at El Segundo, California.

Stephanie Katsouleas
Public Works Director
AGENDA DESCRIPTION:

Consideration and possible action to adopt a Resolution establishing policies and procedures for accepting contributions, donations, gifts, bequests, and devices for public purposes. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

1. Adopt the Resolution.
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Resolution.

FISCAL IMPACT: None

Amount Budgeted: $0
Additional Appropriation: No
Account Number(s): None

ORIGINATED BY: Angelina Garcia, Fiscal Services Manager
REVIEWED BY: Deborah Cullen, Director of Finance
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

The Resolution defines "donation" as a contribution, donation, gift, bequest or devise of personal or real property, but not personal services. Pursuant to Government Code § 37354, the City Manager or designee is authorized to accept or reject donation for any public purpose valued up to $25,000. Any donation valued over $25,000 requires City Council’s approval.

Donations made to the City may be tax deductible as a charitable contribution if the donation is made exclusively for a public purpose (26 U.S.C. § 170(c) (1)). If a specific public purpose is not indicated by the donor, the City may use donations to promote the public interest. Records of received donations will be on file and City administration will provide a written statement to the donors that includes information required by Internal Revenue Code § 1.170A-13.

Staff recommends that the City Council adopt the Resolution as it will provide policies and procedures to City’s administration on how to handle donations.
RESOLUTION NO.______

A RESOLUTION ESTABLISHING POLICIES AND PROCEDURES FOR
ACCEPTING CONTRIBUTIONS, DONATIONS, GIFTS, BEQUESTS, AND
DEVISES FOR PUBLIC PURPOSES.

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

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

A. Community members seeking to improve the City’s services, contribute to the
construction of important public facilities, or otherwise seeking to enhance the
City frequently seek to make contributions, donations, gifts, bequests, or devises
(collectively, “donations”) to the City;

B. A review of the City’s documents show that there are no existing policies for
accepting such generous donations;

C. It is in the public interest for the City to establish policies for accepting donations
so that persons making such donations may take appropriate tax deductions, the
City uses donations for the purpose for which they were intended, and so the
City’s administration has clear direction regarding what kinds of donations should
be accepted;

D. The City Council, or its designee, may accept or reject any donation for any
public purpose. In doing so, the City may keep or dispose such donations or use
them in the manner required by the donor;

E. Unless otherwise specified by the donor, the City may use donations in any
manner it chooses to promote the public interest;

F. Contributions to the City may be tax deductible as a charitable contribution if the
donation is made exclusively for a public purpose (26 U.S.C. § 170(c)(1)). For
example, without limitation, art education is a legitimate public purpose
(Government Code § 15813).

SECTION 2: Definitions. Unless the contrary is stated or clearly appears from the context, the
following definitions will govern the construction of the words and phrases used in this chapter.

A. “City manager” means the city manager or designee;

B. “Donation” means a contribution, donation, gift, bequest or devise of personal or
real property, but not personal services. Donations may be solicited or unsolicited
by the City;

C. “Donor” means a person, including a corporate entity, making a donation to the
City for a public purpose.

D. “Plaque” means a commemorative or identifying inscribed tablet made out of metal with dimensions not greater than three (3) inches in height; five (5) inches in width; and one-half (1/2) inch thick.

SECTION 3: Authority. Pursuant to Government Code § 37354, the city manager is authorized to accept donations in accordance with this Resolution and with applicable administrative policies and procedures that may be promulgated by the city manager.

SECTION 4: Donations. The City will accept the following donations:

A. Pecuniary donations. Pecuniary donations of any value.

B. Property donations. Donations consisting of real or personal property must have a fair market value of at least fifty dollars ($50) except those items that may have historical value as determined by the city manager or donations to the Recreation and Parks Department submitted as set forth in this Resolution.

C. Donations valued over $25,000. The City Council will accept donations with a value estimated at $25,000 or greater based upon a recommendation from the city manager.

SECTION 5: Use of Donations. Pursuant to Government Code § 37355, the city manager may direct the use of donations unless a donor designated a donation for a particular use. If a donation must be used for a particular use, the city manager must ensure that the City uses the donations in the manner required by the donor.

SECTION 6: Property donations – Recreation and Parks Department. The Recreation and Parks Department may, at the discretion of the Recreation and Parks Director (“Director”), accept the following:

A. Park benches approved by the Director and paid for by the donor;

B. Trees approved by the Director and paid for by the donor;

C. Drinking fountains approved by the Director and paid for by the donor;

D. Plaques approved by the Director and paid for by the donor. The Director may establish guidelines for the messages contained in such plaques.

SECTION 7: Charitable Contribution. Pursuant to 26 U.S.C. § 170(c)(1), donations made to the City may be tax deductible if made for a public purpose. Upon accepting a donation, the city manager will provide donors with a written statement that includes the following information in accordance with Internal Revenue Code § 1.170A-13:
A. Name of donor;
B. Value or amount of donation;
C. Date of receipt;
D. For personal or real property, the location of property;
E. Use of property by the City;
F. Whether the property is being used for exclusively public purposes; and
G. That the City accepted the donation.

SECTION 8: Records. The city manager must keep regular logs showing what donations were accepted by the City and maintain such records for public inspection for a period of time in compliance with state law and the city’s records retention schedule.

SECTION 9: This Resolution will become effective immediately upon adoption and will remain effective unless superseded or repealed.

PASSED AND ADOPTED this ___ day of ________________, 2010.

________________________________________
 Eric Busch, Mayor

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

________________________________________
Karl H. Berger,
Assistant City Attorney

ATTEST:

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution
No. was duly passed and adopted by said City Council, approved and signed by the Mayor of said City, and attested to by the City Clerk of said City, all at a regular meeting of said Council held on the ______ day of September 2004, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________
Cindy Mortesen, City Clerk
AGENDA DESCRIPTION:
Consideration and possible action regarding approval of a one-year Memorandum of Understanding (Labor Agreement) between the City of El Segundo and California Teamsters Public, Professional and Medical Employees Union, Local 911, Police Support Services Employees’ Bargaining Unit. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Adopt the Resolution approving the Memorandum of Understanding.
2. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Resolution
2. Memorandum of Understanding – Exhibit “A”

FISCAL IMPACT:
Total Fiscal Impact: None

Amount Budgeted:
Additional Appropriation: None
Account Number(s):

ORIGINATED BY: Martha Kimmo, Human Resources Manager
REVIEWED BY: Bob Hyland, Human Resources Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION
Staff and representatives of the California Teamsters Public, Professional and Medical Employees’ Union, Local 911, Police Support Services Employees’ Bargaining Unit met and conferred pursuant to Sections 3500 et. seq. of the California Government Code, for the purposes of obtaining a labor agreement. Agreement was reached on October 26, 2010.

The Agreement contains the following major provisions:

1. Term – October 1, 2010 – September 30, 2011

2. During the term of this Agreement, the Association agrees to a seven (7) to ten (10) percent salary concession in the form of furlough time. A determination to the precise furlough-funded salary concession shall be determined not later than January 15, 2011 (Appendix “F” of the Memorandum of Understanding).
3. Modification of Article 2.15, Workers' Compensation Provisions, to include additional compensation for the first thirty (30) days for injuries or illnesses sustained in the line of duty while members are involved in animal control or the detention, transportation or other interaction with inmates/detainees.

4. Clean-up language including the following:
   a. Removal of references to Dispatcher classifications
   b. Definition of "seniority" clarified to mean "seniority in City service"
   c. Clarification of PERS-defined Los Angeles Region to include "Los Angeles, San Bernardino, and Ventura Counties"
RESOLUTION NO.__________

A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF EL SEGUNDO, CALIFORNIA AND THE CALIFORNIA TEAMSTERS PUBLIC, PROFESSIONAL AND MEDICAL EMPLOYEES' UNION, LOCAL 911, POLICE SUPPORT SERVICES EMPLOYEES' BARGAINING UNIT.

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

Section 1: Discussions which have taken place in the Meet and Confer Process have resulted in a mutually agreeable Memorandum of Understanding between the City of El Segundo and this Bargaining Unit.

Section 2: Staff is authorized to implement all terms and conditions of the Memorandum of Understanding between the City of El Segundo and this Bargaining Unit. A copy of the Memorandum of Understanding is attached as Exhibit “A”.

Section 3: 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 this adoption of the Resolution in the City Council’s records and the minutes of this meeting.

