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.

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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, AUGUST 16, 2011 – 5:00 P.M.

Next Resolution # 4729
Next Ordinance # 1464

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) -2- matters

1. City of El Segundo vs. City of Los Angeles, et. al. LASC Case No. BS094279
2. NSA Construction vs. City of El Segundo, LASC Case No. BC438182

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- Initiation of litigation pursuant to Government Code §54956.9(c): -1- matter.

1. Wiseburn School District

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

1. Employee Evaluation
   Position: City Manager

2. Employee Evaluation
   Position: City Attorney

APPOINTMENT OF PUBLIC EMPLOYEE (Gov’t. Code § 54957) -0- matter

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): -5- matters

1. Represented Group: Police Support Services Employees Association (PSSEA)
   Negotiators: Doug Willmore, City Manager
   Deborah Cullen, Finance Director
   Richard Kreisler

2. Represented Group: City Employees Association (CEA)
   Negotiators: Doug Willmore, City Manager
   Deborah Cullen, Finance Director
   Richard Kreisler
3. Represented Group: Firefighters Association (FFA)
   Negotiators: Doug Willmore, City Manager
                Deborah Cullen, Finance Director
                Richard Kreisler

4. Represented Group: Police Officers Association (POA)
   Negotiators: Doug Willmore, City Manager
                Deborah Cullen, Finance Director
                Richard Kreisler

5. Represented Group: Police Managers Association (PMA)
   Negotiators: Doug Willmore, City Manager
                Deborah Cullen, Finance Director
                Richard Kreisler

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54955.8): -0-matters
FYI

-----Original Message-----
From: Chris St. Dennis <chris@worchellproperties.com>
To: ebusch@elsegundo.org, bfisher@elsegundo.org
Cc: cjacobson@elsegundo.org, dobram@elsegundo.org, sfuentes@elsegundo.org, cmortesen@elsegundo.org, rlanphere@elsegundo.org, mjennings@elsegundo.org, cdomann@elsegundo.org, mkobus@elsegundo.org, lmuch@elsegundo.org, mschilling@elsegundo.org, thimw@elsegundo.org, Chris St.Dennis
<chris@worchellproperties.com>
Subject: Worchell Letter of Response to Preparation of Environmental Impact Report for Wiseburn High School

Dear Mayor and Pro Tem Mayor and all City Council Members:
Please find attached Mr. Larry Worchell's written comments and concerns regarding the Wiseburn School proposed project for your review.
Mr. Worchell is the Landlord of 555 Aviation Blvd., and tenant is Xerox Corp.
Thank you for your consideration.

Chrisoula (Chris) St. Dennis

Director of Property Management
Worchell Properties
4221 Wilshire Blvd., #430
Los Angeles, CA 90010
(323) 934-1400 Office
(323) 934-2605 Fax
(323) 376 7272 Cell
chris@worchellproperties.com

The contents of this e-mail message and its attachments are intended solely for the addressee(s) hereof and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments. Thank you in advance for your cooperation.
August 1, 2011

Wiseburn School District
Attn: Tom Cox
13530 Aviation Blvd.
Hawthorne, CA 90250

Office (310) 643-3025 / Fax (310) 643-7659

RE: Notice of Preparation of Environmental Impact Report
For Wiseburn High School

Dear Mr. Cox:

Please review my comments below regarding locating a proposed new High School at Utah and Aviation Blvd.:

Locating the school at Aviation and Utah will have a negative effect on the future of Aviation Blvd not only to the North along Aviation but also to the south as far as Rosecrans Blvd.

From the 105 Freeway south to Rosecrans along the west side of Aviation Blvd., there are millions of square feet of industrial uses from high intensity manufacturing to office and design firms.

Approximately 600,000 sf of space now occupied by Xerox Corporation at 555 and 701 Aviation Blvd will become available from the period as early as 2013 to as late as 2022.

Xerox or any other tenant may not wish to be located next to a public school, and suffer the consequences of the unique traffic and security concerns a school would bring. In this competitive environment, there are many more desirable options available for Xerox to choose from, at very cheap rates that can be locked into for decades.

Whether they stay or not, introducing a large public school in the
midst of this immense industrial tract will interfere with the future desirability of all properties along Aviation Blvd.

Not only will it negatively influence office and industrial tenants, but at this time, major retailers have been scouting for locations along Aviation Blvd. I have personal knowledge that 2383 Utah / my property and 701 Aviation have been contacted. I expect the City has or will be receiving inquiries from retailers, directly.

When any or all of these properties change to retail use, there will be an even higher volume of traffic generated, which would increase safety concerns for a school population.

The value of rental rates for space at 555 Aviation will not only plummet, the property will suffer permanently, due to being located next to a High School.

The value of properties along Aviation Blvd. is dependent upon commercial and industrial use and development, and so is the tax base for the City of El Segundo.

This school needs to be located in a much less visible location, not at a prominent high profile site. In looking at aerial views of the City, a site can be found that will not interfere with commercial activity.

While the price the City pays for a property to locate a school is of concern, what is of greater concern and must be taken into account is the decline in values not only of adjacent properties, but of the neighborhood.

Placing the school along Aviation Blvd. will change the perception of the neighborhood, and will work to the detriment of the City of El Segundo and all of it's stakeholders. And perception is critical when business decisions are made about where to locate, and how that facility will affect their employees, and productivity.
August 1, 2011
Wiseburn School District
Page Three

I am not aware of any instance locally, where the introduction of a school in an area where there is intense commercial activity has had a positive effect.

Without an adjacent public school and at such time as the economy recovers, rental rates and property values will climb unimpeded, and thereby increase substantially, property tax revenue for the City of El Segundo. With the school, a reverse scenario will occur.

With the probability of retail development, revenue to the City will be further enhanced by sales taxes.

All of this positive future value for the City of El Segundo, and for property owners, like myself, will vanish by placing this school in the middle of this highly desirable area.

This is a terrible idea with far reaching negative consequences not only for the 555 Aviation property, but this entire area."

Yours truly,

Larry Worcheill
555 Aviation Blvd., Ltd.

LW:csd

Cc: Dwayne Meyers
    The Planning Center – DC&E
    1580 Metro Drive
    Costa Mesa, CA 92626
    dmears@planningcenter.com re Wiseburn High School

555AviationBlvd.CorrespondenceWiseburnHighSchool
AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 16, 2011 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION –

Next Resolution # 4729
Next Ordinance # 1464
PLEDGE OF ALLEGIANCE – Council Member Carl Jacobson

PRESENTATIONS

ROLL CALL

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

A. PROCEDURAL MOTIONS

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

Recommendation – Approval.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action to open a public hearing and receive testimony to: 1) receive and file the Pool Alternatives Study (2010) regarding site selection and feasibility for a new aquatics facility; 2) approve Environmental Assessment No. 836 certifying the Environmental Impact Report (EIR) for the El Segundo Aquatics Site Feasibility Alternatives Project with a statement of overriding considerations; and 3) determine that the reservoir structure located at Hilltop Park is not a local cultural resource. Applicant: City of El Segundo. (Fiscal Impact: N/A)

Recommendation – (1) Open Public Hearing; (2) Discussion; (3) Receive and File the Pool Alternatives Study; (4) Adopt a Resolution certifying the EIR and not designating the Hilltop Park reservoir a local cultural resource; and/or (5) Alternatively, discuss and take other possible action related to this item.

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS
E. CONSENT AGENDA

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

2. Warrant Numbers 2583538 to 2583712 on Register No. 21 in the total amount of $477,454.24 and Wire Transfers from 7/21/11 through 8/4/11 in the total amount of $3,555,847.48.
   Recommendation – Approve Warrant Demand Registers and authorize staff to release. Ratify Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

3. Regular and Special City Council Meeting Minutes of August 2, 2011.
   Recommendation – Approval.

4. Consideration and possible action regarding the adoption of a Resolution to apply for a grant from Los Angeles County Regional Park and Open Space District (RPOSD) in the amount of $150,000. The grant funds will be allocated for improvement and rehabilitation of Recreation Park.
   (Fiscal Impact: FY 10-11: None; FY 11-12: $150,000 of Intergovernmental Grant Revenue)
   Recommendation – (1) Adopt Resolution to apply for the RPOSD Excess Funds Grant Program; (2) Alternatively, discuss and take other action related to this item.

5. Consideration and possible action regarding a request from the El Segundo Education Foundation to waive City fees and costs in the amount of $3,129.62 in accordance with ESMC Section 8-8-7 D 1 for the El Segundo Education Foundation’s event celebrating the El Segundo Unified School District’s 75th Anniversary and the reopening of The El Segundo Community Theatre. In addition, the El Segundo Education Foundation is requesting approval for the El Segundo Kiwanis Club to operate a “Beer and Wine Garden” at the event.
   (Fiscal Impact: Approximately $3,129.62)
   Recommendation – (1) Approve the request from the El Segundo Education Foundation to waive approximately $3,129.62 in City fees and costs; (2) Authorize the El Segundo Kiwanis Club to operate a Beer and Wine Garden at the event; (3) Alternatively, discuss and take other action related to this item.

6. Consideration and possible action regarding acceptance of the project for the City’s 2010-2011 annual sidewalk, curb and gutter repair/replacement program and other minor improvements at various locations citywide. Approved Capital Improvement Project. Project No. PW 11-01.
   (Fiscal Impact: $78,476.80)
   Recommendation – (1) Approve Change Order No. 1 for $7,178.94; (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.

7. Consideration and possible action to adopt Ordinance No. 1462 approving Environmental Assessment EA 924, to modify Condition of Approval No. 12(A) in Ordinance No. 1345 to allow alcohol sales in hotels between the hours of 7:00 a.m. and 2:00 a.m. in the Corporate Campus Specific Plan. (Fiscal Impact: N/A)

Recommendation – (1) Waive second reading and adopt Ordinance No. 1462 for Environmental Assessment EA 924; and/or (2) Alternatively, discuss and take other action related to this item.

8. Consideration and possible action to adopt Ordinance No. 1463 approving Environmental Assessment EA 921 and Precise Plan Amendment No. 11-01, to remove the 2,500 square-foot limit on the maximum permitted outdoor dining area in the Beach Cities Plaza Precise Plan. (Fiscal Impact: N/A)

Recommendation – (1) Waive second reading and adopt Ordinance No. 1463 for Environmental Assessment EA 921 and Precise Plan Amendment No. 11-01; and/or (2) Alternatively, discuss and take other action related to this item.

9. Consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 47 Alcoholic Beverage Control License) at Jackson’s Food and Drink located at 2041 Rosecrans Avenue # 190 (Fiscal Impact: N/A)

Recommendation – (1) Receive and file this report without objecting to a new Type 47 ABC license at 2041 Rosecrans Avenue #190; and/or (2) Alternatively, discuss and take other action related to this item.

10. Consideration and possible action to delegate the authority to assign unrestricted/undesignated general fund balance at year-end for financial reporting purposes to the Director of Finance. (Fiscal Impact: None)

Recommendation – (1) Approve the delegation of authority to the Director of Finance to assign unrestricted/undesignated general fund balance at year-end; (2) Alternatively, discuss and take other action related to this item.

11. Consideration and possible action to approve Final Tract Map No. 71261, a six (6) lots residential subdivision located at 710 Sycamore Avenue. (Fiscal Impact: None)

Recommendation – (1) Approve and accept Final Tract Map No. 71261; (2) Authorize the appropriate City Official to sign and record said Map; (3) Alternatively, discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS
G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

   Council Member Fuentes –

   Council Member Brann –

   Council Member Jacobson –

   Mayor Pro Tem Fisher –

   Mayor Busch –

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MEMORIALS –

CLOSED SESSION

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

POSTED:

DATE: 8/10/11
TIME: 4:45 p.m.
NAME: Cathy Domann
AGENDA DESCRIPTION:

Consideration and possible action to open a public hearing and receive testimony to: 1) receive and file the Pool Alternatives Study (2010) regarding site selection and feasibility for a new aquatics facility; 2) approve Environmental Assessment No. 836 certifying the Environmental Impact Report (EIR) for the El Segundo Aquatics Site Feasibility Alternatives Project with a statement of overriding considerations; and 3) determine that the reservoir structure located at Hilltop Park is not a local cultural resource. Applicant: City of El Segundo. (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:

1. Open the public hearing;
2. Discussion;
3. Receive and File the Pool Alternatives Study;
4. Adopt a Resolution certifying the EIR and not designating the Hilltop Park reservoir a local cultural resource; and/or
5. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Draft City Council Resolution and attachments including Mitigation Monitoring and Reporting Program
2. July 14, 2011 Planning Commission Staff Report
3. Planning Commission Resolution No. 2699
4. Final EIR
5. Pool Alternatives Study

FISCAL IMPACT:

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

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:

I. Introduction

In August 2005, the City's Aquatics Master Plan was completed through the work of the City Aquatics Task force and consultants. The Master Plan set out goals to address the City's current and future aquatic facilities needs. Since completion of the Master Plan, the City Council directed Public Works Department and Recreation and Parks Department Staff to move forward with: 1) studying the filter and plumbing replacement needs of the Plunge, and 2) completing the
Pool Alternatives Study (a site selection and feasibility study regarding construction of a new aquatics facility). This study is attached for City Council review as a "receive and file" item.

The City Council directed Planning Division staff to oversee the preparation of an Environmental Impact Report (EIR) for a new aquatics facility. The EIR contains an environmental evaluation of the following three potential project sites identified by the Feasibility Study:

- "Hilltop Park Site" Hilltop Park, a City-owned property at 301 Maryland Street, northwest of the intersection of East Grand Avenue and Maryland Street;
- "Imperial Site" An El Segundo Unified School District (ESUSD)-owned site located at 530 East Imperial Avenue between McCarthy Court and Sheldon Street; and
- "Urho Saari Site" The current Urho Saari Swim Stadium facility located at 219 West Mariposa Avenue north of the intersection of Concord Street and West Mariposa Avenue including a portion of the Richmond Street Elementary School Campus.

The proposed project involves construction of a new aquatics facility at either the Hilltop Park site or the Imperial site, or renovation and expansion of the existing facility at the Urho Saari site. The Hilltop Park and Imperial sites are being analyzed for two alternative project options each, and the Urho Saari site is being analyzed for one alternative project option. Thus, there are a total of five (5) alternatives analyzed in the EIR. A description of each project alternative is described below:

**Hilltop Park Site**

*Option 1:* The construction of a 40-meter long, 25-yard wide competition swimming pool and associated amenities and supporting facilities.

*Option 2:* The construction of all the elements listed in Option 1, with the addition of a leisure/recreational pool for therapeutic uses and water play as well as associated amenities and supporting facilities.

**Imperial Site**

*Option 1:* The construction of a 40-meter long, 25-yard wide competition swimming pool and associated amenities and supporting facilities.

*Option 2:* The construction of all the elements listed in Option 1, with the addition of a leisure/recreational pool for therapeutic uses and water play as well as associated amenities and supporting facilities.

**Urho Saari Site**

The renovation and expansion of the existing aquatics facility at the Urho Saari Swim Stadium. Expansion would include the construction of a new 40-meter long, 25-yard wide outdoor competition pool with associated amenities and supporting facilities renovation of existing pool as a residential pool. Two new surface parking lots would be constructed on either side (east and west) of the existing Urho Saari structure.

Staff is recommending that the City Council certify the EIR with a statement of overriding considerations. Staff recommends that the unavoidable significant cultural resource and construction noise impacts identified in the EIR are acceptable when balanced against the
substantial public and social benefits of the project as described in the attached draft Resolution (Exhibit 1).