Section 4: This Resolution will become effective immediately upon adoption and

PASSED AND ADOPTED this ___6th__ day of ___November___, 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 16th day of November, 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
# APPENDIX A
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF EL SEGUNDO
AND
THE CALIFORNIA TEAMSTERS, PUBLIC, PROFESSIONAL AND MEDICAL
EMPLOYEES UNION, LOCAL 911 (POLICE SUPPORT SERVICES EMPLOYEES
BARGAINING UNIT)

<table>
<thead>
<tr>
<th>ARTICLE / SECTION NUMBER</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article 1 - General Provisions</td>
<td></td>
</tr>
<tr>
<td>1.01 Preamble</td>
<td>3</td>
</tr>
<tr>
<td>1.02 Conclusions and Term of Agreement</td>
<td>3</td>
</tr>
<tr>
<td>1.03 Implementation of Agreement</td>
<td>3</td>
</tr>
<tr>
<td>1.04 Recognition</td>
<td>3</td>
</tr>
<tr>
<td>1.05 Management Rights</td>
<td>4</td>
</tr>
<tr>
<td>1.06 Union Membership</td>
<td>4</td>
</tr>
<tr>
<td>1.07 Organizational Security</td>
<td>4</td>
</tr>
<tr>
<td>1.08 Savings</td>
<td>5</td>
</tr>
<tr>
<td>1.09 No Strike</td>
<td>5</td>
</tr>
<tr>
<td>1.10 Non-Discrimination</td>
<td>5</td>
</tr>
<tr>
<td>1.11 Steward's Time</td>
<td>5</td>
</tr>
<tr>
<td>1.12 Union Administrative Time</td>
<td>6</td>
</tr>
<tr>
<td>1.13 Grievance Procedure</td>
<td>6</td>
</tr>
<tr>
<td>1.14 Layoff Procedure</td>
<td>8</td>
</tr>
<tr>
<td>1.15 Personnel Policies</td>
<td>10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Article 2 - Salaries and Benefits</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2.01 Salary Increase</td>
<td>11</td>
</tr>
<tr>
<td>2.02 Overtime/Compensatory Time</td>
<td>11</td>
</tr>
<tr>
<td>2.03 Family Emergency Care Sick Leave Utilization</td>
<td>12</td>
</tr>
<tr>
<td>2.04 Uniform Allowance and Replacement</td>
<td>12</td>
</tr>
<tr>
<td>2.05 Wellness Program</td>
<td>13</td>
</tr>
<tr>
<td>2.06 Employee Group Insurance Program</td>
<td>13</td>
</tr>
<tr>
<td>2.07 Retirement</td>
<td>14</td>
</tr>
<tr>
<td>2.08 Differential Pay</td>
<td>15</td>
</tr>
<tr>
<td>2.09 Computer Purchase Program</td>
<td>16</td>
</tr>
<tr>
<td>2.10 Sick Leave</td>
<td>16</td>
</tr>
<tr>
<td>2.11 Flexible Spending Account</td>
<td>17</td>
</tr>
<tr>
<td>2.12 Bereavement Leave/Emergency Leave</td>
<td>17</td>
</tr>
<tr>
<td>2.13 Step Advancement</td>
<td>18</td>
</tr>
<tr>
<td>2.14 Minimum Service with City of El Segundo to Receive Pay for a Designated Percentage of Accumulated Sick Leave</td>
<td>21</td>
</tr>
<tr>
<td>2.15 Worker's Compensation Provisions</td>
<td>21</td>
</tr>
</tbody>
</table>
2.16 Holidays.................................................................................................................. 21
2.17 Life Insurance........................................................................................................... 22
2.18 Vacation..................................................................................................................... 22
2.19 Vacation Time Accumulation and Sale...................................................................... 23
2.20 Vacation Time Accrual - For Temporary Industrial Disability............................... 23
2.21 Long Term Disability Plan....................................................................................... 23
2.22 Direct Deposit........................................................................................................... 23
2.23 Promotional Examinations....................................................................................... 24
2.24 Standby Duty............................................................................................................ 24
2.25 Educational Incentive Pay........................................................................................ 25
2.26 Longevity Pay.......................................................................................................... 25
2.27 Training Pay.............................................................................................................. 25

Article 3 - Other Provisions

3.01 Drug Free Workplace Statement and Substance Abuse Policy............................... 25
3.02 Smoking Policy......................................................................................................... 26
3.03 Education Reimbursement....................................................................................... 26
3.04 Catastrophic Leave Bank........................................................................................ 26
3.05 Temporary Service in Higher Classification............................................................ 27
3.06 Promotions............................................................................................................... 27
3.07 Termination Pay........................................................................................................ 28
3.08 Jury Duty................................................................................................................... 28
3.09 Physical Examinations.............................................................................................. 28
3.10 Joint Labor Management Team................................................................................ 29
3.11 Disciplinary Action - Authority to Take.................................................................... 29
3.12 Policies....................................................................................................................... 29

Appendix A - Bargaining Unit Classifications

Appendix B - Smoking Policy

Appendix C - Drug Free Workplace Statement and Substance Abuse Policy

Appendix D - Catastrophic Leave Bank Policy

Appendix E – Side Letter Agreement

Appendix F – Side Letter Agreement signed October 1, 2010
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF EL SEGUNDO
AND
THE CALIFORNIA TEAMSTERS, PUBLIC, PROFESSIONAL AND MEDICAL
EMPLOYEES UNION, LOCAL 911 (POLICE SUPPORT SERVICES EMPLOYEES
BARGAINING UNIT)

ARTICLE 1 - GENERAL PROVISIONS

Article 1.01  Preamble

This Memorandum of Understanding (hereinafter "MOU" or "Agreement") is made and entered into between the CALIFORNIA TEAMSTERS, PUBLIC, PROFESSIONAL AND MEDICAL EMPLOYEES UNION, LOCAL 911 (POLICE SUPPORT SERVICES EMPLOYEES BARGAINING UNIT), hereinafter referred to as "Union", and the management representatives of the El Segundo City Council, hereinafter referred to as the "City", pursuant to the California Government Code Section 3500 et. seq.

Article 1.02  Conclusions and Term of Agreement

The parties have met and conferred in good faith regarding wages, hours and other terms and conditions of employment and the benefits contained herein are given in consideration for the various provisions contained herein which may be a change in the prior employment practices of the City. Further, it is mutually agreed that this Memorandum of Understanding shall commence on October 1, 2010 and end September 30, 2011.

This Memorandum of Understanding contains all of the covenants, stipulations and provisions agreed upon by the parties regarding terms and conditions of employment. Therefore, for the life of this Agreement, neither party shall be compelled to meet and confer with the other party concerning any mandatory meet and confer issue which is covered by this Agreement.

Article 1.03  Implementation of Agreement

This MOU shall be jointly presented to the El Segundo City Council for implementation along with all the ordinances, resolutions and such other additional actions as may be necessary to implement the provisions of this MOU. If the City Council fails to adopt the necessary ordinances and resolutions to implement the provisions of this MOU, the parties agree to meet and confer.

Article 1.04  Recognition

The City hereby confirms its recognition of the Union as the exclusive representative of employees in the Police Department Support Services representation unit, and agrees
to meet and confer with the Union on all matters relating to the scope of representation pertaining to the said employees as authorized by the law. The appropriate unit represented by the Union is generally described as all full time permanent Police Department Support Services non-sworn shift schedule employees. This recognition of the Union shall not be subject to challenge except as provided under the provisions of the City's Employer-Employee Organization Relations Resolution #3208. The list of classes within the bargaining unit is attached to this MOU as Appendix A.

Article 1.05  Management Rights

Except as limited by the specific and express terms of this MOU, the City hereby retains and reserves unto itself all rights, powers, authority, duties and responsibilities confirmed on and vested in it by the laws and the Constitution of the State of California and/or United States of America.

The management and direction of the work force of the City is vested exclusively in the City and nothing in this MOU is intended to circumscribe or modify the existing rights of the City to direct the work of its employees; hire, promote, demote, transfer, assign and retain employees in positions within the City, subject to the rules and regulations of the City, discipline employees for proper cause; maintain the efficiency of governmental operations; relieve employees from duties because of lack of work; take action as may be necessary to carry out the City's mission and services in emergencies; and to determine the methods, means and personnel by which the operations are to be carried out, including the right to contract or subcontract any services performed by the City and require overtime work by City employees.

Article 1.06  Union Membership

The City agrees to:

1. Provide official dues deductions for all employees who subscribe to Union membership;
2. Provide official payroll deductions for approved Union insurance and welfare plans, not to exceed five programs;
3. Provide the Union with a list of newly hired employees in the representation unit monthly.

Article 1.07  Organizational Security

Upon approval of this Agreement by the El Segundo City Council, all unit employees who voluntarily became members of Union and those unit employees who voluntarily become members of Union during the term of this agreement shall remain members until the expiration of the agreement. Notwithstanding the above, employees may terminate their Union membership within forty-five (45) calendar days prior to the agreement expiration date. Effective May 1, 2003, a Letter of Agreement between the California Teamsters Local 911/Police Support Services Bargaining Unit and the City of El Segundo regarding implementation of Agency Shop provisions was signed by representatives of the City and the Union. The Union shall indemnify and hold harmless the City and its Council individually and collectively from any legal costs.
and/or damages arising from claims, demands, or liability by reason of litigation arising from this article. The Union agrees to pay the City all legal fees and legal costs incurred in defending the City or its officers, employers, or agents against any court action or administrative action challenging the legality or constitutionality of the provisions of this article or its implementation.

Article 1.08 **Savings**

If any provision or the application of any provision of this MOU as implemented should be rendered or declared invalid by a final court action or decree or preemptive legislation, the remaining sections of this MOU shall remain in full force and effect for the duration of said MOU.

Article 1.09 **No-Strike**

The Union agrees that during the term of this MOU their members employed by the City of El Segundo will not strike, or engage in any work stoppage or slow down, engage in a concerted failure to report for duty, or fail to perform their duties in whole or in part for the purposes of inducing, influencing or coercing a change in conditions, or compensation, or the rights privileges or obligations of employment.

The Union also agrees that their members employed by the City of El Segundo will not refuse to cross a picket line in the performance of their normal and customary duties nor attempt to influence, either directly, or indirectly, the employees to honor an existing picket line in the performance of their normal and customary duties as employees.

Article 1.10 **Non-Discrimination**

The Union and the City recognize and agree to protect the rights of all employees to join and/or participate in protected Union activities or to refrain from joining or participating in protected activities in accordance with Government Code Sections 3550 and 3511.

The City and the Union agree that they shall not illegally discriminate against any employee because of race, color, sex, age, national origin, political or religious opinions or affiliations and shall act affirmatively to accomplish equal employment opportunities for all employees. The City and the Union shall reopen any provision of this Agreement for the purpose of complying with any final order of the Federal or State agency or court of competent jurisdiction requiring a modification or change in any provision or provisions of this Agreement in compliance with State or Federal anti-discrimination laws.

Article 1.11 **Steward’s Time**

Upon timely request and for suitable reasons, the City Manager may authorize release of the Union Steward or his/her authorized representative from normal duties to assist in personnel matters involving Union members.
Article 1.12 **Union Administrative Time**

Union officers and board members will be allowed up to a total of 72 hours as a group per year of administrative leave to attend Union and labor relations seminars or to attend contract negotiation meetings with representatives of the City, when on a scheduled day off/vacation day. All or part of these hours may be used for other conferences or seminars with the approval of the City Manager.

Article 1.13 **Grievance Procedure**

The Union may grieve on behalf of an individual, group of employees or the Union as a whole.

1. **DEFINITION OF TERMS**

   A. **Grievance** - A grievance is an allegation of a violation, misinterpretation or misapplication of a specific written departmental or agency rule or regulation or a specific provision of this MOU. A grievance is distinct from an appeal of discipline which is covered by the Personnel Rules and Regulations (Rule 15 and 16).

   B. **Grievant** - A grievant is an employee or group of employees adversely affected by an act of omission of the agency.

      b. Steps within the Grievance Procedures will be completed within (10) ten working days.

   C. **Day** - A day is a working day.

   D. **Immediate Supervisor** - The first level supervisor of the grievant.

2. **TIME LIMITS**

   A. **Compliance and Flexibility** - With the written consent of both parties, the time limitation for any step may be extended or shortened.

   B. **Calculation of Time Limits** - Time limits for the appeal provided at each level shall begin the day following receipt of a written decision or appeal by the parties.

   C. **Failure to Meet Timeliness** - Failure at any level of this procedure to communicate the decision on a grievance by the City within the specified time limits shall permit lodging an appeal at the next level of the procedure within the time allotted had the decision been given. If the grievance is not processed by the grievant or grievant in accordance with the time limits, the decision last made by the City shall be deemed final.
3. **PROCEDURE**

Grievances will be processed following the procedures set forth below.

A. **Level I** - Within ten (10) days of the date the employee reasonably knew or should have known of the incident giving rise to the grievance, the employee should make an effort to resolve the grievance with the employee's immediate supervisor. The supervisor shall hold discussions and attempt to resolve the grievance within ten (10) days.

B. **Level II** - In the event such efforts do not produce a mutually satisfactory resolution, the employee or employees aggrieved must reduce their grievance to writing and file it with the immediate supervisor. Under no circumstances shall the formal written grievance be filed more than ten (10) days from the date the employee knew or should have known of the incident giving rise to the grievance.

**Procedure for Filing a Grievance**

In filing a grievance, the employee should set forth the following information:

a. The specific section of the Memorandum of Understanding, departmental or agency rules or regulations allegedly violated, misinterpreted or misapplied.

b. The specific act or omission which gave rise to the alleged violation, misinterpretation or misapplication.

c. The date or dates on which the violation, misinterpretation or misapplication occurred.

d. What documents, witnesses or other evidence supports the grievant's position.

e. The remedy requested.

C. **Level III** - If the grievance is not resolved by the immediate supervisor, the grievant may present the grievance in writing to the department head within ten (10) days. The department head will respond in writing within ten (10) days.

D. **Level IV** - If the grievance is not resolved by the department head, the grievant may present the grievance in writing to the City Manager within ten (10) days. The City Manager or designee will conduct an informal hearing and render a decision. Each party
shall have the right to present witnesses and evidence at the hearing. The conclusions and findings of this hearing shall be final.

4. **MATTERS EXCLUDED FROM THE GRIEVANCE PROCEDURE**

A. The grievance procedure is not intended to be used for the purpose of resolving complaints, requests or changes in wages, hours or working conditions.

B. The procedure is not intended to be used to challenge the content of employee evaluations or performance reviews.

C. The procedure is not intended to be used to challenge the merits of a reclassification, lay-off, transfer, denial of reinstatement, or denial of a step or merit increase.

D. The procedure is not intended to be used in cases of reduction in pay, demotion, suspensions or a termination which are subject to the formal appeal process outlined in Ordinance 586 and the Personnel Rules and Regulations.

5. **CONFERENCES**

Grievant(s) and City representatives, upon request, shall have the right to a conference at any level of the grievance procedure.

6. **WRITTEN MATERIAL**

Copies of written material which may be used for disciplinary purposes shall be provided to the employee prior to placement in their official personnel file. The employee shall have the right to rebut any such document and have the rebuttal attached to the document prior to it becoming a permanent part of the employee’s personnel file.

**Article 1.14 Layoff Procedure**

1. **Grounds for Layoff** - Whenever, in the judgment of the City Council, it becomes necessary to reduce the workforce because of a lack of funds, lack of work or reorganization, an employee may be laid off, reduced in classification or displaced by another employee. Such layoff, reduction or displacement shall result from action of the City Manager or his designee. Such action shall not entitle the laid off, reduced or displaced employee to a right of appeal. The City Manager shall recommend to the City Council each classification to be affected by any such change.

2. **Notice to Employees** - The City shall notify the Union thirty (30) days prior to the implementation of layoffs, to provide for adequate time to meet and
confer regarding the impact. An employee filling a full time position shall be given fourteen (14) calendar days prior notice of lay off. Employees transferred, reduced or displaced shall be given five (5) calendar days notice. The City Council may approve a reduction in the notice requirements, if so recommended by the City Manager.

3. **At-Will Employees** - The City Manager retains the right to layoff or alter the work assignment of the following employees at any time without notice or right of appeal: emergency employees, temporary or seasonal employees, part-time employees, original probationary employees, promotional probationary employees and employees designated as at-will. The promotional probationary employee shall revert to his/her previously held classification and position without loss of seniority.

4. **Procedures for Layoff** - A permanent employee in a classification affected by a reduction in force shall be laid off based on seniority in City service, that is the employee with the least City service shall be laid off first, followed by the employee with the second least City service, etc. Seniority shall be determined by hire date and shall mean seniority in City service.

5. **Breaking Ties** - In cases where two or more employees have the same date of hire (i.e. equal seniority), retention points for job performance shall be credited on the basis of the average of the overall evaluation ratings for the last three (3) years in a classification, provided the last rating had been filed at least thirty (30) days prior to the date of the layoff notice. Retention points are as follows:

   "Unsatisfactory" Rating - 0 points
   "Improvement needed" Rating  - 6 points
   "Satisfactory" Rating - 12 points
   "Exceeds expectations" Rating - 18 points
   "Outstanding" Rating - 24 points

In the event of a tie in seniority, the employee with the lowest average of retention points shall be laid off first. In the event that one or more of the affected employees do not have a sufficient number of performance evaluations on file, ties shall be broken by a coin toss.