II. Background

In order to comply with the California Environmental Quality Act ("CEQA") the City, at Council’s direction, contracted with consultants to complete an environmental impact report ("EIR") of three project sites identified in the Pool Alternatives Study. It is necessary to complete the CEQA action for the project before the City selects a site and design option for the aquatics facility. Certification of the EIR would allow the City the flexibility to build the aquatics facility on any of the three studied sites. The three sites were chosen for evaluation because of their location within the residential portion of the City and because the sites are owned by the City and/or the El Segundo Unified School District ("ESUSD").

Hilltop Park Site

Hilltop Park Site Existing Conditions:

The 2.11-acre Hilltop Park Site is bounded to the north by a City Public Works Water Division site; to the west by Lomita Street; to the south by Grand Avenue; and to the east by Maryland Street. The uses and structures on the site are currently comprised of: an approximately 170 foot by 100 foot water reservoir which is no longer in use, an approximately 40 foot by 30 foot recreation pool with three-foot maximum depth, a restroom/maintenance building, a playground with play structures, a paved picnic area, and green park space with picnic tables and barbeques. The park is currently served by a 50-space surface parking lot located on the adjacent City public works site to the north.

The land uses surrounding the Hilltop Park Site are as follows:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zone</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>P-F (Public Facilities)</td>
<td>City Public Works Water Division</td>
</tr>
<tr>
<td>East</td>
<td>R-3 (Multi-Family Residential)</td>
<td>Multi-family homes</td>
</tr>
<tr>
<td>South</td>
<td>R-3 (Multi-Family Residential)</td>
<td>Multi-family homes and St. Anthony's Church and School</td>
</tr>
<tr>
<td>West</td>
<td>R-1 and R-3 (Single Family and Multi-Family Residential)</td>
<td>Single-family homes and the Hilltop Community Church and daycare facility</td>
</tr>
</tbody>
</table>

Hilltop Park Site Project Description:

Option 1: This option involves the construction of a 40-meter long, 25 yard wide competition swimming pool. The pool would be designed to accommodate competition swimming and water polo up to the level of California Interscholastic Federation (CIF) championships. This option would include the installation of bleacher seating for spectators as well as a 4,500 square-foot bathhouse building with lockers, restrooms, changing areas, showers and maintenance areas.
Option 2: This option includes all items identified in Option 1 and a new leisure/recreational pool. A larger 5,900 square-foot bathhouse is proposed under this option. The leisure pool would include a zero-depth entry area, water slides and other water play features. Shade structures would be constructed on the concrete pool deck.

Access and Parking: An existing 50 space public surface parking lot accessible to Hilltop Park users from Maryland Street is directly to the north of the project site at the City public works yard. An additional 62 parking spaces would be constructed in a new surface lot at the southern end of the project site that will be accessible from Grand Avenue. A total of 112 parking spaces would be available for the aquatics project at the Hilltop Park Site.

Imperial Site

Imperial Site Existing Conditions:

The Imperial Site is located on a property owned by the El Segundo Unified School District (ESUSD), and is bound to the north by Imperial Avenue, to the west by a mortuary and single-family residences, to the south by multi-family residences, and to the east by single- and multi-family residences. The property is developed with the Imperial Avenue School that is no longer operating. The school facilities are one-story brick classroom and office buildings. The school grounds also include a playground, a youth tee-ball and coach pitch baseball diamond with backstop, and surface parking lots. The size of the Imperial Avenue project site is dependant on which option is chosen: Option 1 is an approximately 1.34 acre project site; Option 2 is an approximately 2.2 acre project site. The existing Imperial Avenue School site is comprised of approximately 5.7 acres. If this site is chosen for the proposed project, the City would have to obtain use of the space needed for the chosen project option from the El Segundo Unified School District.

The surrounding uses at the Imperial Site are as follows:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zone</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>O-S (Open Space)</td>
<td>City linear park and LAX north of the northern City boundary.</td>
</tr>
<tr>
<td>East</td>
<td>R-1 (Single Family Residential) and R-3 (Multi-Family Residential)</td>
<td>Multi-family and single-family residences.</td>
</tr>
<tr>
<td>South</td>
<td>R-3 (Multi-Family Residential) and R-2 (Two Family Residential)</td>
<td>Imperial Avenue School site and multi-family residential beyond the school site.</td>
</tr>
<tr>
<td>West</td>
<td>C-2 (Neighborhood Commercial) and R-1 (Single Family Residential)</td>
<td>Mortuary and single family residences.</td>
</tr>
</tbody>
</table>

Imperial Site Project Description:

Option 1: Similar to Hilltop Park Option 1, this option is the construction of a 40-meter long, 25-yard wide competition swimming pool that can accommodate CIF championship water-polo and swimming. This option would include the installation of bleacher seating for spectators as
well as a 4,500 square-foot bathhouse building with lockers, restrooms, changing areas, showers and maintenance areas.

Option 2: This option includes all items identified in Option 1 and a new leisure/recreational pool. The bathhouse would be expanded to 6,200 square feet for additional capacity. The leisure pool would include a zero-depth entry area, water slides and other water play features. Shade structures would be constructed on the concrete pool deck.

Access and Parking: Option 1 would include the construction of a 67-space surface parking lot. Option 2 includes the construction of a 98-space surface parking lot. Vehicles would enter the either of these parking areas from Imperial Avenue.

Urho Saari Site

Urho Saari Site Existing Conditions
The 1.19-acre Urho Saari Site is bound on the north, west and east by Richmond Street Elementary School, and the south by West Mariposa Avenue. The site is currently developed with the Urho Saari Swim Stadium, also known as “The Plunge,” which consists of two indoor pool facilities, a 7.5 foot by 60 foot “competition” pool with a maximum depth of 12 feet, and a 48 foot by 20 foot teaching pool with a maximum depth of three feet. Additionally the facility has restrooms with showers, locker rooms, bleacher seating, management offices and storage/maintenance space. The proposed design for the site would expand outside the current facility to include Richmond Street Elementary School areas currently occupied by green space and a playground.

The surrounding uses at the Urho Saari Site are as follows:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zone</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>P-F (Public Facilities)</td>
<td>Richmond Street School playground areas.</td>
</tr>
<tr>
<td>East</td>
<td>P-F (Public Facilities)</td>
<td>Richmond Street School buildings.</td>
</tr>
<tr>
<td>South</td>
<td>R-1 (Single Family Residential) and R-3 (Multi-Family Residential)</td>
<td>St Andrew’s Catholic Church, multi-family and single-family homes.</td>
</tr>
<tr>
<td>West</td>
<td>P-F (Public Facilities)</td>
<td>School fields including baseball diamond.</td>
</tr>
</tbody>
</table>

Urho Saari Site Project Description

The single option at the Urho Saari site involves the renovation and expansion of the existing facility. The proposed expansion includes a new outdoor 40-meter long, 25-yard wide competition pool with bleacher seating and pool deck shade structures directly north of the existing facility. The new pool area would be connected to the existing structure through a series of doors on the north side of the building. The existing indoor pool facilities would be renovated. The existing indoor facility would be converted into a new recreation pool and a new therapy pool. New building additions to the north of the existing building would house a new mechanical room, office and storage space. The existing restrooms and changing rooms would
be renovated to provide locker rooms, showers and restroom facilities to support all pool areas. Two new surface parking lots would be constructed on either side (east and west) of the existing Urho Saari structure.

Access and Parking: The surface parking lot proposed west of the existing swim stadium would provide 20 parking spaces. The proposed surface lot to the east of the existing swim stadium would provide 18 parking spaces. The new parking lots would be considered joint use parking as the new parking spaces could be used for Richmond Street School parking needs. Two satellite parking locations would be available for the Urho Saari alternative. These are the existing City parking structure at Grand and Richmond and the City-owned surface parking lot at Mariposa Avenue and Main Street. The satellite parking areas would be necessary to accommodate visitors during High School game events and recreational pool users during the summer. Approximately 58 spaces would be available at the Grand and Richmond structure and another 24 spaces would be available in the public parking lot at Mariposa Avenue and Main Street.

III. Pool Alternatives Study

The City retained an architectural firm and an engineering and design firm specializing in recreation and aquatics facilities to develop aquatics facilities options. The goal of the Pool Alternatives Study is to provide options that will help the City make an educated decision before moving forward with construction and operation of new aquatics facilities. The Pool Alternatives Study is attached for the City Council’s review as a “receive and file” item.

The objective of the Pool Alternatives Study is to evaluate the needs identified in the August 2005 Aquatics Master Plan. While only the Hilltop Park Site was identified in the Aquatics Master Plan, the Pool Alternatives Study includes two additional feasible locations, the Imperial Site and the Urho Saari Site. Extensive community input was undertaken to produce the study. These public meetings included: stakeholder meetings, a public outreach meeting, a Planning Commission meeting, a Parks and Recreation Commission meeting, School Board presentations, and Richmond Street pool working group meetings.

The following characteristics were used in selecting the three sites studied:

- Physically accessible with an emphasis on proximity to public transportation, crosswalks, and major streets.
- Visible such that a civic presence can be achieved.
- Land use compatible with adjacent property and good relationships with other aquatics providers.
- Adequate size to support the intended program.
- Few site limitations on development.

The three sites were compared though an evaluation of conceptual site plans developed for each site as well as additional factors including site considerations of probable development costs, site characteristics, analysis of revenue generating potential and operating expenses. A series of suitability criteria were applied to develop a relative ranking of the three sites. The Hilltop Park
Site scored the highest in the overall ranking, with the Urho Saari site second and the Imperial Site third.

**IV. Environmental Review**

The proposed project options were analyzed for environmental impacts and an Initial Study of Environmental Impacts (included in Volume II of attached final EIR) was prepared pursuant to Public Resources Code § 15063 (California Environmental Quality Act). The Initial Study was made publicly available on July 1, 2010 concurrent with the publication of a Notice of Preparation of an Environmental Impact Report in the El Segundo Herald. The notice was also posted at City Hall, the El Segundo Library, and mailed to property owners in the vicinity of the project sites and identified interested parties. The purpose of the Initial Study was: 1) to evaluate whether preparation of an EIR was necessary; and, 2) to focus the EIR document on the issue areas determined to be potentially significant. The Initial Study identified that an EIR was necessary to evaluate potentially significant environmental impacts. The Initial Study identified that environmental effects in the following issue areas were determined to not be significant and did not require further evaluation in an EIR document: Biological Resources, Population/Housing, Agriculture and Forest Resources, Mineral Resources, Public Services, Utilities/Service Systems, and Recreation.

On April 28, 2011 the Notice of Availability of Draft Environmental Impact Report was published in the El Segundo Herald, posted at City Hall and mailed to property owners in the vicinity of the project sites and identified interested parties pursuant to Public Resources Code §15087. The public review and comment period for the draft EIR began on April 28, 2011 and ended on June 13, 2011. The draft EIR document identified significant and unavoidable environmental impacts in the Cultural Resources and Noise issue areas. The draft EIR document identified significant but mitigatable impacts in the issue areas of: Aesthetics, Air Quality, Land Use, Noise, and Transportation and Circulation. The draft EIR concluded that operational air quality, geology, greenhouse gas emissions, hazards and hazardous materials, and hydrology and water quality impacts would all be less than significant.

On July 14, 2011 the Planning Commission held a public hearing to discuss and receive testimony on the draft EIR. The Planning Commission, by a 4-1 vote, adopted Resolution No. 2699 recommending that the City Council certify the final EIR.

Exhibit A of the attached draft Resolution (Attachment 1) is the Findings of Fact and Statement of Overriding Considerations. This document contains written findings for each significant environmental effect identified in the final EIR and includes a brief explanation of the rationale for each finding.

**Hilltop Park Site Environmental Impacts**

The final EIR identifies that there are two potentially significant environmental impacts that cannot be mitigated below a threshold of significance for the Hilltop Park Site. First, the existing dilapidated, unused and inaccessible reservoir structure in Hilltop Park was the City’s first municipal water source. The study found that this association with the early development of the City makes the structure eligible for local designation as a cultural resource. Demolition of the structure would result in a significant cultural resource impact and the suggested mitigation can
reduce the impact, but not below the threshold of significance. Second, noise at the Hilltop Park Site would be above the City’s threshold of significance at nearby residences and schools during certain phases of construction. The suggested mitigations would reduce construction noise but not below the threshold of significance. The two identified significant impacts require a statement of overriding considerations in order to certify the final EIR.

The final EIR identifies significant but mitigable impacts for the project at the Hilltop Park Site in the following issue areas: Aesthetics (visual character and new sources of light), Air Quality (construction dust), Biological Resources (bird habitat), Land Use (conflicts), Noise (operational noise), transportation and circulation (construction traffic and worker parking). Mitigations that reduce each of these impacts below the applicable threshold of significance are included in the final EIR.

**Imperial Site Environmental Impacts**

The final EIR identifies that there is a construction noise impact that cannot be mitigated below a threshold of significance for the Imperial Site. Construction noise would be above the threshold of significance during certain phases of construction. The suggested mitigations would reduce but not eliminate the significant impact and a statement of overriding considerations is required to certify the final EIR.

The final EIR identifies significant but mitigable impacts for the project at the Imperial Site in the following issue areas: Aesthetics (visual character and new sources of light), Air Quality (construction dust), Biological Resources (bird habitat), Land Use (conflicts), Noise (operational noise), transportation and circulation (construction traffic and worker parking). Mitigations that reduce each of these impacts below the applicable threshold of significance are included in the final EIR.

**Urho Saari Site Environmental Impacts**

The final EIR identifies that there is a construction noise impact that cannot be mitigated below a threshold of significance for the Urho Saari Site. Construction noise would be above the threshold of significance during certain phases of construction. The suggested mitigations would reduce but not eliminate the significant impact and a statement of overriding considerations is required to certify the final EIR.

The final EIR identifies significant but mitigable impacts for the project at the Urho Saari Site in the following issue areas: Aesthetics (visual character, scenic view alteration and new sources of light), Air Quality (construction dust), Biological Resources (bird habitat), Cultural Resources (alteration to a historic building), Land Use (conflicts), Noise (operational noise), and Transportation and Circulation (construction traffic and worker parking). Mitigations that reduce each of these impacts below the applicable threshold of significance are included in the final EIR. In addition there are recommended mitigation measures for facility parking during large events even though the environmental impact was found to be less than significant.
V. Inter-departmental Review

The administrative Draft EIR was circulated to all City Departments for review and comment. Comments were received from the Building Safety Division, Recreation and Parks Department and the Fire – Environmental Safety Division. The issues identified in the comments received have been incorporated in the publicly circulated Draft EIR for the project.

VI. Public Comment

Draft EIR Public Comment Period

The EIR was circulated for public comment between April 28, 2011 and June 13, 2011. Caltrans and City of Los Angeles Department of Transportation (LADOT) commented during the review period. Neither agency challenged the environmental findings or the recommended mitigation measures of the EIR. Caltrans recommended the City be mindful of storm-water discharge and LADOT requested that the Imperial Site be considered the least viable option to avoid burdening the Sepulveda/Imperial Avenue intersection with additional traffic.

Six comments were received from El Segundo residents. One commenter expressed a preference for the Hilltop Site. One commenter expressed a preference for Imperial Site Option 1. One comment letter expressed a preference for the Urho Saari Site however they expressed concern over the parking supply for the site and the effect of the facility on current users of the surface parking lot at Mariposa Avenue and Main Street. Another commenter identified concerns with the EIR issue areas of traffic, noise, and lighting at the Hilltop Park Site. As required by CEQA a full response to all public comments received during the comment period has been prepared and is included in the attached final EIR (Attachment 4).

July 14, 2011 Planning Commission Hearing

Five members of the public commented at the Planning Commission hearing regarding the project. Four speakers (residents living on either Maryland or Lomita Streets) addressed issues regarding the Hilltop Site; two speakers raised issues regarding the Urho Sarhi Site; and two speakers made comments regarding the Imperial Site.