6. **Reduction to a Vacant Position** - An employee designated for layoff as a result of abolition of a position or classification may be offered appointment to a vacant position in a lower classification, if the employee is qualified by education and/or experience for such position. If there is more than one qualified employee to be offered such appointment(s), the offer(s) shall be based on seniority, with the employee with the highest seniority offered the position first, then the next highest, etc. If the employees have the same seniority, then the procedure for breaking ties set forth above shall apply. An employee accepting such appointment shall be placed on the step for the lower classification most closely
corresponding, but in no case higher, than the salary step of his/her previously held position, and the employee will be assigned a new salary anniversary date on the effective date of the appointment.

7. **Displacement Rights** - An employee designated for layoff as a result of abolition of a position or classification may displace ("bump") an employee in a lower classification in which the employee has prior service, provided the laid off person has greater seniority than the employee in the lower classification.

An employee who is bumped shall be laid off in the same manner as employee whose position or classification is abolished.

8. **Salary Placement** - An employee who is assigned to a lower classification as a result of a displacement (bump) shall be placed on the step of the salary range of the new classification which is closest to the compensation of the employee in the previous classification, but in no case higher, and the employee will be assigned a new salary anniversary date on the effective date of the appointment. The employee shall, however, retain seniority while his/her name remains on reemployment list or lists.

9. **Re-Employment List** - The names of permanent employees who have been laid off under this section (including employees who have bumped down) shall be placed, in order of seniority from highest to lowest, on a reemployment list for their classification or any lower classification for which the employee is qualified by education and/or experience. Persons on such lists shall retain eligibility for appointment therefrom for a period of three years from the date their names were placed on the list. As a vacancy within a classification or lower related classification becomes available, the name appearing at the top of the list shall be offered the opportunity to fill the vacancy. The name of an individual selected from the list to fill the vacancy who refuses the re-employment offer shall be permanently removed from the re-employment list without right of appeal. Laid-off employees do not earn seniority credit or benefits while on the re-employment list.

10. **Rights on Re-Employment** - If a person is reemployed by the City within three years, the employee’s seniority, sick leave and vacation accrual rates shall be reinstated. Any accumulated sick leave and/or vacation earnings shall also be reinstated to the extent that the employee did not receive compensation for such earnings at the time of lay off. Upon reemployment, employees will be placed on the same salary step held at the time of lay off.

**Article 1.15 Personnel Policies**

1. **Overtime Distribution** - The City shall assign overtime work as equitably as possible among all qualified employees in the same classification in the same organizational unit. Such overtime work shall to the extent possible
be assigned on the basis of volunteers. In the assignment of overtime under this provision, however, management may consider special skills required to perform particular work.

2. Good Friday - Employees shall be entitled to use vacation time for leaves with pay on Good Friday provided such absences are scheduled and approved by the City.

ARTICLE 2 - SALARIES AND BENEFITS

Article 2.01 Salary Increase

1. Effective on September 29, 2007, the base salary within each step of the salary ranges shall be increased by 5.0%

2. Effective on September 29, 2007, the base salary within each step of the Police Assistant I/II salary ranges shall be increased by an additional 4.0%, in recognition of the elimination of Female Inmate Differential Pay.

3. Effective the pay period including October 1, 2008, the base salary within each step of the salary ranges shall be increased by a cost-of-living adjustment (COLA) based on a minimum increase of 3% and a maximum increase of 6%. The COLA will be based on the average Consumer Price Index (CPI-U) in the Los Angeles-Riverside-Orange County geographic area for the nine month period from December, 2007 to August, 2008.

4. Effective the pay period including October 1, 2009, the base salary within each step of the salary ranges will be increased by a cost-of-living adjustment (COLA) based on a minimum increase of 3% and a maximum increase of 6%. This COLA will be based on the average Consumer Price Index (CPI-U) in the Los Angeles-Riverside-Orange County geographic area for the nine month period from December, 2008 to August, 2009.

Article 2.02 Overtime/Compensatory Time

1. Overtime Calculation - An employee who is required to work more than forty (40) hours during any given work week shall be compensated at the rate of one and one-half times his/her regular rate of pay. The City, for purposes of calculating overtime pay, will include holiday, sick leave, compensatory time, and pre-approved vacation leave, as time worked.

2. Compensatory Time - Employees may substitute compensatory time for overtime pay if approved by their Department Head as follows:

A. The employee can maintain up to eighty (80) hours of accrued compensatory overtime at any one time, and carry over unused time from year to year.
B. The employee may use compensatory time in conjunction with normal vacation time with prior approval of their Department Head.

C. The employee can use up to forty (40) hours of compensatory time at any one time.

3. **Cash in of Compensatory Time** – Employees may cash in accrued compensatory time, once per calendar year, at the employee’s current base rate of pay, by notifying the payroll division of their intent to do so no later than November 20th. Payment to the employee will be made on or about the 10th of December.

4. **Recall Minimum Hours** - Employees who are required to return to work at a time other than their scheduled work day shall be compensated for a minimum of four (4) hours work.

**Article 2.03 Family Emergency Care Sick Leave Utilization**

The City shall comply with the Federal and State regulations of the Family and Medical Leave Act. Affected employees shall be entitled to utilize six (6) days of accumulated sick leave per calendar year for providing immediate family medical necessity-related care. “Immediate family” shall be defined as including children, parents, siblings, grandparents of the employee, the employee’s spouse or significant other. Utilization of said sick leave shall be contingent upon the employee making application for sick leave use and providing his/her department head with documentation evidencing that the sick leave is to be distributed because of an immediate family member receiving medical attention by any type of health care provider.

**Article 2.04 Uniform Allowance and Replacement**

The City shall pay uniform, clothing, safety and personnel equipment allowance as follows:

A. Police Service Officer I/II and Police Assistants I/II $240 per year or equivalent per month of active duty.

B. Newly appointed Police Service Officers I/II shall be provided with a uniform advance of $110, at the time of appointment.

C. The City reserves the right to provide uniforms in lieu of the allowances provided for herein.

Affected employees occupying the classifications of Police Service Officer I/II and Police Assistant I/II shall have unserviceable uniforms replaced by the City by means of the replacement policies and procedures applicable to sworn uniformed City police personnel. Said replacement policy shall be in addition to any uniform maintenance allowance paid to affected employees.
Article 2.05  **Wellness Program**

The parties shall create during the term of this Agreement a joint labor-management "wellness committee", the purpose of which shall be to inform and educate unit members as to manners in which individual lifestyles can be adjusted to promote health and fitness. Any and all recommendations of the committee shall be advisory only and the composition of the committee shall be as agreed upon by the parties in accord with future organizational meetings to be coordinated by representatives of management and labor.

Article 2.06  **Employee Group Insurance Programs**

1. **Medical**
   
   A. Effective January 1991, the City will contract with the California PERS for the Public Employees' Medical and Hospital Care Program for medical insurance.

   B. Effective January 1, 2005 the City's contribution for medical and mental health insurance will be equal to the premium cost of full family coverage for the average of the HMO's available to all PERS covered employees in Los Angeles County or $807/month, whichever is higher. (This amount will be known as the "2005 formula"). Effective January 1, 2006, the City shall pay for 80% of the increased premium which exceeds the formula set forth above. Employees shall be responsible for the remaining 20%.

   Effective January 1, 2005, employees may opt out of insurance and receive $250/month in cash. The opt out benefit is only available so long as the city's insurance rate is not adversely affected by the "opt out". The employee must provide verification of alternative coverage in order to opt out and is responsible for the tax consequences of the cash payment. The cash benefit is not subject to PERS retirement credit.

   C. Effective January 1, 2009, and thereafter, the City's contribution towards medical and mental health insurance will be determined by the average of the Kaiser and Blue Shield HMO family coverage rate (or for the average of the HMO's available to all PERS covered employees in the Los Angeles Area Region consisting of Los Angeles, San Bernardino and Ventura Counties. Any increase in medical costs based on this average, above the rate in effect on January 1, 2008 ($926.20), will be shared 50% by the City and 50% by the employee.

   D. Effective upon City participation in the Public Employees' Medical and Hospital Care Program the City will initiate a future retiree health insurance contribution program for retirees who participate in the Public Employees' Medical and Hospital; Care Program. The
program will provide for the following maximum contributions:

<table>
<thead>
<tr>
<th>Year of Retirement</th>
<th>Amount of Monthly Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>1991</td>
<td>* $16.00</td>
</tr>
<tr>
<td>1992</td>
<td>* 25% of City Contribution made for employee with coverage which is the same as that of the retiree.</td>
</tr>
<tr>
<td>1993</td>
<td>* 50% &quot;</td>
</tr>
<tr>
<td>1994</td>
<td>* 75% &quot;</td>
</tr>
<tr>
<td>1995</td>
<td>* 100% &quot;</td>
</tr>
</tbody>
</table>

*Should the contribution listed be less than $75.00 the retiree shall receive $75.00.