The concerns raised regarding the Hilltop Site included: 1) existing street parking and the existing parking lot is already heavily used by single-family and multi-family residents in the neighborhood; 2) future impacts to street parking; 3) Hilltop Site should not be chosen because of existing traffic and on-street parking issues, because Lomita Street is a residential street with no apartments on it, and the pool will add to the on-street parking problems; 4) Hilltop does not need a new parking lot because the existing parking is sufficient and people will carpool to the site; 5) why a different amount of parking is provided at each of the sites – Hilltop does not need 112 parking spaces; 6) reduce the parking to create more green space and space for recreational activities; 7) the daycare at the corner of Lomita already causes traffic issues and a dangerous situation; 8) request for on-street permit parking for residents on Lomita Street; 9) concern about traffic congestion resulting from only one entrance/exit being provided from Grand; 10) drop off and parking of buses for events; 11) location of worker parking during construction; 12) 2-tier parking structure on Grand in front of their home is not aesthetic and it impacts their property (staff clarified that a 2-tier parking structure is not proposed) m) existing noise from Recreation
Park is audible (baseball, soccer, baby showers, etc.); and 13) the public cannot use the facility when swim teams are using it.

The concerns raised regarding the Urho Sarhi Site included: 1) Urho Saari has current parking and circulation problems—there is no way to develop the site and make it a pleasant experience; 2) unrealistic that people will park next to Cooke’s market that are going to the pool; 3) Richmond Street School currently has circulation and parking issues resulting from morning drop off and afternoon pick up; 4) Mariposa should be made one-way operation for two blocks and diagonal parking should be added in that two block area; 5) why a different amount of parking is provided at each sites—why does the Plunge only have 38 parking spaces; 6) the stop sign on Mariposa is routinely ignored and the addition of another pool will add more pedestrians to the existing dangerous situation; 7) reducing surface parking leaves spaces for more recreational uses (particularly playing fields) and green space; and 8) Richmond Street School has a park-like setting and the project will result in the removal of two classrooms, the reduction in the existing school green space, and the reduction in size of the softball field.

The concerns raised regarding the Imperial School Site included: 1) project should include a swim stadium and senior housing; and 2) why a different amount of parking is provided at each sites—Imperial does not need 98 parking spaces.

In response to the issues raised during public testimony, staff has conducted additional evaluation of the identified neighborhood concerns. Staff will be available at the City Council hearing to respond in detail to the comments made at the Planning Commission public hearing that are summarized above. The existing Hilltop Park Site on-street parking conditions and the project impact on on-street parking was identified multiple times at the Planning Commission hearing. The City Public Works Department has a process by which residents can request to have on-street parking designated for local residents only. If desired, the residential parking permit process could be initiated by residents around the Hilltop Park Site or the Urho Saari Site. Staff is also recommending two project conditions of approval (Exhibit C of the attached draft Resolution) to: 1) address concerns regarding busses arriving at the Hilltop Park site and Urho Saari Site, and 2) address adequate awareness of available off-site parking for the Urho Saari Site.

VII. Zoning and General Plan Consistency

The zoning designations of Open Space (O-S) and Public Facilities (P-F) apply to both the Hilltop Park Site and the Urho Saari Site. The proposed aquatics facility is an allowable use in both the O-S and P-F Zoning designations. If Hilltop Park Site Option One or Option Two or the Urho Saari Option were chosen the plans for those sites would be developed to be consistent with the applicable development standards of the O-S and P-F Zones. The City will evaluate the project for ESMC compliance as part of the City building plan check process. The chosen project would therefore be consistent with the City’s zoning requirements.

The zoning designation for the Imperial Site is currently Planned Residential Development (PRD). A permanent aquatics facility is not a permitted use in the PRD Zone. If Imperial Site Option One or Two were chosen, the City would have to initiate the following actions to obtain zoning consistency:
- A zone change from PRD to either O-S or P-F.
- A zone map amendment from PRD to either O-S or P-F.

The Aquatics Site Feasibility Alternatives project’s is consistent with goals, objectives and policies of the General Plan as specified in the attached draft resolution. In addition, a discussion of General Plan Consistency is contained in EIR Section 4.8 Land Use and Planning.

If Imperial Option one or two were chosen the City would have initiate the following actions to obtain General Plan map consistency:

- A General Plan land use designation amendment to designate the site either the Parks or Public Facilities general plan designation.
- A General Plan map amendment from PRD to either Parks or Public Facilities.

VIII. Cultural Resource Designation

Planning staff and the Planning Commission recommend that the City Council take action to not designate the abandoned reservoir at the Hilltop Park Site a cultural resource pursuant to ESMC §15-14-4. The unused 170 foot by 100 foot concrete basin was constructed circa 1912 as the City’s first reservoir. The structure is currently unused and located behind a chain link fence and hidden from view by an existing berm. A wood roof structure covered the reservoir when the structure was operational. The roof is not intact and the rest of the structure is in a state of disrepair. The historic evaluation in the EIR identifies that the structure lacks sufficient integrity to be eligible for listing on a National or State historic inventory. However, the reservoir may be eligible for listing as a local resource because the City’s local criteria for designation as a cultural resource does not contain reference to structural integrity. Therefore, a significant impact to cultural resources has been identified because there is the potential for the reservoir to be designated a cultural resource by the City of El Segundo under local Criterion 2 (associated with persons or events significant in local, State or national history). As the City has not taken formal action on the historic status of the structure, removal of the structure would result in a significant and unavoidable environmental impact. A formal action by the City Council to not designate the reservoir a cultural resource will clarify the status of the structure prior to any possible redevelopment of the Hilltop Park site.

IX. Recommendation

Staff recommends the City Council receive and file the completed Pool Alternatives Study. Planning staff also recommends that the City Council certify the Final Environmental Impact Report for the El Segundo Aquatics Site Feasibility Alternatives Project and adopt a statement of overriding considerations. Staff additionally recommends that the City Council determine that the reservoir structure located at Hilltop Park is not a local cultural resource.
RESOLUTION NO. ____

A RESOLUTION CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT FOR ENVIRONMENTAL ASSESSMENT NO. 836; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE AQUATICS SITE FEASIBILITY ALTERNATIVES PROJECT WITH POTENTIAL MUNICIPAL SWIMMING POOL LOCATIONS AT 301 MARYLAND STREET, 530 EAST IMPERIAL AVENUE, AND 219 WEST MARIPOSA AVENUE; AND DETERMINING THAT THE EXISTING RESERVOIR STRUCTURE AT 301 MARYLAND STREET IS NOT A LOCAL CULTURAL RESOURCE.

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

SECTION 1: The City Council finds and declares that:

A. In August 2005, the City completed an Aquatics Master Plan that set out goals to address the City’s current and future aquatic facilities needs. A true and correct copy of the 2005 Aquatics Master Plan is on file with the Department of Planning and Building Safety and is incorporated by this reference;

B. On December 16, 2008 the City Council awarded a consultant contract to produce an Pool Alternatives Study to evaluate site feasibility and site selection for new municipal aquatics facilities;

C. On April 20, 2009, the City of El Segundo filed an application for an Environmental Assessment (EA No. 836) to review the El Segundo Aquatics Site Feasibility Alternatives Project for compliance with the California Environmental Quality Act (CEQA) at three potential locations; 301 Maryland Street, 530 East Imperial Avenue and 219 West Mariposa Avenue;

D. The City reviewed the project’s environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., “CEQA”), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the “CEQA Guidelines”), and the City’s Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);
E. In addition, the application was reviewed by the City's Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code ("ESMC");

F. The Department of Planning and Building Safety completed its review and scheduled a public hearing regarding the application before the Planning Commission on July 14, 2011;

G. On July 14, 2011 the Planning Commission held a public hearing to receive public testimony and other evidence regarding the Project including, without limitation, information provided to the Planning Commission by City staff and public testimony;

H. The Planning Commission considered the information provided by, without limitation, City staff and public testimony. The Planning Commission adopted Resolution No. 2699 recommending certification of the final Environmental Impact Report (FEIR) for the proposed project. The Planning Commission also recommended that the City Council determine that the existing reservoir structure at Hilltop Park that is no longer in use is not a local cultural resource. That Resolution, and its findings, were made based upon the evidence presented to the Commission at its July 14, 2011 hearing including, without limitation, the staff report submitted by the Department of Planning and Building Safety;

I. On August 16, 2011, the City Council held a duly advertised public hearing in the Council Chamber of the El Segundo City Hall, 350 Main Street to receive public testimony and other evidence regarding the applications including, without limitation, information provided to the City Council by City Staff and public testimony; and

J. The City Council considered the information provided by, without limitation, City Staff and public testimony. This Resolution, and its findings, are made based upon the evidence presented at the Planning Commission at its July 14, 2011 hearing; and at the City Council hearing on August 16, 2011 including, without limitation, the staff reports submitted by the Planning and Building Safety Department.

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

A. The El Segundo Aquatics Site Feasibility Alternatives Project consists of environmental evaluation of three subject sites: 301 Maryland (Hilltop
Site) in the Open Space (O-S) and Public Facilities (P-F) Zones, 530 East Imperial Avenue (Imperial Site) in the Planned Residential Development (PRD) Zone; and 219 West Mariposa Avenue (Urho Saari Site) in the Open Space (O-S) and Public Facilities (P-F) Zones;

B. The proposed project consists of two options at the Hilltop Site. Option 1 is a 40-meter long, 25-yard wide competition pool with associated bleacher seating and bathhouse. Option 2 consists of a new competition pool and a new recreation pool as well as additional supporting facilities;

C. The proposed project consists of two options at the Imperial Site. Option 1 is a 40-meter long, 25-yard wide competition pool with associated bleacher seating and bathhouse. Option 2 consists of a new competition pool and a new recreation pool as well as additional supporting facilities;

D. The proposed project consists of one option at the Urho Saari Site. This option consists of renovation and expansion of the existing aquatics facility at the Urho Saari Swim Stadium. A new outdoor 40 meter long, 25-yard wide competition pool with bleacher seating and shade structures would be sited north of the existing indoor pool building. The existing indoor facility would be converted into a new recreation pool and therapy pool. Existing restrooms and change areas would be renovated and additional supporting facilities including a new mechanical room, office and storage space would be added to the facility;

E. The 2.11-acre Hilltop Site is surrounded by the following land uses: A City Public Works Water Division yard to the north, multi-family residences to the east, multi-family residences, a church and school to the south, and single family residences, a daycare and church facilities to the west;

F. The 1.34-acre Imperial Site Option 1 and 2.2-acre Imperial Site Option 2 are surrounded by a City linear park and LAX to the north, multi-family and single family residences to the east, the rest of the Imperial School site and multi-family residences to the south, and a mortuary and single family residences to the west;

G. The 1.19-acre Urho Saari Site is bound to the north, west and east by Richmond Street Elementary school and by a church and single and multi-family residences to the south;

H. Uses and structures on the Hilltop Site are currently comprised of: an approximately 170 foot by 100 foot empty water reservoir which is no
longer in use, an approximately 40 foot by 30 foot recreation pool with an three-foot maximum depth, a restroom/maintenance building, a playground with play structures, a paved picnic area and green park space with picnic tables and barbeques;

I. The Imperial Site is developed with one-story brick classroom and office buildings for the no longer operating Imperial Avenue School;

J. The Urho Saari site is developed with the Urho Saari Swim Stadium (aka "The Plunge"). This building contains two indoor pools, restrooms with showers, locker rooms, bleacher seating, management offices and storage/maintenance space. The project site would expand outside the current Plunge building to include Richmond Street Elementary School areas currently occupied by green space and a playground; and

K. Vehicle access to the Imperial Site would occur from Imperial Avenue. Access to a new proposed parking lot at the Hilltop Site would occur from Grand Avenue. Access to two new surface lots at the Urho Saari site would occur from Mariposa Avenue. In addition two satellite parking locations, the municipal parking structure at Grand Avenue and Richmond Street and the public surface lot at Mariposa Avenue and Main Street, have been identified for the Urho Saari Site.

SECTION 3: Environmental Assessment. The City Council makes the following environmental findings:

A. A Draft Environmental Impact Report (DEIR) for this project was completed in compliance with Public Resources Code (PRC) §15090. A noticed Public Scoping meeting was held on Wednesday, May 12, 2010 pursuant to PRC §15083. A Notice of Preparation of the DEIR was prepared and circulated for public review from July 1, 2010 to August 2, 2010 pursuant to PRC §15082. A Notice of Completion for the DEIR was filed with the State Office of Planning and Research on April 28, 2011 pursuant to PRC §15085. The public comment and review period for the DEIR was open between April 28, 2011 and June 13, 2011 in compliance with PRC §15087;

B. The City received 8 comment letters on the DEIR from public agencies and individuals;
C. A FEIR was prepared, which includes the DEIR, comments regarding the DEIR and written responses to such comments, a summary of changes to the DEIR and all technical appendices;

D. The FEIR for the proposed Project, entitled “El Segundo Aquatics Site Feasibility Alternatives Project Final Environmental Impact Report”, prepared by Rincon Consultants under contract to the City and under the supervision of the Planning and Building Safety Department (State Clearinghouse No. 2010071005), is incorporated by reference;

E. The City, acting as lead agency, reviewed and edited as necessary the DEIR and the FEIR to reflect its own independent judgment to the extent of its ability, including reliance on City technical personnel as well as other professional consultants retained by the City in order to provide technical advice and assistance in evaluating environmental impacts associated with the Project;

F. Pursuant to PRC § 21082.1(c)(3), the City Council independently reviewed and analyzed the FEIR. Based upon that review and analysis, and recommendations made by the City’s Planning Agency as set forth in Planning Commission Resolution No. 2699, the City Council finds that the FEIR is an accurate and complete statement of the potential environmental impacts resulting from the Project. The FEIR reflects the City’s independent judgment as lead agency;

G. Pursuant to PRC § 15091, any changes or alterations required for the Project, or incorporated into the Project, which avoid or substantially lessen the significant environmental effect are identified for the FEIR. Any potential changes or alterations that may be made to the proposed mitigation measures are addressed and analyzed in the FEIR;

H. The DEIR and FEIR were made available for public review and comment in the time and manner prescribed by CEQA;

I. In accordance with PRC §15091, the record on which the City Council findings are based is located at the Planning and Building Safety Department, City of El Segundo, 350 Main Street, El Segundo, California 90245. The custodian of records is the Director of Planning and Building Safety;

J. The City reviewed the FEIR for the Project and considered the public record on the project, including, without limitation, the following:
1. Staff reports prepared by the Planning and Building Safety Department and the DEIR and the FEIR prepared by Rincon Consultants for the City;

2. Staff presentations at public hearings and meetings;

3. All applicable regulations and codes;

4. Public comments, both written and oral, received and/or submitted at or before the public hearings and meetings, supporting or opposing the proposed Project; and,

5. All related documents received and/or submitted at or before the public hearings;

K. The FEIR was presented to the City Council, which reviewed and considered information contained in the FEIR before approving the project in accordance with PRC §15090;

L. The FEIR generally identifies, for each potentially significant impact of the project, one or more corresponding mitigation measures to reduce impacts to a level of insignificance, with the exception of cultural resource and noise impacts. The City Council finds that each potentially significant impact identified in the FEIR is mitigated by its corresponding mitigation measures to the extent set forth in the FEIR;

M. In accordance with PRC §15091, the City Council considered written findings regarding each of the significant environmental effects identified in the DEIR before certification of the FEIR. The written findings are attached as Exhibit “A” to this Resolution and incorporated by reference. Each finding includes a brief explanation of the rationale for each finding. The FEIR includes mitigations that lessen identified significant environmental effects to a less than significant level for those effects that can be mitigated. For the two environmental effects that cannot be mitigated to a less than significant level (Cultural Resources and Noise) as identified in the FEIR, the findings attached in Exhibit “A” contain a brief explanation as to how the mitigation measures substantially lessen the two substantial environmental effects, and;

N. Because of the effects identified in this Resolution, specifically the creation of significant environmental impacts as described above, the FEIR found
that a Statement of Overriding Considerations would be required for any of the alternatives studied to be approved. A Statement of Overriding Consideration is included in "Exhibit A" in accordance with PRC §15093. The City Council has considered the attached Statement of Overriding Considerations.