Employees must have a minimum of five (5) years of service with the City in order to be eligible for paid retiree medical insurance.

E. Alternative Medical Plans - During the term of this agreement, the City may reopen the contract in order to consider alternatives to the PERS medical plans. The City agrees that it will only propose plans that provide for a cost-effective, comprehensive medical package for employees and their families (i.e., provides comparable benefits to current plans, including portability (i.e., benefits for retirees)). There will be no change in insurance plans prior to January 2006 without agreement of the parties.

F. Effective October 1, 2007, the maximum future City contribution for medical insurance, for both active employees and retirees, shall be $1600 per month.

2. **Dental**

During the term of this agreement, the City will pay the premium for City contracted dental insurance for employees and eligible dependents. The City’s aggregate contribution for current dental, optical and life insurance shall be capped at $135.00 per employee per month.

3. **Optical**

During the term of this agreement, the City will pay the premium for City contracted optical insurance for employees and eligible dependents. The City’s aggregate contribution for current dental, optical and life insurance shall be capped at $135.00 per employee per month.

**Article 2.07 Retirement**

1. The City shall provide as deferred compensation a set dollar amount to be paid toward the employee’s contribution to the Public Employees’
Retirement System. The dollar amount to be paid as deferred compensation for the term of this agreement shall be an amount equal to seven percent (7%) of the sum of the Total earnings less than $133.33 per month. Total earnings less deferred pay equals base pay. The City agrees to pay on behalf of the employees covered under this agreement the member contribution on shift differential, uniform allowance and uniform replacement when such benefits are includable as additional compensation for PERS purposes.

2. Effective January 1, 1992 the City's contract with the California Public Employees' Retirement System was amended to add Section 20024.2, One-Year Final Compensation.

3. The City has amended its contract with the Public Employees' Retirement System (PERS) to provide eligible employees with the benefits of the 2% at age 55 (Modified) retirement plan in accordance with Government Code Section 21354.

4. The City has amended the contract between the Board of Administration, California Public Employees' Retirement System and the City Council, City of El Segundo to provide Section 21548, "Pre-Retirement Optional Settlement 2 Death Benefit" for bargaining unit members (local miscellaneous members).

Article 2.08 Differential Pay

Shift Differential – Effective on the first day of the pay period in which ratification occurs, employees shall be entitled to shift differential pay of 5% for swing shift and 8% for graveyard for the total number of hours worked during any shift when a minimum of four (4) hours of an employee's shift occurs during the swing shift (shift begins on or after 1000 hrs.) or graveyard shift (shift begins on or after 1800 hrs.), as applicable. Effective January 1, 2005, employees may not work the same bid shift for more than 18 months.

Animal Control Differential – Effective October 15, 2000, Police Service Officers who are specifically assigned to perform “animal control” duties during a shift, who perform “animal control” duties on an emergency basis during a specific shift, or who perform “animal control” duties during a specific shift when no employee is specifically assigned to perform “animal control” duties shall receive differential pay in the amount of twenty dollars and twenty-six cents ($20.26) for each specific shift in which they meet any of these qualifications. (See Appendix E for side letter.) Animal Control Differential Pay does not apply to a Police Service Officer II.
Article 2.09 **Computer Purchase Program**

1. Contingent upon the City determining that sufficient funds exist for said purpose, provision to each affected employee of a maximum $4000.00 cumulative interest free loan for an initial purchase of personal computer hardware, software and ergonomic-related furniture and equipment. An employee with an outstanding balance on a prior computer loan as of July 1, 1998 will have that amount currently due from the previous loan subtracted from the amount the employee can borrow interest free under this program.

2. Subsequent loans or amounts in excess of the above maximum interest free loan, would be at an interest rate of 3%. All loans would include a 35-month repayment term.

3. Anti-virus software shall be required as a prerequisite in granting requested loans

4. The City's determination in this regard is not subject to administrative or judicial appeal. Loans shall be repaid through payroll deductions over a three year period. Outstanding loan balances must be paid off at the time an employee separates from City service and the City shall be authorized to recover any loan balance by making deductions from the employee's final check.

5. The City would retain title, as security, to any equipment purchased with funds from the above described loans, until such time as the loan is fully paid off. The City is to be notified of any exchange or updating of equipment.

Article 2.10 **Sick Leave**

1. **Sick Leave Accumulation** - Employees shall receive one (1) eight (8) hour day accumulation for each month's service not to exceed a maximum of 600 hours. Current employees with more than 600 hours of accumulated sick leave will be allowed to utilize that amount as their personal sick leave cap throughout the remainder of their service with the City.

2. **Sick Leave Payment Upon Separation** - Affected employees having a minimum of 5 years of service will be paid for 50% of their unused sick leave upon death or termination. Employees shall receive 80% of their unused sick leave upon a service or disability retirement.

3. **Sick Leave - Payment of One-Half of Accrual** - On the first day of December of each year, employees who maintain a balance of 600 hours of sick leave accrual shall be paid for seventy percent (70%) of sick leave accumulated and not used during the preceding twelve-month period. Payment shall be made on or before December 10th.
4. **Sick Leave Accrued - Payment on Termination Prior to December 1st** - Employees who terminate prior to the first day of December while maintaining a balance of more than 600 hours of sick leave shall also be paid seventy percent (70%) of their unused accrued sick leave accumulated since the preceding December 1st.

5. **Sick Leave Certification** - Any employee taking sick leave shall, upon his or her return to work, sign a statement certifying the reasons for such sick leave. Employees absent forty or more consecutive hours must submit a statement from a doctor that the employee was under his care and is able to return to work. Upon the recommendation of a Department Director or his/her designee the City Manager or the Director of Human Resources may, before allowing such leave or before permitting an employee to return to work, require submission of a doctor’s certificate for any absence. Any employee who makes a false claim to sick leave or who refuses to cooperate in an investigation by the City of his or her claim shall be subject to disciplinary action.

In addition to the above, after an employee has used seventy-two (72) hours or more of sick leave during the employee’s 12-month annual performance evaluation period, the employee’s department head may require, for each sick leave absence thereafter during the year, that the employee provide a statement from a doctor verifying that the employee was under a doctor’s care during the absence and that the employee is now able to return to work. In accordance with Labor Code Section 234 use of family sick leave will not be included when determining whether an employee has exceeded the 72 hour threshold set forth above.

6. **Sick Leave Requests** - Requests for sick leave benefits will not unreasonably be denied. Employees agree not to abuse the use of sick leave.

**Article 2.11 Flexible Spending Account**

The City will implement a Flexible Spending Account pursuant to the terms and conditions of this plan no later than January 31, 1989.

**Article 2.12 Bereavement Leave/Emergency Leave**

A. **Bereavement Leave** - Employees shall be entitled to twenty-four (24) hours of bereavement leave with pay per incident which shall be increased to forty (40) hours per incident in those circumstances where travel to a funeral or other memorial proceeding is 500 or more miles one way as measured from the El Segundo City Hall. Additionally, the definition of the "immediate family" whose funeral or memorial proceeding qualifies for the use of bereavement leave, shall include the children, parents, siblings, grandparents of the employee, the employee's spouse or significant other.
2. Personal Emergencies - Employees, upon request, shall be entitled to utilize vacation, Personal Leave Day/Floating Holiday or accumulated compensatory time off for bona fide and substantiated personal emergencies, i.e. serious illness of immediate family members, and cases of extreme and unusual hardships of an emergency nature. In certain circumstances, notification requirements may be waived.

Article 2.13 Step Advancement

1. Step Advancement Basic Salary Schedule - The advancement of a new employee from Step A shall be on the new employee’s anniversary date which is established as the day immediately following satisfactory completion of his or her first six months’ service; Steps B, C, and D contemplate one year’s service in each of such classification subject to the limitation of Section F below and the advancements therefrom shall be on the anniversary date of the employee; Step E contemplates continued service in such classification until further advancement is indicated by reason of longevity.