SECTION 4: General Plan. The proposed project conforms to the City's General Plan as follows:

A. Implementation of the project will meet relevant goals of the Land Use Element. Implementation of the project will help achieve Land Use Element Goal LU6, which is to “maintain and upgrade existing excellent parks, recreation, and open space facilities within the City of El Segundo.” The new facility will upgrade the level of aquatics facilities service within the City. A California Interscholastic Federation competition ready pool will provide training and game facilities that are currently unavailable in the community with current aquatics facilities. The new competition and recreation pools will increase aquatics facility capacity in the City improving service levels to residents.

B. Implementation of the project is consistent with Land Use Element Policy LU6-1.2 to “encourage parks and recreational facilities to be located within walking distance of every household.” All three potential project sites are located within the residential section of the City. All three sites are within a reasonable walking distance of many households residing in the City.

C. Land Use Element Goal LU7 is to “provide the highest quality public facilities, services, and public infrastructure possible to the community.” The new facility increases the quality of aquatics recreational facilities in the City. The existing Urho Saari Swim Stadium aquatics facility is currently deteriorating and is in need of extensive repair and retrofitting. Providing new or renovated aquatics facilities is needed to continue to provide high quality public aquatics facilities to the community.

D. Implementation of the project is consistent with Open Space and Recreation Element Goal OS1 to “provide and maintain high quality open space and recreational facilities that meet the needs of the existing and future residents and employees within the City of El Segundo.” The facility meets the needs of the City's residents and employees in that it provides high quality recreational swim facilities within the City. In addition the building will improve the facilities available to local schools for competitive swimming and water polo. The project will also improve facilities available
for child and adult aquatics teaching.

E. Implementation of Mitigation Measure CR-1(a) at the Hilltop Park Site requiring a cultural resource documentation report by a historic preservation specialist is consistent with Land Use Element Policy LU2-2.1 to “take an active role in documenting and preserving buildings of cultural, historical and architectural significance. This should include residential, non-residential and publicly-owned buildings.”

F. Implementation of Mitigation Measure CR-1(b) at the Urho Saari Site requiring review of architectural plans by a qualified historic preservation specialist for conformance with the Secretary of the Interior’s Standards for Rehabilitation is consistent with Land Use Element Objective LU2-2 to “encourage the preservation of historical and cultural sites and monuments” and Policy LU2-1 that “new development adjacent to a building of cultural, historical, or architectural significance shall be designed with a consistent scale and similar use of materials.”

G. Implementation of Mitigation Measure N-3(a) and N-3(b) requiring noise screening of roof-top equipment and restricted hours of trash pick-up is consistent with Noise Element Objective N1-2 to “ensure that City residents are not exposed to stationary noise levels in excess of El Segundo’s Noise Ordinance standards.”

H. Implementation of Mitigation Measure T-2(a) requiring a Construction Traffic Management Plan is consistent with Air Quality Element Policy AQ7-1.1 that “commercial truck emission be reduced by restricting delivery schedules to off-peak traffic periods.”

SECTION 5: Cultural Resource Designation. The City Council makes the following findings regarding the potential local cultural resource designation of the existing reservoir that is no longer in use at Hilltop Park:

A. On July 14, 2011 the Planning Commission held a duly noticed public hearing. The Planning Commission adopted Resolution No. 2699 which recommends that the City Council determine that the existing, unused, reservoir at Hilltop Park is not a local cultural resource;

B. The existing, unused, reservoir is located within the City of El Segundo at Hilltop Park. The address of Hilltop Park is 301 Maryland Street. The legal description of the parcel on which the reservoir is located is:
EL SEGUNDO LOT COM AT NE COR OF LOT 13 BLK 67
TH S ON W LINE OF MARYLAND ST TO N LINE OF
GRAND AVE TH W ON SD N LINE TO E LINE OF LOMITA
ST TH N THEREON 704.36 FT TH N 53'45" E 143.11 FT
TH S 0 07' LOT 13;

C. The existing, unused, reservoir at Hilltop Park is a concrete basin
approximately 170 by 100 feet in size. It is currently hidden behind a
landscaped berm and is surrounded by a chain-link perimeter fence. The
reservoir was constructed circa 1912 as the City’s first reservoir. When
the reservoir was in use it was covered by a wood roof structure which has
since been removed;

D. The integrity of the design of the structure is substantially reduced as the
roof structure is no longer intact. The integrity of feeling and association
of the structure is no longer intact as the structure is no longer used for its
intended purpose, water storage. The structure appears to lack sufficient
integrity to be eligible for listing on the National Register of Historic Places
or the California Register of Historical Resources;

E. The reservoir structure meets two of the four criteria for potential
designation as a local cultural resource contained in ESMC §15-14-4B.
First, the structure is greater than 50 years old and, second, the structure
is associated with a significant local event as it is the City of El Segundo’s
first water reservoir and was integral to the establishment of the City;

F. The City Council finds, while the reservoir is associated with a significant
local event, the structure does not have distinctive architecture or method
of construction, does not exemplify a particular period of local history, and
does not provide aesthetic or recreational benefits to the City; and,

G. The City Council finds that reservoir site poses a potential public safety
hazard in its current unmaintained condition. The fencing around the site
is necessary to maintain public safety and renders the site un-
accessible to the public. As a result, the reservoir has little utility as a
local cultural resource.

SECTION 6: Approvals.

A. The City Council adopts Findings of Fact and a Statement of Overriding
Considerations in accordance with the requirements of PRC §21081 as set
forth in attached Exhibit “A,” which are incorporated into this Resolution by reference.

B. In accordance with the requirements of PRC §21081(a) and §21081.6, the City Council adopts a Mitigation Monitoring and Reporting Program (MMRP) as set forth in attached Exhibit “B,” which is incorporated into this Resolution by reference. The City Council hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval of the project. The other project conditions of approval and compliance with applicable codes, policies, and regulations will further assure that the environmental impacts of the proposed project will not be greater than set forth in the FEIR and these findings.

C. Subject to the conditions listed in attached Exhibit “C,” which are incorporated into this Resolution by reference, the City Council certifies the Final Environmental Impact Report for the El Segundo Aquatics Site Feasibility Alternatives Project.

D. Pursuant to ESMC §15-14-4 the City Council determines that the reservoir structure at Hilltop Park is not a local cultural resource.

SECTION 7: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8: Limitations. The City Council’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council’s knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 9: Summaries of Information. All summaries of information in the findings which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding, is not based in part on that fact.
SECTION 10: This Resolution will remain effective unless superseded by a subsequent resolution.

SECTION 11: According the El Segundo Municipal Code, a copy of this Resolution shall be mailed to any person requesting a copy.
SECTION 12: This Resolution is the City Council's final decision and will become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 16th day of August, 2011.

__________________________
Eric Busch, Mayor

ATTEST:

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

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. _____ was duly passed, approved and adopted by said City Council at a regular meeting held on the 16th day of August, 2011, approved and signed by the Mayor, and attested to by the City Clerk, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

__________________________
Cindy Mortesen, City Clerk

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

__________________________
Karl H. Berger, Assistant City Attorney
CITY COUNCIL RESOLUTION NO. _____

Exhibit A

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

After receiving, reviewing, and considering all the information in the administrative record for Environmental Assessment (EA) No. 836, including, without limitation, the factual information and conclusions set forth in this Resolution and its attachment, the City Council finds, determines, and declares for the El Segundo Aquatics Site Feasibility Alternatives Project as follows:

I. FINDINGS REQUIRED BY CEQA.

CEQA Guidelines § 15090 require the City to certify that:

1. The Final Environmental Impact Report (FEIR) has been completed in compliance with CEQA;

2. The FEIR was presented to the decision-making body of the lead agency and that decision-making body reviewed and considered the information contained in the final EIR before approving the project; and

3. The FEIR reflects the lead agency's independent judgment and analysis.

II. FINDINGS REGARDING THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT.

A. Impacts Found to be Insignificant in the Initial Study.

The Initial Study for the El Segundo Aquatics Site Feasibility Alternatives Project, dated July 2010, identified the following environmental effect as not potentially significant. Accordingly, the City Council finds that the Initial Study, the FEIR, and the record of proceedings for the project do not identify or contain substantial evidence identifying significant environmental effects of the project with respect to the area listed below.

1. Agriculture and Forest Resources.

B. Impacts Identified as Less Than Significant in the Initial Study.

The Initial Study identified the following environmental effects as less than significant. Accordingly, the City Council finds that the Initial Study, the FEIR, and the record of proceedings for the El Segundo Aquatics Site Feasibility Alternatives Project do not identify or contain substantial evidence identifying significant environmental effects of the project with respect to the areas listed below.

1. Air Quality (operational).

3. Population and Housing.

4. Public Services.

5. Recreation.


C. **Impacts Identified as Potentially Significant in the Initial Study But Which Did Not Exceed Significance Thresholds in the DEIR.**

The following environmental effects were identified as Potentially Significant in the Initial Study. The City Council finds that the FEIR and the record of proceedings in this matter do not identify or contain substantial evidence identifying significant environmental effects of the Aquatics Site Feasibility Alternatives Project with respect to the areas listed below:

1. **Geology/Soils**

   a) **Facts/Effects**

   (1) **Seismic Event.** Development of each of the five project alternatives could expose people and structures to ground-shaking and related effects during a seismic event. However, with mandatory compliance with the California Building Code, impacts would be less than significant for each of the five project alternatives.

   (2) **Erosion.** Development of each of the five project alternatives could result in erosion or loss of topsoil. However, with mandatory compliance with erosion protection measures under the National Pollutant Discharge Elimination System General Construction Permit, impacts would be less than significant for each of the five project alternatives.

   (3) **Geotechnical Hazards.** Each of the three project sites could be subject to geotechnical hazards including expansive soils, hydro-consolidation, subsidence and settlement, and inadequate existing fill. However, mandatory compliance with applicable provisions of the California Building Code (CBC) would reduce impacts to less than significant levels for each of the five project alternatives.

   b) **Mitigation:**

   No mitigation measures are required to reduce impacts below a level of significance for the El Segundo Aquatics Site Feasibility Alternatives Project FEIR.

   c) **Finding:**

   The City Council finds that the FEIR and the record of proceedings do not identify or contain substantial evidence identifying significant
environmental effects of the El Segundo Aquatics Site Feasibility Alternatives Project with respect to Geology.

2. **Greenhouse Gas Emissions**

   a) **Facts/Effects**

   Development of any of the five project alternatives would generate Greenhouse Gas emissions from both mobile and operational sources. However, development of any of the project alternatives would not exceed recommended California Air Pollution Control Officers Association (CAPCOA) thresholds and would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of Greenhouse Gases. Therefore, impacts would be less than significant, for all five project alternatives.

   b) **Mitigation:**

   No mitigation measures are required to reduce impacts below a level of significance for the El Segundo Aquatics Site Feasibility Alternatives Project FEIR.

   c) **Finding:**

   The City Council finds that the FEIR and the record of proceedings do not identify or contain substantial evidence identifying significant environmental effects of the El Segundo Aquatics Site Feasibility Alternatives Project with respect to Greenhouse Gas Emissions.

3. **Hazards and Hazardous Materials**

   a) **Facts/Effects**

      (1) **Demolition.** All five project options would involve demolition or renovation of existing structures, which, depending on their age, could contain asbestos and/or lead based paint. If these materials are not properly handled and disposed of, this could pose a risk to the public or the environment through the release of hazardous materials. However, mandatory compliance with State and federal regulations regarding the handling and disposal of these materials would result in less than significant impacts for all five development options.

      (2) **Hazardous Materials.** None of the three alternative project sites are listed as hazardous materials sites, and the five proposed project alternatives would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, impacts to this issue are considered less than significant for all five project alternatives.

      (3) **Airport Hazards.** The Imperial Site and Urho Saari Site are located within the Los Angeles International Airport Planning Area/Airport Influence Area as identified by the Los Angeles County
Airport Land Use Plan. However, none of the five development options is located within aircraft take-off and landing flight paths, or within identified runway protection zones. Therefore, impacts to this issue are considered less than significant for all five development options.

b) Mitigation:

No mitigation measures are required to reduce impacts below a level of significance for the El Segundo Aquatics Site Feasibility Alternatives Project FEIR.

c) Finding:

The City Council finds that the FEIR and the record of proceedings do not identify or contain substantial evidence identifying significant environmental effects of the El Segundo Aquatics Site Feasibility Alternatives Project with respect to Hazards and Hazardous Materials.

4. Hydrology and Water Quality

a) Facts/Effects

(1) Construction. During construction of each of the five project alternatives, the soil surface would be subject to erosion and the downstream watershed could be subject to temporary sedimentation and discharges of various pollutants. However, mandatory compliance with regulations and requirements that pertain to construction activity would apply. Impacts would be less than significant for each of the five project alternatives.

(2) Operation. Operation of each of the alternatives would alter existing drainage patterns and increase the amount of impervious surfaces on the site. This could potentially degrade the quality of stormwater discharged from the project sites in the long term. However, mandatory compliance with Los Angeles Regional Water Quality Control Board NPDES requirements would reduce impacts to a less than significant level.

(3) Drainage. Operation of each of the five project alternatives would alter existing drainage patterns; however, this would not result in on-site or off-site flooding. Impacts would be less than significant.

b) Mitigation:

No mitigation measures are required to reduce impacts below a level of significance for the El Segundo Aquatics Site Feasibility Alternatives Project FEIR.
c) **Finding:**

The City Council finds that the FEIR and the record of proceedings do not identify or contain substantial evidence identifying significant environmental effects of the El Segundo Aquatics Site Feasibility Alternatives Project with respect to Hydrology and Water Quality.

D. **Impacts Identified as Potentially Significant in the Initial Study But Which Can Be Reduced to Less-Than-Significant Levels with Mitigation Measures.**

The City Council finds that the following environmental effects were identified as Less Than Significant with Mitigation Incorporated in the Initial Study and FEIR, and implementation of the identified mitigation measures would avoid or lessen the potential environmental effects listed below to a level of significance.

1. **Aesthetics.**

a) **Facts/Effects:**

(1) **Visual Character.** Each of the five project alternatives involves the construction of surface parking lot along a public road. This could potentially degrade the existing visual character of any of the three potential sites. Implementation of Mitigation Measures AES-2(a-c), which require landscape screening of surface parking areas, would reduce impacts to visual character to a less than significant level. In addition, the Plunge is a designated local cultural resource and renovation of the building could impact the scenic view of the building. Compliance with CR-1(b) would reduce any impacts of the Urho Saari option to a less than significant level.

(2) **New Sources of Light or Glare.** Each of the alternatives would result in new sources of light and glare on and around the project site. Glare generated by the proposed project alternatives would not adversely affect neighboring uses, while light could adversely affect nearby light-sensitive uses. Screening of new light sources to avoid off-site light spillover is recommended. Implementation of Mitigation Measure AES-3, which requires a photometric and lighting plan, would reduce impacts to a less than significant level for all five project alternatives.

b) **Mitigations:**

(1) **AES-2(a) Hilltop Park Site Landscaping.** A landscape plan must be submitted to the City before issuance of grading or building permits. The landscape plan must include landscaping at the southern, eastern and western portions of the proposed surface parking lot to screen the parking lot from public views from Grand Avenue, Lomita Street, and Maryland Street. This plan must consist of predominantly drought tolerant native and/or naturalized species consistent with the applicable climate zone and the City's Water Conservation in Landscaping regulations. All landscaping must be monitored and maintained according to the original intent of the landscape plan. The final landscape plan must be reviewed
and approved by the Director of Planning and Building Safety and Director of Recreation and Parks before the City issues grading or building permits.

(2) AES-2(b) Imperial Site Landscaping. A landscape plan must be submitted to the City before the City issues grading or building permits. The landscape plan must include landscaping at the northern portion of the proposed surface parking lot to screen parking lots from public views from East Imperial Avenue. This plan must consist of predominantly drought tolerant native and/or naturalized species consistent with the applicable climate zone and the City’s Water Conservation in Landscaping regulations. All landscaping must be monitored and maintained according to the original intent of the landscape plan. The final landscape plan must be reviewed and approved by the Director of Planning and Building Safety and Director of Recreation and Parks before the City issues grading or building permits.

(3) AES-2(c) Urho Saari Site Landscaping. A landscape plan must be submitted to the City before the City issues grading or building permits. The landscape plan must include landscaping at the southern portion of the proposed surface parking lots to screen parking lots from public views from Mariposa Avenue. This plan must consist of predominantly drought tolerant native and/or naturalized species consistent with the applicable climate zone and the City’s Water Conservation in Landscaping regulations (El Segundo Municipal Code Section 10-2-5). The height of landscape planting must be controlled to maintain views of the Urho Saari Swim Stadium. All landscaping must be monitored and maintained according to the original intent of the landscape plan. The final landscape plan must be reviewed and approved by the Director of Planning and Building Safety and Director of Recreation and Parks before the City issues grading or building permits.

(4) CR-1(b) Urho Saari Site. Before the City issues building permits, the Director of Planning and Building Safety must find, based on review and recommendations by a qualified, City-approved historic resources professional or preservation architect, that the final architectural plans for the proposed new construction conform to the Secretary of the Interior’s Standards for Rehabilitation. This finding must be based on an inventory of the building’s character-defining features and final, detailed construction drawings. The Secretary’s Standards applicable to related new construction and alterations to historic properties are as follows:

Secretary of the Interior Standards for Rehabilitation No. 3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
Secretary of the Interior Standards for Rehabilitation No. 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work must be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Secretary of the Interior Standards for Rehabilitation No. 10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(5) AES-3 Photometric and Lighting Plan. Before the City issues a building permit, a photometric and proposed lighting plan for the project must be prepared to the satisfaction of the Planning and Building Safety Director and Police Chief to ensure that light and glare does not spillover onto adjoining residential properties. Outdoor light fixtures included in the lighting plan must be low-intensity, shielded and/or directed away from adjacent areas and the night sky. All light fixtures must be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. The final lighting plan must be reviewed and approved by the Planning and Building Safety Director and Police Chief before the City issues a building permit.

c) Finding:

The City Council finds that the project is conditioned to avoid or substantially lessen the potential aesthetic environmental effects as identified in the FEIR.

2. Air Quality

a) Facts/Effects:

(1) Construction Emissions. Construction of any of the five project options would generate pollution emissions that would exceed South Coast Air Quality Management District localized significance thresholds for dust (small and fine particulate matter). Implementation of dust control measures would reduce the impact of this environmental effect to a less than significant level.

b) Mitigations:

(1) AQ-2 Fugitive Dust Control Measures. The following must be implemented during construction to minimize fugitive dust emissions:

a) Water trucks must be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this requires three daily applications (once
in the morning, once at midday and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading must be suspended if wind gusts exceed 25 mph.

b) Soil with 5% or greater silt content that is stockpiled for more than two days must be covered, kept moist, or treated with soil binders to prevent dust generation.

c) Trucks transporting material must be tarped from the point of origin or must maintain at least two feet of freeboard.

d) Soil stabilizers must be applied to unpaved roads to prevent excess amounts of dust.

e) All material excavated or graded must be treated with soil binders or must be sufficiently watered at least three times daily with complete coverage, preferably in the morning, midday and after work is done for the day.

f) Ground cover must be replaced in disturbed areas as quickly as possible.

g) All clearing, grading, earth moving, or excavation activities must cease during periods of high winds (i.e., greater than 20 mph averaged over one hour) to prevent excessive amounts of dust.

h) The contractor must provide adequate loading/unloading areas that limit track-out onto adjacent roadways through the utilization of wheel washing, rumble plates, or another method achieving the same intent.

i) All material transported off-site must be securely covered to prevent excessive amounts of dust.

j) Face masks must be used by all employees involved in grading or excavation operations during dry periods to reduce inhalation of dust which may contain the fungus which causes San Joaquin Valley Fever.

k) All residential units located within 500 feet of the construction site must be sent a notice regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet must also be posted in a prominent and visible location at the construction site, and must be maintained throughout the construction process. All notices and the signs must indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.

l) Visible dust beyond the property line emanating from the project must be prevented to the maximum extent feasible.
m) These control techniques must be indicated in project specifications. Compliance with the measure is subject to periodic site inspections by the City.

c) Finding:

The City Council finds that the project is conditioned to avoid or substantially lessen the potential air quality environmental effects as identified in the FEIR.

3. Biological Resources.

a) Facts/Effects:

(1) Bird Habitat. All three potential sites contain non-native, mature landscape trees, which may be removed as a result of the project. No protected species were observed on-site. The mature trees could provide nesting habitat for raptors and/or migratory bird species. Restricted times on tree pruning and/or removal or pre-construction nesting surveys and monitoring will mitigate any environmental effects to a less than significant level.

b) Mitigation:

(1) BIO-1 Migratory Bird Species Act Compliance. To avoid the accidental take of any migratory bird species or raptors, the removal or pruning of trees must be conducted between September 15 and February 15, outside of the typical breeding season, as feasible. If avoiding the nesting season is infeasible, a qualified biologist/ornithologist satisfactory to the City's Environmental Analyst must conduct focused nesting surveys weekly for 30 days before grading or initial construction activity. The results of the nest survey must be submitted to the City in writing within one week after completion for review. No grading or other construction activity can occur before the City reviews the survey report. The last survey cannot be conducted less than three days before any proposed clearance of vegetation or other construction activity. In the event that a nesting migratory bird species or raptor is observed in habitat/trees to be removed or within 250 feet of the construction work areas, the applicant must delay all construction work in the suitable habitat area or within 250 feet of the nesting activity until after September 15, or continue focused surveys in order to determine when nesting activity has ceased. If an active nest is found, clearing and construction within 50-250 feet of the nest, depending on the species involved (50 feet for common urban-adapted native birds and up to 250 feet for raptors), must be postponed until the nest is vacated and juveniles have fledged, and there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site must be established in the field with flagging and stakes or construction fencing. Construction personnel must be instructed regarding the ecological sensitivity of the fenced area.
Once the pre-construction bird surveys are conducted by a qualified biologist during the proper seasons, the report results, including survey dates, exact species observed and location of species onsite, must be submitted to the City for review and approval. No construction may begin before this approval.

c) Finding:

The City Council finds that the project is conditioned to avoid or substantially lessen the potential biological resource environmental effects as identified in the Initial Study.

4. Cultural Resources.

a) Facts/Effects.

Modification to Urho Saari Swim Stadium. The project at the Urho Saari Site involves alterations to a structure designated as a historic resource. Mitigation Measure CR-1(b) would reduce the environmental impacts of the project to a less than significant level.

b) Mitigation:

CR-1(b) Urho Saari Site. Before the City issues building permits, the Director of Planning and Building Safety must find, based on review and recommendations by a qualified, City-approved historic resources professional or preservation architect, that the final architectural plans for the proposed new construction conform to the Secretary of the Interior’s Standards for Rehabilitation. This finding must be based on an inventory of the building’s character-defining features and final, detailed construction drawings. The Secretary’s Standards applicable to related new construction and alterations to historic properties are as follows:

Secretary of the Interior Standards for Rehabilitation No 3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

Secretary of the Interior Standards for Rehabilitation No 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work must be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Secretary of the Interior Standards for Rehabilitation No 10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the
essential form and integrity of the historic property and its environment would be unimpaired.

c) **Finding:**

The City Council finds that the project is conditioned to avoid or substantially lessen the potential cultural resource environmental effects at the Urho Saari site as identified in the FEIR. The environmental effects of the project at the Imperial site are less than significant without mitigation as identified in the FEIR.

5. **Land Use/Planning**

   a) **Facts/Effects:**

   The proposed project would be generally compatible with existing adjacent land uses in the vicinity of each of the three project sites, with incorporation of mitigation measures included in the transportation, air quality, aesthetics and noise sections of the final EIR. Incorporation of the mitigation measures of the identified sections would reduce the environmental impacts below the threshold of significance.

   b) **Mitigation:**

   The mitigation measures identified in Sections 4.1 (Aesthetics), 4.2 (Air Quality), 4.9 (Noise), and 4.10 (Transportation and Circulation) would reduce impacts that could lead to land use conflicts to levels that would avoid significant land use compatibility impacts.

   c) **Finding:**

   The City Council finds that project is conditioned to avoid or substantially lessen the potential land use environmental effects as identified in the FEIR.

6. **Noise**

   a) **Facts/Effects.**

   **Operational Noise.** Operation of any of the project alternatives would generate noise levels that may periodically be audible to existing uses near the project site. Such noise sources include stationary equipment such as rooftop ventilation and heating systems, trash hauling, surface parking, and general activities associated with recreational uses. Impacts would be mitigated to below a level of significance with the incorporation of mitigation measures N-3(a) and (b).

   b) **Mitigation:**

   (1) **N-3(a) Rooftop Ventilation.** Parapets must be installed around all rooftop ventilation systems to shield noise from nearby sensitive receptors.
(2) **N-3(b) Trash Pick-Up.** All trash pickups must be restricted to daytime operating hours (7:00 AM to 10:00 PM Monday through Friday, and 8:00 AM to 10:00 PM on weekends).

c) **Finding:**

The City Council finds that project is conditioned to avoid or substantially lessen the potential operational noise environmental effects as identified in the FEIR.

7. **Transportation and Circulation**

   a) **Facts/Effects:**

   **Construction Traffic.** Traffic associated with construction activities for any of the project alternatives would result in potentially significant traffic impacts as a result of haul truck traffic volumes, construction-worker parking, and cumulative construction traffic. Impacts would be mitigated to below a level of significance with the incorporation of mitigation measures T-2(a) and T-2(b).

   b) **Mitigation:**

   (1) **T-2(a) Construction Traffic Management Plan.** A Construction Traffic Management Plan must be prepared before the City issues demolition, grading or building permits. The plan must, at a minimum, address the following items:

   a) Maintain existing access for land uses in proximity to the project site during project construction.

   b) Schedule deliveries and pick-ups of construction materials to non-peak travel periods, to the maximum extent feasible.

   c) Coordinate deliveries and pick-ups to reduce the potential of trucks waiting to load or unload for protracted periods of time.

   d) Minimize obstruction of through-traffic lanes.

   e) Control construction equipment traffic from the contractors through flagman and traffic control devices.

   f) Identify designated transport routes for heavy trucks (in addition to haul trucks) to be used over the duration of the proposed project.

   g) Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on the surrounding streets.

   h) Establish requirements for loading/unloading and storage of materials on the project site, where parking spaces would be encumbered, length of time traffic travel lanes can be
encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses.

i) Coordinate with adjacent businesses, residents, institutions, and emergency service providers to ensure adequate access exists to the project site and neighboring commercial, institutional, and residential uses.

(2) T-2(b) Worker Parking Management Plan. A Worker Parking Management Plan must be completed before the City issues demolition, grading or building permits. To the maximum extent feasible, all parking for workers must be accommodated on the project site. During any demolition and construction activities when construction worker parking cannot be accommodated on the project site, the Plan must identify alternate parking locations for construction workers and method of transportation to and from the project site for approval by the City 30 days before commencement of construction. The Construction Workers Parking Plan must include appropriate measures to ensure that the parking location requirements for construction workers will be strictly enforced. These include, without limitation, the following:

a) Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations. This information will clearly state that no parking is permitted on any residential street.

b) Prohibit construction worker parking within 500 feet of the nearest point of the project site except within designated areas. The contractor is responsible for informing subcontractors and construction workers of this requirement.

c) Identify sites where construction workers could park off-site, if necessary.

In lieu of the above, demolition and construction activities may be phased such that all construction worker parking can be accommodated on the project site throughout the entire duration of demolition and construction activities.

c) Finding:

The City Council finds that project has been conditioned to avoid or substantially lessen the potential construction traffic environmental effects as identified in the FEIR.

E. Significant Unavoidable Effects that Cannot be Mitigated to a Level of Insignificance.

The City Council finds that the following environmental effects were identified as Significant and Unavoidable in the FEIR. Implementation of the identified mitigation
measures would lessen the potential environmental effects to the extent feasible but not below a level of significance.

1. Cultural Resources.

a) Facts/Effects.

Either Hilltop Site option would involve demolition of a potentially historic reservoir structure. Cultural resource impacts would be significant and unavoidable under the Hilltop Site alternatives. Mitigation Measure CR-1(a) would reduce the cultural resource impact of the two Hilltop Site options, however the mitigation would not reduce the impact below the threshold of significance.

b) Mitigation:

CR-1(a) Hilltop Park Site. A historic preservation professional qualified in accordance with the Secretary of the Interior's Standards must be selected by the City of El Segundo to complete a documentation report on the City Reservoir structure. The structure to be demolished must be documented with archival quality photographs and sketch location plans, and/or existing as-built plans, if available. This documentation, along with historical background prepared for this property, must be submitted to an appropriate public repository approved by the City. The documentation reports must be completed and approved by the Director of Planning and Building Safety before the City issues demolition permits.

c) Finding:

The City Council finds that the project is conditioned to lessen the cultural resource environmental effects at the Hilltop Park Site as identified in the FEIR. The environmental impacts of the project at the Hilltop Park Site cannot be mitigated below the threshold of significance.

2. Noise.

a) Facts/Effects.

Construction Noise. Construction of any of the five options at the three alternative sites would result in the generation of noise that would exceed thresholds of significance at nearby residences and schools. Mitigation Measures N-1(a) through N-1(d) will reduce construction noise impacts, however these impacts cannot be feasibly mitigated below a threshold of significance. Construction noise impacts would be unavoidably significant for all five development options.

b) Mitigations:

(1) N-1(a) Staging Area. Contractor must provide staging areas on site to minimize off-site transportation of heavy construction equipment. These areas must be located to maximize the distance
between activity and sensitive receptors. This would reduce noise levels associated with most types of idling construction equipment.

(2) N-1(b) **Diesel Equipment Mufflers.** All diesel equipment must be operated with closed engine doors and must be equipped with factory-recommended mufflers.

(3) **N-1(c) Electrically-Powered Tools and Facilities.** Electrical power must be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.

(4) **N-1(d) Additional Noise Attenuation Techniques.** For all noise-generating construction activity on the project site, additional noise attenuation techniques must be employed by the construction contractor to reduce noise levels. Such techniques must include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.

c) **Finding:**

The City Council finds that the project is conditioned to lessen the construction noise environmental effects at all three project sites as identified in the FEIR. The construction noise environmental impacts of the five project options cannot be mitigated below the threshold of significance.