Notwithstanding the above, a supervisor may recommend to the department head that an employee receive an accelerated advancement of part or all of the next salary step B, C, D, or E (excluding Longevity Pay Steps), based on exemplary job performance. If the department head concurs, he/she shall submit a written report on the prescribed form to the Director of Human Resources citing specific examples of work performed by the employee that consistently exceeds expectations and warrants approval of part or all of the next salary step prior to the employee’s anniversary date. The Director of Human Resources shall submit the request along with a recommendation for action by the City Manager. Recommended accelerated salary increases shall be in whole percentages ranging from 1-5%. An employee may receive more than one salary step advancement, but in most cases the total granted shall not exceed 5% in a twelve (12) month period. The accelerated salary advancement(s) shall not change the affected employee’s anniversary date. In no case shall an employee receive compensation that exceeds the E-step of their respective salary range.

2. Class Series Classifications - Notwithstanding the provisions of Section A, the following classes:

   Police Assistant I/II
   Police Service Officer I/II

The classifications listed above shall be described as class series classifications and shall be paid at either of two different salary range levels assigned to each class.

In each of these classes, entry level may be made at two different work performance, skill, and assigned responsibility levels corresponding to the
two different salary range levels. When entry is made at Level I, the employee shall progress through steps of the range assigned to that level in the manner described in Section 1, except as noted below. When entry is made at Level II, the employee shall advance through the steps of the range assigned to that level in the same manner as described in Section 1.

Every person employed at Level I shall be eligible to advance to Level II without regard to the number of other employees at either of the levels or budget limitations. To assure the latter, class series positions shall be budgeted at Level II in all cases. Merit considerations, as clarified by the factors listed below, shall be the exclusive basis for advancement to Level II.

When a person is employed at Level I, such employee may be advanced to Level II upon a determination by the Department Head and approval of the Director of Human Resources that the employee's work performance, skill development, and demonstrated ability to perform higher level duties causes his/her assignment to Level II to be appropriate. No employee shall be advanced to Level II without such an evaluation.

In making the determination to advance to Level II according to the above-noted factors, such determination shall not be made simply by subjective evaluation but shall be upon a finding that the employee's work performance meets specific criteria developing from the following factors, among others deemed appropriate:

- Length of service at Level I;
- Acquisition of specialized skills required of the position;
- Achievement of specific job-related goals and objectives during a specified period of time;
- Increased ability to work without close supervision;
- Ability to exercise increased individual judgment;
- Ability to provide leadership and guidance to less experienced employees;
- Ability to understand and properly apply departmental rules;
- Ability to produce work which is acceptable both in terms of quality and quantity and which represents at least the average level of work produced by other Level II employees.

Specific criteria for advancement within a class series shall be prepared jointly by each Department Head and the Director of Human Resources. Such criteria shall be approved by the City Manager. No employee shall
be advanced from Level I to Level II except upon recommendation of the Department Head and approval of the City Manager.

Whenever an employee is moved from Level I to Level II, such employee shall be compensated at the lowest rate of compensation provided for in the higher Level II salary range which exceeds by not less than five percent the rate of compensation received by said employee at the time of assignment to Level II, unless otherwise ordered by the City Council. While occupying a position assigned to a class series classification, an employee shall serve only one probation period.

3. **Longevity Pay** - Employees to whom this Chapter applies who are eligible to receive longevity pay shall receive longevity pay based upon an overall rating of "standard" or higher as determined by the employee's performance evaluation. If the employee fails to qualify for longevity pay because of failure to have attained a "standard" or higher rating, and the employee's overall performance subsequently improves to at least a "standard" level, the longevity pay increase shall be granted upon the issuance of a satisfactory performance report.

4. **Step Advancement - Anniversary Date** - An employee advanced from any range to another range of the Basic Salary Schedule shall receive a new anniversary date which is the date of the change. If the employee's anniversary date falls in the first week of the pay period, the effective date of the increase will be the first day of that pay period; if the effective date falls on the second week of the pay period, the effective date of the increase will be the first day of the following pay period. Other changes in salary, unless specifically directed by the Council, shall not change the anniversary date, except for promotions made in accordance with the Personnel Merit System Ordinance or the Personnel Rules and Regulations. The City Council reserves the right, at any time, and in its sole discretion, to change the range number assigned to any officer or employee and to determine the particular step in any range number which is to be thereafter assigned to any such officer or employee, subject to meet and confer with the Union. Notwithstanding the above, an employee in a classification under Section B shall not be assigned a new anniversary date when he/she is advanced from Level I to Level II in that same classification.

5. **Increases on Merit - Basic Salary Schedule** - An employee shall be eligible for advancement to a higher step on the basis of service time as described in Section A and satisfactory performance of duties. An employee will be presumed to merit an increase unless his or her Department Head, with the concurrence of the Director of Human Resources notifies the employee in writing no later than the end of the pay period which begins after said employee's anniversary date that the increase should be withheld, stating reasons. The reasons shall be provided to the employee in writing. If the employee's performance
subsequently improves to a satisfactory level, the step increase will be granted and the date of increase will become the employee’s anniversary date.

Article 2.14 **Minimum Service with City of El Segundo to Receive Pay for a Designated Percentage of Accumulated Sick Leave**

Employees who retire must have been employed for a minimum of five (5) years with the City of El Segundo in a classification covered by this Agreement in order to receive pay for unused sick leave balance.

Article 2.15 **Workers’ Compensation Provisions**

A. Permanent employees who are members of the Public Employees’ Retirement System and who receive injuries that are compensable under the California Workers’ Compensation Laws (other than those to whom the provisions of Section 4850 of the Labor Code apply) shall be entitled to receive:

1. Seventy-five percent of the employee’s regular salary for any so-called waiting period provided for in the Workers’ Compensation Laws.

2. Thereafter, for a period of up to one year, or until earlier retirement on disability pension or a finding of permanent and stationary disability by a medical doctor, the difference between seventy-five percent of the employee’s regular monthly salary and the amount of any temporary disability payments under the California Workers’ Compensation Laws. Such payment shall cease when the employee receives a permanent disability award or is physically able to return to work.

3. These payments shall be provided without deductions for State or Federal Income Taxes, to the extent allowable by the Internal Revenue Service.

B. In the event an employee is physically injured in the line of duty while involved in animal control, or the detention, transportation, or any other interaction with an inmate/detainee and such injury results in loss of time, the City shall compensate the employee for one hundred percent (100%) of time lost from work for the first thirty (30) calendar days.

In order for an employee to be posted in the payroll book as being off-duty due to an IOD, the employee must have been injured on-duty or contracted an illness determined to be work related, sent to the appropriate doctor, and relieved of further duty for a period of time specified by the examining doctor.

Until such certification is made, employees shall be posted as being off sick and upon such certification shall have their sick time restored.

Article 2.16 **Holidays**
1. **Holiday Schedule** - The following Days shall be considered as holidays for City employees:

   January 1\(^{st}\)
   The third Monday in January (Martin Luther King Jr. Day)
   The third Monday in February (President's Day)
   The last Monday in May (Memorial Day)
   July 4th
   The first Monday in September (Labor Day)
   November 11\(^{th}\) (Veteran's Day)
   Thanksgiving Day
   The Friday after Thanksgiving
   December 24\(^{th}\)
   December 25\(^{th}\)
   December 31\(^{st}\)

2. **Holiday Pay** – Police Assistant I/II and Police Service Officers I/II who regularly are required to work on holidays, shall be paid for one hundred and four (104) hours in lieu of holidays on or about the 10\(^{th}\) of December.

**Article 2.17  Life Insurance**

The City will provide a $20,000 Life Insurance policy for each employee.

**Article 2.18  Vacation**

Employees shall receive either:

**ORIGINAL ACCRUAL SCHEDULE**

1. Twelve working days per year with full salary for the first seven years of continuous service with the City.

2. Seventeen working days per year with full salary after seven years and until the completion of fourteen years of continuous service.

3. Twenty-two working days per year with full salary after fourteen years of continuous service.

**OR**

**ALTERNATIVE ACCRUAL SCHEDULE**
1. Twelve days per year from commencement of the first year of service through and including completion of the fifth year of service.

2. Fifteen days per year upon commencement of the sixth year of service through and including completion of the tenth year of service.

3. Eighteen days per year upon commencement of the eleventh year of service through and including completion of the fifteenth year of service.

4. Twenty-two days per year upon commencement of the sixteenth year of service and for all years of service thereafter.

An employee desiring to participate in the "alternative" accrual schedule shall so advise Human Resources Department in writing of their election, no later than October 19, 1994. Failure to advise of an election to accrue vacation pursuant to the alternative schedule shall result in the employee continuing to accrue vacation on the "original" schedule. An election to accrue vacation on the alternative schedule or maintenance of accrual pursuant to the original schedule, shall be irrevocable.

For this article, the term "day" shall be the equivalent of eight hours. Vacation time shall accrue on a monthly basis. Vacation leaves may be taken only after an employee has completed one year's continuous service.