**F. Insignificant Cumulative Impacts.**

The City Council finds that the Initial Study and FEIR and the record of proceedings in this matter do not identify or contain substantial evidence which identifies significant adverse cumulative environmental effects associated with the El Segundo Aquatics Site Feasibility Alternatives Project with respect to the areas listed below:

1. Aesthetics
2. Agricultural and Forest Resources
3. Air Quality
4. Biological Resources
5. Cultural Resources
6. Geology and Soils
7. Greenhouse Gas Emissions
8. Hazards and Hazardous Materials
9. Hydrology and Water Quality
10. Land Use and Planning
11. Mineral Resources
12. Noise
13. Population and Housing
14. Public Services
15. Recreation
16. Transportation/Traffic
17. Utilities and Service Systems

There are no significant cumulative impacts.

G. **Growth Inducing Impacts.**

The City Council finds on the basis of the FEIR and the record of proceedings in this matter that there are no growth inducing impacts.

H. **Project Alternatives.**

1. **Reasonable Range of Alternatives.**

   a) **Alternatives EIR.**

   The proposed project has five potential alternative designs and three potential alternative project sites. The FEIR is an Alternatives EIR that analyzes the proposed project alternatives at equal levels of detail. Thus the analysis throughout the FEIR fulfills Public Resources Code (PRC) §15126.6 which requires that the FEIR "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives."

   b) **Findings.**

   The City Council finds that the FEIR and the record of proceedings in this matter describe a reasonable range of alternatives that could feasibly attain most of the basic objectives of the El Segundo Aquatics Site Feasibility Project. The City Council also finds that the FEIR and record of proceedings in this matter contains sufficient information about each alternative to allow for meaningful evaluation, analysis and comparison of the alternatives.

2. **No Project Alternative.**

   a) **No Project.**

   The "No Project" alternative would involve no physical change to any of the potential project sites. The existing site improvements to the Hilltop Park Site, Imperial Site and Urho Saari Site would remain and no demolition or constriction would occur. This alternative would involve no change to the average daily
vehicle trips to any of the sites. The "No Project" alternative would avoid significant and unavoidable impacts associated with construction noise at the Hilltop Park Site, Imperial Site, and Urho Saari Site. The "No Project" alternative would avoid a significant and unavoidable cultural resources impact at the Hilltop Park Site. The "No Project" Alternative would also avoid potentially significant, but mitigable impacts related to aesthetics, air quality, cultural resources, land use, noise and traffic. The "No Project" alternative would be environmentally inferior to the five project alternatives with respect to water quality and hydrology as development of the project would improve water quality at each of the three sites as discussed in the FEIR. In addition, the "No Project" alternative would be environmentally inferior to the Urho Saari Site option in respect to aesthetics as that project option would improve the aesthetic quality of that site.

b) Finding,

The City Council finds that the "No Project" Alternative would not achieve the basic project objectives as stated in FEIR Section 2.0, Project Description. These objectives are to "Analyze the feasibility of alternative locations and design options for development of increased aquatic recreational opportunities with the City of El Segundo" and "Identify the most feasible alternative for the development of a modern public recreational aquatics facility."

3. Environmentally Superior Alternative.

In compliance with PRC §15126.6(d), a matrix displaying the major characteristics and significant environmental effects of each alternative is included in FEIR Section 6.0, Alternatives. The purpose of this matrix is to summarize a comparison of project alternatives. Pursuant to PRC §15126.6, it is required that one alternative be identified as the environmentally superior alternative. Furthermore, if the environmentally superior alternative is the "No Project" alternative, the FEIR must also identify the environmentally superior alternative from among the other alternatives. FEIR Table 6-2 is the matrix comparing alternatives. In this table the "No Project" alternative is identified as the environmentally superior alternative. The Hilltop Site Option one (competition pool only) is identified as the most environmentally superior project alternative.

III. STATEMENT OF OVERRIDING CONSIDERATIONS

The City Council finds on the basis of the FEIR and the record of proceedings in this matter that the unavoidable significant impacts of the Aquatics Site Feasibility Alternatives Project as discussed in Section II.D. above are acceptable when balanced against the benefits of the Project. This determination is based on the following substantial public and social factors as identified in the FEIR and the record of proceedings in the matter. Each benefit set forth below constitutes an overriding consideration warranting approval of the project.

- The need for an additional aquatics facility in the City was identified in an Aquatic Facility Needs Analysis contained in the City of El Segundo Aquatics Master Plan (August 2005). This document identified the aquatic recreation facility and program needs based upon community and stakeholder input as well as a demand and needs analysis. A copy of the Aquatics Master Plan is available in the Planning and Building Safety Department and is incorporated into this Statement of Overriding Considerations (SOC) by reference as if fully set forth.
• A new aquatics facility in the City would provide a substantial social benefit to the City. As identified in the Aquatics Master Plan there is a substantial deficit in aquatics facilities in the City for competition and exercise/class uses and a deficit in aquatics facilities for recreational uses.

• The long term recreational benefits of a public aquatics facility to the community and aquatics facility users in the City, as set forth and explained in the Aquatics Master Plan, outweigh the short-term construction noise impacts of the Project.

• The improvement to the recreational amenities available at Hilltop Park and the long term recreational benefits of a new aquatics facility outweigh the preservation of a unmaintained, unused and inaccessible surface reservoir that is potentially eligible for designation as a local cultural resource.

IV. SUBSTANTIAL EVIDENCE.

The City Council finds and declares that substantial evidence for each and every finding made herein is contained in the FEIR, which is incorporated herein by this reference, and in the record of proceedings in the matter.

V. CERTIFICATION OF EIR

The City Council hereby certifies that the Final Environmental Impact Report SCH #2010071005, dated August 2011, for the El Segundo Aquatics Site Feasibility Alternatives Project has been completed in compliance with the California Environmental Quality Act and Public Resources Code §§ 21000, et seq.
CITY COUNCIL RESOLUTION ___

EXHIBIT “B”

Mitigation Monitoring and Reporting Program

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the El Segundo Aquatics Site Feasibility Alternatives Project, proposed in the City of El Segundo, California. Public Resources Code Section 21081.6(a) requires that a Lead Agency adopt an MMRP before approving a project in order to mitigate or avoid significant impacts that have been identified in an Environmental Impact Report. The purpose of the MMRP is to ensure that the required mitigation measures identified in the Environmental Impact Report are implemented as part of the overall project implementation. In addition to ensuring implementation of mitigation measures, the MMRP provides feedback to agency staff and decision-makers during project implementation, and identifies the need for enforcement action before irreversible environmental damage occurs.

The following table summarizes the mitigation measures for each issue area identified in the Environmental Impact Report for the El Segundo Aquatics Site Feasibility Alternatives Project. The table identifies each mitigation measure; the action required for the measure to be implemented; the time at which the monitoring is to occur; the monitoring frequency; and the agency or party responsible for ensuring that the monitoring is performed. In addition, the table includes columns for compliance verification. Where an impact was identified to be less than significant, no mitigation measures were required. However, for Transportation and Circulation two recommended mitigation measures are included for impacts that are less than significant.
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<tr>
<th>Mitigation Measure/Condition of Approval</th>
<th>Action Required</th>
<th>When Monitoring to Occur</th>
<th>Monitoring Frequency</th>
<th>Responsible Agency or Party</th>
<th>Compliance Verification</th>
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<td><strong>AESTHETICS</strong></td>
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<td><strong>AES-2(a) Hilltop Park Site Landscaping.</strong></td>
<td>Review and approve a landscape plan for the Hilltop Park Site that includes landscaping to screen the parking lot from public views from Grand Avenue, Lomita Street, and Maryland Street. This plan must consist of predominantly drought tolerant native and/or naturalized species consistent with the applicable climate zone and the City’s Water Conservation in Landscaping regulations. All landscaping must be monitored and maintained according to the original intent of the landscape plan.</td>
<td>Before issuance of grading or building permits and before issuance of occupancy permit.</td>
<td>Once before issuance of grading or building permits, once before issuance of occupancy permit.</td>
<td>City of El Segundo - Director of Planning and Building Safety and Director of Recreation and Parks.</td>
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<td><strong>AES-2(b) Imperial Site Landscaping.</strong></td>
<td>Review and approve a landscape plan for the Imperial Site that includes landscaping at the northern portion of the proposed surface parking lot to screen parking lots from public views from East Imperial Avenue. This plan must consist of predominantly drought tolerant native and/or naturalized species consistent with the applicable climate zone and the City’s Water Conservation in Landscaping regulations. All landscaping must be monitored and maintained according to the original intent of the landscape plan.</td>
<td>Before the issuance of grading or building permits and before issuance of occupancy permit.</td>
<td>Once before the issuance of grading or building permits, once before issuance of occupancy permit.</td>
<td>City of El Segundo – Director of Planning and Building Safety and Parks and Director of Recreation and Parks.</td>
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<td>original intent of the landscape plan.</td>
<td>approved plan.</td>
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<td>AES-2(c) Urho Saari Site Landscaping.</td>
<td>Review and approve a landscape plan for the Urho Saari Site that includes landscaping at the southern portion of the surface parking lots; predominately drought tolerant native and/or naturalized species consistent with the applicable climate zone and the City's Water Conservation in Landscaping regulations (El Segundo Municipal Code Section 10.2-5). The height of landscape planting must be controlled to maintain views of the Urho Saari Swim Stadium. All landscaping must be monitored and maintained according to the original intent of the landscape plan.</td>
<td>Before the issuance of grading and building permits and before issuance of occupancy permit.</td>
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<td>City of El Segundo – Director of Planning and Building Safety and Parks and Recreation and Parks.</td>
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<td>AES-3 Photometric and Lighting Plan.</td>
<td>Review and approval of a photometric and proposed lighting plan that includes no spillover light and glare onto residential properties; low-intensity outdoor light fixtures that</td>
<td>Before issuance of a building permit and before issuance of occupancy permit.</td>
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<td>City of El Segundo – Director of Planning and Building Safety and Police Chief.</td>
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<td>adjoining residential properties. Outdoor light fixtures included in the lighting plan must be low-intensity, shielded and/or directed away from adjacent areas and the night sky. All light fixtures must be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane.</td>
<td>are shielded and/or directed away from adjacent areas and the night sky; and shielding so that no light rays are emitted from the fixture at angles above the horizontal plane. Verification of implementation per the approved plan.</td>
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<td>The final lighting plan must be reviewed and approved by the Director of Planning and Building Safety and Police Chief before the City issues a building permit.</td>
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<td>AQ-2 Fugitive Dust Control Measures. The following must be implemented during construction to minimize fugitive dust emissions:</td>
<td>Site inspection to ensure that fugitive dust control measures are implemented.</td>
<td>During grading and construction.</td>
<td>Periodically during grading and construction.</td>
<td>City of El Segundo—Director of Planning and Building Safety.</td>
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<td>a) Water trucks must be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this requires three daily applications (once in the morning, once at midday and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading must be suspended if wind gusts exceed 25 mph.</td>
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<td>b) Soil with 5% or greater silt content that is stockpiled for more than two days must be covered, kept moist, or treated with soil binders to prevent dust generation.</td>
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<td>c) Trucks transporting material must be tarped from the point of origin or must maintain at least two feet of freeboard.</td>
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<td>d) Soil stabilizers must be applied to unpaved roads to prevent excess amounts of dust.</td>
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<td>e) All material excavated or graded must be treated with soil binders or must be sufficiently watered at least three times daily with complete coverage, preferably in the morning, midday and after work is done for the day.</td>
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<td>f) Ground cover must be replaced in disturbed areas as quickly as possible.</td>
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<td>g) All clearing, grading, earth moving, or excavation activities must cease during periods of high winds (i.e., greater than 20 mph averaged over one hour) to prevent excessive amounts of dust.</td>
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<td>h) The contractor must provide adequate loading/unloading areas that limit track-out onto adjacent roadways through the utilization of wheel washing, rumble plates, or another method achieving the same intent.</td>
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<td>i) All material transported off-site must be securely covered to prevent excessive amounts of dust.</td>
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<td>j) Face masks must be used by all employees involved in grading or excavation operations during dry periods to reduce inhalation of dust which may contain the fungus which causes San Joaquin Valley Fever.</td>
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<td>k) All residential units located within 500 feet of the construction site must be sent a</td>
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<td>notice regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet must also be posted in a prominent and visible location at the construction site, and must be maintained throughout the construction process. All notices and the signs must indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints. l) Visible dust beyond the property line emanating from the project must be prevented to the maximum extent feasible. m) These control techniques must be indicated in project specifications. Compliance with the measure is subject to periodic site inspections by the City.</td>
<td>Monitor during construction to ensure seasonal restrictions on tree removal or pruning are followed. If such work must be performed during breeding season, verify that surveys are properly conducted and proper procedures followed as specified in the measure.</td>
<td>Prior to removal or pruning of trees.</td>
<td>Prior to, and ongoing during, removal or pruning of trees.</td>
<td>City of El Segundo—Director of Planning and Building Safety.</td>
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<td>BIO-1 Migratory Bird Species Act Compliance. To avoid the accidental take of any migratory bird species or raptors, the removal or pruning of trees must be conducted between September 15 and February 15, outside of the typical breeding season, as feasible. If avoiding the nesting season is infeasible, a qualified biologist/ornithologist satisfactory to the City's Environmental Analyst must conduct focused nesting surveys weekly for 30 days before grading or initial construction activity. The results of the nest survey must be submitted to the City in writing within one week after completion for review. No grading or other construction activity can occur before the City reviews the survey</td>
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<td>report. The last survey cannot be conducted less than three days before any proposed clearance of vegetation or other construction activity. In the event that a nesting migratory bird species or raptor is observed in habitat/trees to be removed or within 250 feet of the construction work areas, the applicant must delay all construction work in the suitable habitat area or within 250 feet of the nesting activity until after September 15, or continue focused surveys in order to determine when nesting activity has ceased. If an active nest is found, clearing and construction within 50-250 feet of the nest, depending on the species involved (50 feet for common urban-adapted native birds and up to 250 feet for raptors), must be postponed until the nest is vacated and juveniles have fledged, and there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site must be established in the field with flagging and stakes or construction fencing. Construction personnel must be instructed regarding the ecological sensitivity of the fenced area.</td>
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<td>Once the pre-construction bird surveys are conducted by a qualified biologist during the proper seasons, the report results, including survey dates, exact species observed and location of species onsite, must be submitted to the City for review and approval. No construction may begin before this approval.</td>
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CULTURAL RESOURCES

CR-1(a) Hilltop Park Site. An historic preservation professional qualified in

<p>| Review and approve a documentation report | Before the issuance of | Once before issuance of | City of El Segundo— |</p>
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<td>accordance with the Secretary of the Interior's Standards must be selected by the City of El Segundo to complete a documentation report on the City Reservoir structure. The structure to be demolished must be documented with archival quality photographs and sketch location plans, and/or existing as-built plans, if available. This documentation, along with historical background prepared for this property, must be submitted to an appropriate public repository approved by the City of El Segundo. The documentation reports must be completed and approved by the Director of Planning and Building Safety before the City issues demolition permits.</td>
<td>the City Reservoir structure prepared by a qualified historic preservation professional that includes documentation with archival quality photographs and sketch location plans and/or existing as-built plans, if available. Verification to confirm that the documentation is submitted to an appropriate public repository.</td>
<td>demolition permits.</td>
<td>demolition permits.</td>
<td>Director of Planning and Building Safety.</td>
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<td>CR-1(b) Urho Saari Site. Before the City issues building permits, the Director of Planning and Building Safety must find, based on review and recommendations by a qualified, City-approved historic resources professional or preservation architect that the final architectural plans for the proposed new construction conform to the Secretary of the Interior's Standards for Rehabilitation. This finding must be based on an inventory of the building's character-defining features and final, detailed construction drawings. The Secretary's Standards applicable to related new construction and alterations to historic properties are as follows:</td>
<td>Review of final architectural plans for the Urho Saari Site to confirm that construction complies with the Secretary of the Interior's Standards for Rehabilitation. Field verification to confirm that changes that create conjectural features/element are not employed; that construction does not destroy historic materials; that new work is compatible with historic materials, features, size, scale and proportion, and massing; and that additions and/or construction is undertaken in a manner that maintains the essential</td>
<td>Before the issuance of building permits and during construction.</td>
<td>Once before the issuance of building permits and periodically during construction.</td>
<td>City of El Segundo—Director of Planning and Building Safety.</td>
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<td>undertaken.</td>
<td>form and integrity of the historic property and its environment.</td>
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<td>Secretary of the Interior Standards of Rehabilitation No. 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work must be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.</td>
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<td>Secretary of the Interior Standards of Rehabilitation No. 10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</td>
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<td><strong>NOISE</strong></td>
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<td><strong>N-1(a) Staging Area.</strong> Contractor must provide staging areas on site to minimize off-site transportation of heavy construction equipment. These areas must be located to maximize the distance between activity and sensitive receptors. This would reduce noise levels associated with most types of idling construction equipment.</td>
<td>Site inspection to confirm that the contractor provides staging areas onsite to minimize offsite transportation of heavy construction equipment and maximize the distance between activity and sensitive receptors.</td>
<td>Before construction and during construction.</td>
<td>Once before construction and periodically during construction.</td>
<td>City of El Segundo—Director of Planning and Building Safety.</td>
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<td><strong>N-1(b) Diesel Equipment Mufflers.</strong> All diesel equipment must be operated with closed engine doors and must be equipped with factory-recommended mufflers.</td>
<td>Field verification that all diesel equipment is operated with closed engine doors and equipped with factory-recommended mufflers.</td>
<td>During grading and construction.</td>
<td>Periodically during grading and construction</td>
<td>City of El Segundo—Director of Planning and Building Safety.</td>
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<td><strong>N-1(c) Electrically-Powered Tools and</strong></td>
<td>Field verification to</td>
<td>During grading</td>
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<td>City of El Segundo</td>
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<td><strong>Facilities.</strong> Electrical power must be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.</td>
<td>confirm that electrical power is used to run air compressors and similar power tools and to power any temporary structures.</td>
<td>and construction.</td>
<td>during grading and construction</td>
<td>Segundo—Director of Planning and Building Safety.</td>
<td>Initial</td>
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<td><strong>N-1(d) Additional Noise Attenuation Techniques.</strong> For all noise-generating construction activity on the project site, additional noise attenuation techniques must be employed by the construction contractor to reduce noise levels. Such techniques must include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.</td>
<td>Field verification to confirm that noise-generating construction activities employ noise attenuation techniques to reduce noise levels.</td>
<td>During grading and construction.</td>
<td>Periodically during grading and construction</td>
<td>City of El Segundo—Director of Planning and Building Safety.</td>
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<td><strong>N-3(a) Rooftop Ventilation.</strong> Parapets must be installed around all rooftop ventilation systems to shield noise from nearby sensitive receptors.</td>
<td>Field verification to confirm that parapets are installed around all rooftop ventilation systems.</td>
<td>Before the issuance of occupancy permit.</td>
<td>Once before the issuance of occupancy permit.</td>
<td>City of El Segundo—Director of Planning and Building Safety.</td>
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<td><strong>N-3(b) Trash Pick-Up.</strong> All trash pickups must be restricted to daytime operating hours (7:00 AM to 10:00 PM Monday through Friday, and 8:00 AM to 10:00 PM on weekends).</td>
<td>Verify compliance with trash pickup hours.</td>
<td>As needed during operation</td>
<td>Periodically during operation</td>
<td>City of El Segundo—Director of Public Works.</td>
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<td><strong>Transportation and Circulation</strong></td>
<td>Approval of a Construction Traffic Management Plan that addresses access during construction; deliveries and pick-ups, minimizing obstruction of through-traffic lanes; controlling construction equipment</td>
<td>Before the issuance of demolition, grading, or building permits; during construction.</td>
<td>Once before the issuance of demolition, grading, or building permits; periodically during construction.</td>
<td>City of El Segundo—Director of Planning and Building Safety and City of El Segundo Director of Public Works.</td>
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</tr>
<tr>
<td>construction.</td>
<td>traffic; requirements for loading/unloading and storage of materials on the project site; and coordinating with adjacent land uses to ensure adequate access to the project site and adjacent uses. Field verification of implementation per the approved plan.</td>
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<tr>
<td>b) Schedule deliveries and pick-ups of construction materials to non-peak travel periods, to the maximum extent feasible.</td>
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<td>c) Coordinate deliveries and pick-ups to reduce the potential of trucks waiting to load or unload for protracted periods of time.</td>
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<td>d) Minimize obstruction of through-traffic lanes.</td>
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<td>e) Control construction equipment traffic from the contractors through flagman and traffic control devices.</td>
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<td>f) Identify designated transport routes for heavy trucks (in addition to haul trucks) to be used over the duration of the proposed project.</td>
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<td>g) Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on the surrounding streets.</td>
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<tr>
<td>h) Establish requirements for loading/unloading and storage of materials on the project site, where parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses.</td>
<td></td>
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<td>i) Coordinate with adjacent businesses, residents, institutions, and emergency service providers to ensure adequate access exists to the project site and</td>
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<tr>
<td>Mitigation Measure/Condition of Approval</td>
<td>Action Required</td>
<td>When Monitoring to Occur</td>
<td>Monitoring Frequency</td>
<td>Responsible Agency or Party</td>
<td>Compliance Verification</td>
</tr>
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<tr>
<td>neighboring commercial, institutional, and residential uses.</td>
<td>Review and approve a Worker Parking Management Plan that establishes parking onsite, establishes alternate parking locations, if necessary, and establishes measures to ensure that the parking location requirements are enforced. Field verification of implementation per the approved plan.</td>
<td>Before the issuance of demolition, grading or building permits; during construction.</td>
<td>Once before the issuance of demolition, grading, or building permits; periodically during construction.</td>
<td>City of El Segundo—Director of Planning and Building Safety.</td>
<td>Initial</td>
</tr>
</tbody>
</table>

**T-2(b) Worker Parking Management Plan.** A Worker Parking Management Plan must be completed before the City issues demolition, grading or building permits. To the maximum extent feasible, all parking for workers must be accommodated on the project site. During any demolition and construction activities when construction worker parking cannot be accommodated on the project site, the Plan must identify alternate parking locations for construction workers and method of transportation to and from the project site for approval by the City 30 days before commencement of construction. The Construction Workers Parking Plan must include appropriate measures to ensure that the parking location requirements for construction workers will be strictly enforced. These include, without limitation, the following measures:

a) Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations. This information will clearly state that no parking is permitted on any residential street.

b) Prohibit construction worker parking within 500 feet of the nearest point of the project site except within designated areas. The contractor is responsible for informing subcontractors and construction workers of this requirement.
<table>
<thead>
<tr>
<th>Mitigation Measure/Condition of Approval</th>
<th>Action Required</th>
<th>When Monitoring to Occur</th>
<th>Monitoring Frequency</th>
<th>Responsible Agency or Party</th>
<th>Compliance Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>c) Identify sites where construction workers could park off-site, if necessary. In lieu of the above, demolition and construction activities may be phased such that all construction worker parking can be accommodated on the project site throughout the entire duration of demolition and construction activities.</td>
<td>Approval of a Special Event Permit prior to large special events, such as swimming or water polo championship events. Temporary traffic and parking control measures, such as signs, traffic control personnel and off-site parking locations and shuttles are required as part of the Special Event Permit.</td>
<td>As needed during operation.</td>
<td>As needed during operation.</td>
<td>City of El Segundo—Director of Planning and Building Safety.</td>
<td>Initial</td>
</tr>
<tr>
<td>Recommended Mitigation for less than significant impact. T-1 Urho Saari Site - League Championship Games. Special Event Permits must be required for special events such as League Championship Games. Signage, temporary traffic control measures, and traffic control officers must be among the required conditions of approval for the Special Event Permits, to alleviate temporary traffic congestion. Additional off-site parking areas as well as shuttles to transport visitors between the parking areas and the aquatics facility must also be secured for these special events.</td>
<td>Approval of a Special Event Permit prior to large special events, such as swimming or water polo championship events. The Special Event Permit must indicate shuttle service between the parking structure at Grand Avenue and Richmond Street.</td>
<td>As needed during operation.</td>
<td>As needed during operation.</td>
<td>City of El Segundo—Director of Planning and Building Safety.</td>
<td>Initial</td>
</tr>
</tbody>
</table>
CITY COUNCIL RESOLUTION NO. _____

Exhibit C

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), the City of El Segundo, agrees to comply with the following provisions as conditions for the City Council's certification of a Final Environmental Impact Report for Environmental Assessment (EA No. 836) ("Project Conditions").

1. All mitigation measures in the final Environmental Impact Report for the El Segundo Aquatics Site Feasibility Alternatives Project are incorporated by this reference into these conditions of approval. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.

2. Before the City issues a building permit for a project at the Urho Saari Site, a sign plan must be submitted with permanent on-site signage that clearly identifies that off-site parking locations are available for the facility. These signs must be clearly visible to vehicles seeking to park at the Urho Saari facility and must provide the location of the off-site parking.

3. Bus parking for special events, such as swimming or water polo competitions, at the Urho Saari Site or the Hilltop Park Site must be provided at an off-site location. The off-site location cannot be on residential streets in the vicinity of either the Hilltop Park site or the Urho Saari site.
CITY OF EL SEGUNDO

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: July 14, 2011
SUBJECT: Environmental Assessment No. EA-836
APPLICANT: City of El Segundo
PROPERTY OWNER: City of El Segundo (City) and El Segundo Unified School District (ESUSD)
REQUEST: A request for the Planning Commission to recommend certification of a draft Environmental Impact Report (Environmental Assessment No. 836) for the Aquatics Site Feasibility Alternatives Project to the City Council.
PROPERTY INVOLVED: 301 Maryland Street (City property)
530 East Imperial Avenue (ESUSD property)
219 West Mariposa Avenue (City and ESUSD property)

I. Introduction

In August 2005, the City’s Aquatics Master Plan was completed through the work of the City Aquatics Task force and consultants. This master plan set out goals to address the City’s current and future aquatic facilities needs. The Aquatics Master Plan recommended that the existing Urho Saari Swim Stadium (aka "The Plunge") be renovated and an additional aquatics facility be developed at Hilltop Park. Renovation of the Plunge is needed both for maintenance reasons and because the depth and dimensions of the existing facility does not meet the requirements for water polo competition. Since completion of the Master Plan, the City Council moved forward with studying the filter and plumbing replacement needs of the Plunge and also initiated a feasibility study regarding constructing a new aquatics facility at Hilltop Park or at another location. In order to comply with the California Environmental Quality Act ("CEQA") the City, at Council’s direction, contracted with consultants to complete an environmental impact report ("EIR") of three project sites identified in the draft feasibility study. It is necessary to complete the CEQA action for the project before the City Council may select a site and design option for the aquatics facility. Certification of the EIR would allow the City the flexibility to build
the aquatics facility on any of the three sites that were studied subject to future decisions by the City Council. The three sites chosen for evaluation are properties that are owned either by the City of El Segundo and/or the El Segundo Unified School District ("ESUSD"). The three sites were chosen because of their location within the residential portion of the City and because they involve sites owned by the City and/or the School District.

The EIR contains an environmental evaluation of the following three potential project sites for the new aquatics facility:

- "Hilltop Park Site" Hilltop Park, a City-owned property at 301 Maryland Street, northwest of the intersection of East Grand Avenue and Maryland Street;
- "Imperial Site" An El Segundo Unified School District (ESUSD)-owned site located at 530 East Imperial Avenue between McCarthy Court and Sheldon Street; and
- "Urho Saari Site" The current Urho Saari Swim Stadium facility located at 219 West Mariposa Avenue north of the intersection of Concord Street and West Mariposa Avenue including a portion of the Richmond Street Elementary School Campus.

The proposed project involves construction of a new aquatics facility at either the Hilltop site or Imperial site, or renovation and expansion of the existing facility at the Urho Saari site. The Hilltop Park and Imperial sites are being analyzed for two alternative project options each, and the Urho Saari site is being analyzed for one alternative project option. Thus, there are a total of five (5) alternatives analyzed in the Draft EIR. A description of each project alternative is described below:

**Hilltop Park Site**

*Option 1:* The construction of a 40-meter long, 25-yard wide competition swimming pool and associated amenities and supporting facilities.

*Option 2:* The construction of all the elements listed in Option 1, with the addition of a leisure/recreational pool for therapeutic uses and water play as well as associated amenities and supporting facilities.

**Imperial Site**

*Option 1:* Similar to Hilltop Park Site Option 1 this option would involve the construction of a 40-meter long, 25-yard wide competition swimming pool and the associated amenities and support facilities.

*Option 2:* The construction of all the elements listed in Option 1, with the addition of a leisure/recreational pool for therapeutic uses and water play as well as associated amenities and supporting facilities.
Urho Saari Site
The renovation and expansion of the existing aquatics facility at the Urho Saari Swim Stadium. Expansion would include the construction of a new 40-meter long, 25-yard wide outdoor competition pool with associated amenities and supporting facilities. Two new surface parking lots would be constructed on either side (east and west) of the existing Urho Saari structure.

II. Recommendation

Planning Staff recommends that the Planning Commission: 1) review the facts and findings contained within this report; 2) adopt Resolution No. 2699 recommending to the City Council to approve Environmental Assessment No. EA-836 certifying the Environmental Impact Report (EIR) for the El Segundo Aquatics Site Feasibility Alternatives Project with a Statement of Overriding Considerations (SOC); and 3) recommend that the City Council not designate the reservoir structure at Hilltop Park as a local cultural resource.

III. Background – Hilltop Park Site

Site Description
The 2.11-acre Hilltop Park Site is bounded to the north by a City Public Works Water Division site; to the west by Lomita Street; to the south by Grand Avenue; and to the east by Maryland Street. The uses and structures on the site are currently comprised of: an approximately 170 foot by 100 foot empty water reservoir which is no longer in use, an approximately 40 foot by 30 foot recreation pool with three-foot maximum depth, a restroom/maintenance building, a playground with play structures, a paved picnic area, and green park space with picnic tables and barbeques. The park is currently served by a 50-space surface parking lot located on the adjacent City public works site to the north.

Surrounding Land Uses
The land uses surrounding the Hilltop Park Site are as follows:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zone</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>P-F (Public Facilities)</td>
<td>City Public Works Water Division</td>
</tr>
<tr>
<td>East</td>
<td>R-3 Residential</td>
<td>Multi-family homes</td>
</tr>
<tr>
<td>South</td>
<td>R-3 Residential</td>
<td>Multi-Family homes and St. Anthony's Church and School</td>
</tr>
<tr>
<td>West</td>
<td>R-1 and R-3 (Single Family and Multi-Family Residential)</td>
<td>Single-Family homes and the Hilltop Community Church and Daycare facility</td>
</tr>
</tbody>
</table>
Project Description
Two options are proposed at the Hilltop Park Site:

Option 1: This option involves the construction of a 40-meter long, 25 yard wide competition swimming pool. The pool would be designed to accommodate competition swimming and water polo up to the level of California Interscholastic Federation (CIF) championships. This option would include the installation of bleacher seating for spectators as well as a 4,500 square-foot bathhouse building with lockers, restrooms, changing areas, showers and maintenance areas.