Article 2.19 Vacation Time Accumulation and Sale

Vacation time shall be accumulated from date of last continuous permanent employment. All vacation shall be taken at such times as are agreeable to the head of the department and approved by the City Manager. Earned vacations shall not be accumulated for a longer period than for two years' service.

Each calendar year, an employee may sell back his/her accumulated vacation up to a maximum of the annual vacation accrual, to which they are entitled by length of service. Each employee may sell back vacation once per calendar year and only during the first two-weeks of December.

Article 2.20 Vacation Time Accrual - For Temporary Industrial Disability

Notwithstanding the provisions of Article 2.19, employees on temporary industrial disability may accrue vacation time for longer than two years.

Article 2.21 Long Term Disability Plan

The City will add all unit members to its currently existing Long Term Disability Plan.

Article 2.22 Direct Deposit

It is agreed between the City and Union that it is in the mutual interest of the City and its
employees that all covered employees utilize the currently available direct deposit system. Employees who do not desire to utilize direct deposit shall make their wishes known in writing to the City's Director of Human Resources, together with a statement of their reasons therefore. Requests for exceptions to this direct deposit policy shall not be unreasonably denied.

Article 2.23 Promotional Examinations

For the purpose of interpreting Section 2.28.080(B) of the El Segundo Municipal Code, entitled "Examinations", the City agrees that a sufficient number* shall be three (3) eligible, quantified applicants who have indicated an interest in a particular promotion in writing to the Director of Human Resources

Examinations may be specified by the Personnel Officer, as promotional only, as open only, or as both open and promotional.

Article 2.24 Standby Duty

1. Standby duty is the time that employees, who have been released from duty, are specifically required by their supervisor to be available for return to duty when required by the City. During standby, employees are not required to remain at their City work station or any other specified location. Standby duty employees are free to engage in personal business and activities. However, standby duty requires that employees:

   A. Be ready to respond immediately.

   B. Be reachable by paging device or telephone. The City may, in its' discretion, provide a paging device, e.g., a beeper, to an assigned standby duty employee.

   C. Be able to report to work within one (1) hour of notification.

   D. Refrain from activities which might impair their ability to perform assigned duties. This includes, but is not limited to, abstaining from the consumption of any alcoholic beverage and the use of any illegal drug or incapacitating medication.

   E. Respond to any call back during the assigned standby duty.

2. As with any City equipment, any paging device assigned to an employee is the responsibility of the standby employee during standby assignment. The employee is liable for loss or damage to the paging device, which is caused by the employee's negligence or intentional acts.

3. Failure of an employee to comply with the provisions of standby duty may subject the employee to discipline, up to and including termination of employment with the City.
4. For each assigned period of standby duty employees shall be provided two (2) hours of pay per day.

5. Employees recalled to duty shall receive a minimum of four (4) hours of recall pay.

6. An employee who uses sick leave or vacation leave during a standby period, occurring on or after, October 15, 2000, shall not be provided any form of compensation for the standby period, unless the employee’s department head approves, in writing, the provision of the normal standby period compensation.

Article 2.25 Educational Incentive Pay

Eligible employees shall be entitled to receive educational incentive pay. The educational incentive shall be equal to two and one-half percent (2.5%) for Associate degrees and five percent (5%) for Bachelor’s degrees. The incentive is paid on the employee’s base salary and shall be paid at the same times and in the same manner as base salary. Educational incentive pay is not reported as compensation to PERS. Eligibility for educational incentive pay is limited to those employees who (a) are working in a job classification that does not require a bachelor’s degree or higher degree to qualify for the classification and (b) were awarded such degree in one of the majors which had been approved by the Police Chief, in writing, prior to admission of the specific employee into that major.

Article 2.26 Longevity Pay

Effective October 1, 2007, employees shall be entitled to the following longevity pay based on full-time, job related law enforcement experience:

   a. Completion of 5 years of service - 1.5% above base pay
   b. Completion of 10 years of service - 3.0% above base pay
   c. Completion of 15 years of service - 7.0% above base pay
   d. Completion of 20 years of service - 8.75% above base pay

Article 2.27 Training Pay

The Department agrees to increase the base salaries of Police Services Officers and Police Assistants by four and one-half percent (4.5%) while assigned training responsibilities.

ARTICLE 3 - OTHER PROVISIONS

Article 3.01 Drug-Free Workplace Statement and Substance Abuse Policy

The parties have met and conferred in good faith regarding the adoption of a Drug-Free Workplace Statement and Substance Abuse Policy and the same shall be implemented concurrent with the adoption of this MOU.
Article 3.02  **Smoking Policy**

The parties have met and conferred in good faith regarding the adoption of a non-smoking policy and the same shall be implemented concurrent with the adoption of this MOU. (Appendix B of the MOU)

Article 3.03  **Education Reimbursement**

1. **Reimbursement Procedures** - Permanent employees may participate in the City's Educational Reimbursement Program.

2. **Repayment Upon Termination** - Employees who participate in the Educational Reimbursement Program will be required to sign the following agreement:

   "I certify that I have successfully completed the course(s), receiving a grade of "C" or better. A copy verifying this grade is attached. I agree to refund the City or have deducted from my final paycheck any educational reimbursement funds received under this program if I should leave the City's employ, voluntarily or through termination with cause, within one year after completion of the course work for which I am to receive reimbursement. The amount of refund shall be determined in accordance with following schedule:

<table>
<thead>
<tr>
<th>When Depart</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 month after course completion</td>
<td>100%</td>
</tr>
<tr>
<td>2 months</td>
<td>100%</td>
</tr>
<tr>
<td>3 months</td>
<td>90%</td>
</tr>
<tr>
<td>4 months</td>
<td>80%</td>
</tr>
<tr>
<td>5 months</td>
<td>70%</td>
</tr>
<tr>
<td>6 months</td>
<td>60%</td>
</tr>
<tr>
<td>7 months</td>
<td>50%</td>
</tr>
<tr>
<td>8 months</td>
<td>40%</td>
</tr>
<tr>
<td>9 months</td>
<td>30%</td>
</tr>
<tr>
<td>10 months</td>
<td>20%</td>
</tr>
<tr>
<td>11 months</td>
<td>10%</td>
</tr>
<tr>
<td>12 months</td>
<td>0%</td>
</tr>
</tbody>
</table>

3. Eligible employees may receive no more than one thousand seven hundred fifty dollars ($1,750.00) per calendar year under this program.

Article 3.04  **Catastrophic Leave Bank**

The City shall institute a catastrophic leave bank as follows:

1. **Purpose** - To establish a program whereby City employees may donate accumulated time to a catastrophic sick leave bank to be used by
permanent, part-time and full-time employees who are incapacitated due to a catastrophic illness or injury.

2. **Definition** - A catastrophic illness or injury is a chronic or long term health condition that is incurable or so serious that, if not treated, it would likely result in a long period of incapacity.

3. **Procedures**

   A. There is established a joint-employer/employee committee composed of an individual from each recognized employee organization and a representative of City Administration charged with administering the Catastrophic Leave Bank.

   B. Employees may transfer sick leave, vacation or compensatory leave to the Catastrophic Leave Bank to be donated to an employee who is experiencing catastrophic illness and has exhausted all personal sick leave. Such a transfer can be made on July 1 of each year on forms provided by the City of El Segundo. The employee to receive the donation will sign the "Request to Receive Donation" form allowing publication and distribution of information regarding his/her situation.

   C. Sick leave, vacation and compensatory time leave donations will be made in increments of no less than one day. These will be hour for hour donations.

   D. Employees must hold a minimum of one hundred and twenty (120) hours of accumulated illness/injury leave after a donation has been made.

   E. The donation of time is irrevocable. Should the recipient employee not use all of the donated time for the catastrophic illness or injury, any balance will remain in the Catastrophic Leave Bank to be administered by the committee and utilized for the next catastrophic leave situation.

**Article 3.05 Temporary Service in a Higher Classification**

When an employee is qualified for and is required for an appreciable period of time to serve temporarily in and have the responsibility for work in a higher class or position, when approved by the City Manager, such employee, while so assigned, shall receive the entrance salary rate of that class or whatever step thereof that is not less than five percent above his or her present rate, whichever is higher. For the purpose of this section, "applicable period of time" is defined as ten consecutive working days (eight working days if on four-ten plan) or longer.

**Article 3.06 Promotions**
In all cases where an employee promoted to a classification in for which a higher rate of compensation is provided, then such employee so promoted shall enter into such higher classification at the lowest rate of compensation provided for such higher classification which exceeds by not less than five percent the base rate of compensation, excluding special assignment pay, received by said employee is such given classification at the time of such promotion, unless otherwise ordered by the City Council. All supervisors shall be paid a base rate not less than the next higher base rate than any of their subordinates. In the event that a supervisor is paid a base rate of pay equal to or lower than one of his regularly assigned subordinate’s base rate, the supervisor’s base rate shall be advanced to a step in his/her salary range which is next higher than any subordinate’s base pay exclusive of longevity pay, educational incentive pay, and special assignment pay.

Article 3.07  **Termination Pay**

Upon termination of employment during a pay period, pay shall be prorated and paid for each day worked in said pay period and the terminal salary warrant shall include accrued vacation pay to the time of termination.

Article 3.08  **Jury Duty**

Employees shall be entitled to a leave of absence for jury duty subject to compliance with all of the following conditions.

A. The employee must provide written notice of the expected jury duty to his or her supervisor as soon as possible, but in no case later than 14 days before the beginning of jury duty.

B. During the first two weeks of jury duty, an employee shall be entitled to receive his or her regular compensation.

C. For any portion of jury duty that extends beyond the first two weeks, such extended jury duty period shall be without pay.

D. Any compensation for the first two weeks of jury duty, except travel reimbursement pay, must be deposited with the Director of Human Resources.

E. While on jury duty, the employee must report to work during any portion of a day that the employee is relieved of jury duty for three or more consecutive hours.

F. The employee must provide documentation of his or her daily attendance on jury duty.

Article 3.09  **Physical Examinations**

The City will allow up to two (2) days of accumulated sick leave per year to be used for purposes of physical examinations, subject to submission of a doctor's verification. The
City further agrees that requests for sick leave benefits will not unreasonably be denied.

Article 3.10 **Joint Labor Management Team**

Pursuant to the meet-and-confer process for 1997-98, it was agreed upon that representatives of the City and the Union shall create joint labor management teams to foster improved communication and productivity.

Article 3.11 **Disciplinary Action - Authority to Take**

Modify Personnel Rule 14.4 to include the following:

1. Prior to making a final decision to take disciplinary action involving suspension, demotion, dismissal or reduction in pay, the City Manager shall give written notice of the proposed action to the concerned employee. The notice shall include a statement of reasons that a disciplinary action is being proposed and shall include a copy of the charges being considered by the City Manager. Except when of a confidential nature, the supporting documentation will be provided with the written notice to the employee. A written notice delivered to the employee's last known address shall constitute adequate notice.

Article 3.12 **Policies**

The parties have agreed upon the following policies:

2. Communications Training Officer Program Policy.
3. El Segundo Public Safety Communications Center Overtime Policy
For the Police Support Services Employees' Association:

Larry Harrington, Steward

Susan Yonamine, Steward

Gregorio Daniel, Teamsters' Business Representative

Date: 11/10/10

For the City:

Jack Wayt, City Manager

Bob Hyland, Director of Human Resources

Martha A. Dijkstra, Human Resources Manager

Date: 11/10/10
APPENDIX A

BARGAINING UNIT CLASSIFICATIONS

Police Assistant I/II
Police Service Officer I/II
Appendix B

HUMAN RESOURCES

DIRECTIVE TITLE: City Smoking Policy

Directive Policy/Procedure:

It is a policy of the City of El Segundo to prohibit smoking in City buildings, by the public and City employees, and, in all areas where it is felt that smoking will significantly infringe upon the rights of others, affecting both their health, safety and their ability to be productive.

This policy recognizes the health hazards of breathing "second hand" smoke, as reported by many reputable researchers, including the Surgeon General of the United States.

In accordance with Chapter 6.24 (Ordinance No. 1140) of the El Segundo Municipal Code, the following shall be strictly adhered to:

- Smoking shall be prohibited in all areas of City buildings, including the City Council Chamber, reception areas, lobbies, conference and meeting rooms, restrooms, lounges and lunchrooms, locker rooms and computer rooms.

- Smoking shall also be prohibited in any City-owned or City-operated vehicle.

All entrances to City buildings and all areas of City buildings which are regularly occupied by the public, shall be marked with signs reading: "Thank You for Not Smoking", "No Smoking", or the international sign for No Smoking. City vehicles will be similarly marked.

There shall be no ashtrays in City buildings.

Ashtrays located outside of City buildings shall be placed sufficiently away from entrances so that second hand smoke does not enter the building.

Enforcement of the provisions of this policy will be the responsibility of the Director of Human Resources/Risk Management, supported by City Department Heads or their designate.

Violations of the policy by City employees will result in appropriate progressive discipline.
Appendix E

Side Letter Agreement to the 2007 – 2010 Memorandum of Understanding between the City of El Segundo and the El Segundo Police Support Services Employees Association

This side letter memorializes an agreement reached between the City of El Segundo and the El Segundo Police Support Services bargaining unit represented by California Teamsters Local 911 to reflect an agreement regarding the terms and conditions of employment for members of the bargaining unit. All other terms and conditions of the 2007 – 2010 Memorandum of Understanding shall remain in full force and effect.

The parties agree to the following:

1) Any reference to animal control duties in the Police Service Officer I class specification does not apply to the following personnel: Julio Martinez, Dean Sumi, Paul Saldana or Jan Mitsuda. However, if any of the listed personnel choose to perform animal control duties this side letter agreement would not preclude them from doing so. Nor does it preclude any of the listed personnel from promoting to the Police Service Officer II classification once they have met the minimum qualifications.

2) The City agrees to continue the Police Department’s current practice of not scheduling employees in the job classification of Police Assistant I/II to work on Thanksgiving Day or Christmas Day. This practice is subject to the emergency and/or operational needs of the Department.

For the El Segundo Police Support Services Employees Association

__________________________________________

__________________________________________

__________________________________________

__________________________________________

Date:__________________________

For the City of El Segundo

__________________________________________

__________________________________________

__________________________________________

__________________________________________

Date:__________________________
Appendix F

AGREEMENT
BETWEEN THE CITY OF EL SEGUNDO AND EL SEGUNDO POLICE SUPPORT SERVICES EMPLOYEES ASSOCIATION

This Agreement is entered into by and between El Segundo Police Support Services Employees Association ("PSSEA") and the City of El Segundo ("City") referred to hereafter collectively, the "Parties".

Whereas the City of El Segundo has engaged in discussions with employee groups to obtain salary and benefit concessions to address the budget deficit for Fiscal Year 2009/2010 and Fiscal Year 2010/2011 and,

Whereas the PSSEA addressed the budget deficit for FY 2009/2010 through the implementation of layoffs within their bargaining unit, and

Whereas the PSSEA reached a tentative agreement on September 30, 2010 with the City of El Segundo on salary and benefit concessions for FY 2010/2011.

The parties agree as follows:

- The Association agrees to a seven percent (7%) to ten percent (10%) salary concession in the form of furlough time effective October 1, 2010 through September 30, 2011. A determination as to the precise furlough-funded salary concession (within the 7-10% range) shall be determined not later than January 15, 2011 in the sole discretion of the City without a requirement of first convening the meet and confer process. Nonetheless, the City shall meet with Association representatives in order to explain the result of the January 15, 2011 determination.
- The City agrees to guarantee no layoffs will occur during Fiscal Year 2010/2011 unless at any time during the fiscal year, general fund revenues fall ten percent (10%) below the adopted budget as to any quarter in the fiscal year.
- Effective October 1, 2010, each affected employee shall be subject to a 145.6 hours (7%) furlough bank. The furlough bank hours shall be subject to adjustment within the 7-10% range in conjunction with the above January 15, 2011 determination. Furlough time off shall be deducted from the hours in this bank on an as-used basis. Not less than seventy-two (72) furlough hours shall be taken off on or before March 31, 2011. The Association agrees that each employee shall utilize all furlough hours prior to September 30, 2011.
- Employees will schedule furlough days in consultation with their department supervisors/managers to ensure impact to service levels are kept to a minimum.

Given the severe economic condition confronting the City, the
parties have agreed to enter into this letter of agreement prior to undertaking and completing negotiations for additional changes to the comprehensive 2010-11 MOU. Those additional negotiations shall promptly convene but shall not address additional matters which impact an employee's payroll period compensation.

Dated: ____________________________  
Susan Yonamine, Police Support Services 
Employees Association

Dated: ____________________________  
Gregorio Daniel, Business Representative 
Teamsters

Dated: ____________________________  
Jack Wayt, City Manager 
City of El Segundo

Recommendation – (1) Approve the Side Letter between the City of El Segundo and the Firefighter's Association; (2) Alternatively discuss and take other action related to this item.

STAFF REPORT TO BE DISTRIBUTED AT LATER DATE