Option 2: This option includes all items identified in Option 1 and a new leisure/recreational pool. A larger 5,900 square-foot bathhouse is proposed under this option. The leisure pool would include a zero-depth entry area, water slides and other water play features. Shade structures would be constructed on the concrete pool deck.

Access and Parking: An existing 50 space public surface parking lot accessible to Hilltop Park users from Maryland Street is directly to the north of the project site at the City public works yard. An additional 62 parking spaces would be constructed in a new surface lot at the southern end of the project site which will be accessible from Grand Avenue. A total of 112 parking spaces would be available for the aquatics project at the Hilltop Park Site.

IV. Background – Imperial Site

Site Description
The Imperial Site is located on a property owned by the El Segundo Unified School District (ESUSD), and is bound to the north by Imperial Avenue, to the west by a mortuary and single-family residences, to the south by multi-family residences, and to the east by single- and multi-family residences. The property is developed with the no longer operating Imperial Avenue School. The school facilities are one-story brick classroom and office buildings. The school grounds also include a playground, a youth tee-ball and coach pitch baseball diamond with backstop, and surface parking lots. The size of the Imperial Avenue project site is dependant on which option is chosen: Option 1 is an approximately 1.34 acre project site; Option 2 is an approximately 2.2 acre project site. The existing Imperial Avenue School site is comprised of approximately 5.7 acres. If this site is chosen for the proposed project, the City would obtain use of the space needed for the chosen project option.

Surrounding Land Uses
The surrounding uses at the Imperial Site are as follows:
<table>
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<tr>
<th>Direction</th>
<th>Zone</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>0-S (Open Space)</td>
<td>City linear park and LAX north of the northern City boundary.</td>
</tr>
<tr>
<td>East</td>
<td>R-1 (Single Family Residential) and R-3 (Multi-Family Residential)</td>
<td>Multi-family and single-family residences.</td>
</tr>
<tr>
<td>South</td>
<td>R-3 (Multi-Family Residential) and R-2 (Two Family Residential)</td>
<td>Rest of Imperial Avenue School site and multi-family residential beyond the school site.</td>
</tr>
<tr>
<td>West</td>
<td>C-2 (Neighborhood Commercial) and R-1 (Single Family Residential)</td>
<td>Mortuary and Single Family residences.</td>
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**Project Description**

Two options are proposed at the Imperial Site:

**Option 1:** Similar to Hilltop Park Option 1, this option is the construction of a 40-meter long, 25-yard wide competition swimming pool that can accommodate CIF championship water-polo and swimming. This option would include the installation of bleacher seating for spectators as well as a 4,500 square-foot bathhouse building with lockers, restrooms, changing areas, showers and maintenance areas.

**Option 2:** This option includes all items identified in Option 1 and a new leisure/recreational pool. The bathhouse would be expanded to 6,200 square feet for additional capacity. The leisure pool would include a zero-depth entry area, water slides and other water play features. Shade structures would be constructed on the concrete pool deck.

**Access and Parking:** Option 1 would include the construction of a 67-space surface parking lot. Option 2 includes the construction of a 98-space surface parking lot. Vehicles would enter the either of these parking areas from Imperial Avenue.

**V. Background – Urho Saari Site**

**Site Description**
The 1.19-acre Urho Saari Site is bound on the north, west and east by Richmond Street Elementary School, and the south by West Mariposa Avenue. The site is currently developed with the Urho Saari Swim Stadium, also known as The Plunge, which consists of two indoor pool facilities, a 75 foot by 60 foot “competition” pool with a maximum depth of 12 feet, and a 48 foot by 20 foot teaching pool with a maximum depth of three feet. Additionally the facility has restrooms with showers, locker rooms, bleacher seating, management offices and storage/maintenance space. The proposed design for the site would expand outside the current facility to...
include Richmond Street Elementary School areas currently occupied by green space and a playground.

**Surrounding Land Uses**
The surrounding uses at the Urho Saari Site are as follows:

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<tr>
<th>Direction</th>
<th>Zone</th>
<th>Land Use</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>P-F (Public Facilities)</td>
<td>Richmond Street School Playground areas.</td>
</tr>
<tr>
<td>East</td>
<td>P-F (Public Facilities)</td>
<td>Richmond Street School buildings.</td>
</tr>
<tr>
<td>South</td>
<td>R-1 (Single Family Residential) and R-3 (Multi-Family Residential)</td>
<td>St Andrew's Catholic Church, Multi-family and single-family homes.</td>
</tr>
<tr>
<td>West</td>
<td>P-F (Public Facilities)</td>
<td>School fields including baseball diamond.</td>
</tr>
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</table>

**Project Description**
The single option at the Urho Saari site involves the renovation and expansion of the existing facility. The proposed expansion includes a new outdoor 40-meter long, 25-yard wide competition pool with bleacher seating and pool deck shade structures directly north of the existing facility. The new pool area would be connected to the existing structure through a series of doors on the north side of the building. The existing indoor pool facilities would be renovated. The existing indoor facility would be converted into a new recreation pool and a new therapy pool. New building additions to the north of the existing building would house a new mechanical room, office and storage space. The existing restrooms and changing rooms would be renovated to provide locker rooms, showers and restroom facilities to support all pool areas. Two new surface parking lots would be constructed on either side (east and west) of the existing Urho Saari structure.

**Access and Parking:** The surface parking lot proposed west of the existing swim stadium would provide 20 parking spaces. The proposed surface lot to the east of the existing swim stadium would provide 18 parking spaces. The new parking lots would be considered joint use parking as the new parking spaces could be used for Richmond Street School parking needs. Two satellite parking locations would be available for the Urho Saari alternative. These are the existing City parking structure at Grand and Richmond and the City-owned surface parking lot at Mariposa Avenue and Main Street. The satellite parking areas would be necessary to accommodate visitors during High School game events and recreational pool users during the summer. Approximately 58 spaces would be available at the Grand and Richmond structure and another 24 spaces would be available in the public parking lot at Mariposa Avenue and Main Street.
VI. **Environmental Review**

The proposed project options were analyzed for environmental impacts and an Initial Study of Environmental Impacts (Attachment D) was prepared pursuant to Public Resources Code § 15063 (California Environmental Quality Act). The Initial Study (Attachment B) was made publicly available on July 1, 2010 concurrent with the publication of a Notice of Preparation of an Environmental Impact Report (EIR) in the El Segundo Herald. The notice was also posted at City Hall, the El Segundo Library, and mailed to property owners in the vicinity of the project sites and identified interested parties. The purpose of the Initial Study was: 1) to evaluate whether preparation of an EIR was necessary; and, 2) to focus the EIR document on the issue areas determined to be potentially significant. The Initial Study identified that an EIR was necessary to evaluate potentially significant environmental impacts. The Initial Study identified that environmental effects in the following issue areas were determined to not be significant and did not require further evaluation in an EIR document: Biological Resources, Population/Housing, Agriculture and Forest Resources, Mineral Resources, Public Services, Utilities/Service Systems, and Recreation.

On April 28, 2011 the Notice of Availability of Draft Environmental Impact Report was published in the El Segundo Herald, posted at City Hall and mailed to property owners in the vicinity of the project sites and identified interested parties pursuant to Public Resources Code §15087. The public review and comment period for the Draft EIR began on April 28, 2011 and ended on June 13, 2011. The Draft EIR document identified significant and unavoidable environmental impacts in the Cultural Resources and Noise issue areas. The Draft EIR document identified significant but mitigable impacts in the issue areas of: Aesthetics, Air Quality, Land Use, Noise, and Transportation and Circulation. The Draft EIR concluded that operational air quality, geology, greenhouse gas emissions, hazards and hazardous materials, and hydrology and water quality impacts would all be less than significant.

The Draft EIR provides a comparison of the alternatives, including the No Project Alternative, in Draft EIR Section 6.0. The Draft EIR concluded that the Hilltop Park Site Option 1 alternative would be the most environmentally superior alternative and that Hilltop Park Site Option 2 would be the most environmentally inferior alternative.

The following three sections summarize the analysis of potentially significant environmental impacts that the Draft EIR identifies as needing mitigation for each of the three project sites.
VII. Potentially Significant Impacts – Hilltop Park Site

Cultural Resources
The unused 170 foot by 100 foot concrete basin on the site was constructed around 1912 as the City's first reservoir. The structure is currently unused and located behind a chain link fence and hidden from view by an existing berm. A wood roof structure covered the reservoir when the structure was operational. The roof is not intact and the rest of the structure is in a state of disrepair. The historic evaluation in the EIR identifies that the structure lacks sufficient integrity to be eligible for listing on a National or State historic inventory. However, the reservoir may be eligible for listing as a local resource because the City's local criteria for designation as a cultural resource does not contain reference to structural integrity. Therefore a significant impact to cultural resources has been identified because there is the potential for the reservoir to be designated a cultural resource by the City of El Segundo under local Criterion 2 (associated with persons or events significant in local, State or national history). As the City has not taken formal action on the historic status of the structure, removal of the structure would result in a significant and unavoidable environmental impact.

Recommended Mitigation Measure. The recommended mitigation measure is to hire a qualified historic preservation professional to complete a report on the reservoir structure, including documenting with photographs and plan as well as archiving at an appropriate public repository. The recommended mitigation would not reduce the impact below the threshold for a significant environmental impact. Therefore a Statement of Overriding Considerations would be required to certify the EIR for this environmental issue.

Noise
Construction. Temporary construction noise has been identified as a significant and unavoidable environmental impact for all five project options. The environmental document identifies that the Hilltop Site has uses classified as noise "sensitive receptors" in close proximity to the project site (approximately 55 feet away). These sensitive receptors include nearby residences, a daycare and a school. The EIR identifies the 65 dBA construction noise limit at the property line of a receptor site (ESMC §7-2-10) as the most applicable threshold to evaluate the environmental impact on nearby sensitive receptors. The EIR identifies that construction noise could be as high as 87 dBA at the required property line location.

Recommended Mitigation Measures. Four construction noise mitigation measures are recommended to reduce temporary noise impacts from the project. The mitigations are: a) placing staging areas the maximum distance possible from sensitive receptors; b) mufflers required on diesel equipment, c) operating tools and construction facilities off electrical power; and d) noise attenuation such as sound blankets and temporary sound barriers. These mitigations are not anticipated to reduce construction noise below the required environmental threshold therefore the
project's temporary noise impact will be significant and unavoidable.

**Operational Noise.** Existing noise levels at the three sites were established through noise level monitoring on August 3, 2010. The source for existing noise was identified as vehicle traffic at the Hilltop Park Site, vehicle traffic and LAX airport noise at the Imperial Site, and traffic and Richmond Street elementary school activity at the Urho Saari Site. The addition of project-generated traffic to the baseline condition was modeled and a less than significant impact was identified at the three sites. Operational noise may be audible periodically to nearby existing uses. The analysis identifies that daytime operational noise at the three sites would not exceed the operational noise thresholds used in the evaluation (ESMC noise standards). Mitigation measures restricting evening trash pick-up and required screening around roof-top HVAC equipment are recommended to mitigate any significant night-time noise impacts on nearby uses.

**Recommended Mitigation Measures.** The operational noise mitigations are: a) trash pick-ups occurring in daytime operating hours only; and, b) parapets be used to shield roof-top equipment noise from nearby sensitive receptors.

**Aesthetics**
The environmental document identifies that construction of a surface parking lot at the Hilltop Park Site could potentially degrade the existing visual character of the site. Landscape screening of the parking area is recommended to resolve any visual impacts due to the addition of the surface parking. The second potential aesthetic impact identified is new sources of light and glare. Screening of new light sources to avoid off-site light spillover and design that avoids producing glare are the recommended methods to deal with these issues.

**Recommended Mitigation Measures.** 1) A landscape plan reviewed and approved by the City that includes screening at the southern, eastern and western portions of the parking lot to screen public views from Grand Avenue, Lomita and Maryland Street. 2) A photometric and lighting plan reviewed and approved by the City that ensures no light spillover or glare. The two mitigations are anticipated to reduce impacts to a less than significant level.

**Air Quality**
The EIR identifies that temporary impacts to air quality due to dust (particulate matter) could occur as a result of project construction. The study uses thresholds for one and two-acre construction sites developed by the South Coast Air Quality Management District (SCAQMD). Hilltop Park Site Option 1 exceeds the SCAQMD threshold for small and fine particulates during the grading stage of construction. Hilltop Park Site Option 2 exceeds the SCAQMD threshold for small particulates during the grading stage of construction. Dust control measures are recommended to deal with this environmental issue.
**Recommended Mitigation Measures.** The dust control mitigation measures include: site watering, covering of soil stock-piles, covering truck loads, use of soil stabilizers and binders, quick replacement of vegetative ground-cover, and proper noticing of the construction schedule. It is anticipated that implementation of mitigation measures will reduce impacts to a less than significant level.

**Land Use**
The EIR identifies that the project would be generally compatible with existing adjacent land uses in the vicinity of the three project sites if the identified transportation, air quality, aesthetics and noise mitigation measures are implemented. Environmental impacts to land use are less than significant when the mitigation measures of the other sections are incorporated.

**Transportation and Circulation**

**Construction Traffic.** The EIR identifies that construction traffic for any of the project sites would result in potentially significant traffic impacts as a result of haul trucks, construction worker parking and cumulative construction traffic. The potential significant impacts include temporary disruption of local traffic through lane closures, and creation of temporary congestion as a result of truck traffic to or from the site. A construction management plan and worker parking plan are recommended to mitigate this issue area to a less than significant level.

**Recommended Mitigation Measures.** 1) A construction traffic management plan approved by the City that includes: maintenance of access for land uses in close proximity to the project; the scheduling of materials deliveries to non-peak travel hours on designated truck haul routes; the minimization of obstruction of traffic lanes; adequate control over construction equipment traffic; and established loading/unloading procedures at the site. 2) Worker Parking Management Plan approved by the City that identifies designated areas for workers on and off site.

**Operational Traffic.** Of the sixteen study intersections analyzed for the aquatics project, six intersections were specifically studied for the Hilltop Site. Existing morning and evening peak hour traffic counts were compiled and compared against the following future scenarios that are adjusted to take into account projected traffic growth in the general vicinity: a) Project with 'no game'; b) project with 'typical game'; c) project with 'big game'; and, d) project 'summer operation'. Under all the modeled scenarios, the Hilltop Site did not trigger a significant impact at any of the six study intersections directly studied for the site. Even though the project did not trigger a significant impact, a mitigation measure is recommended for special event situations.

**Recommended Mitigation Measure:** Require Special Event permits for large events. These special events will implement measures such as temporary signage and traffic control and, if necessary, additional off-site parking locations with shuttles to the aquatics facility.
Parking. There is surplus parking supply for both options one and two at the Hilltop Park Site for the analyzed 'typical game,' 'big game' and summer scenarios. The summer operation of Option 2 (recreation pool and competition pool) has the highest forecast parking demand, and under that scenario the parking supply is still adequate with a 20 space surplus.

VIII. Potentially Significant Impacts - Imperial Site

Noise
Temporary construction noise has been identified as a significant and unavoidable environmental impact for all five project options. The environmental document identifies that the Imperial Site has uses classified as noise “sensitive receptors” in close proximity to the project site (approximately 5 feet away). These sensitive receptors include nearby single-family and multi-family residences and a mortuary. The EIR identifies the 65 dBA construction noise limit at the property line of a receptor site (ESMC §7-2-10) as the most applicable threshold to evaluate the environmental impact on nearby sensitive receptors. The EIR identifies that construction noise could be as high as 108 dBA at the required property line location.

Recommended Mitigation Measure. Four construction noise mitigation measures are recommended to reduce temporary noise impacts from the project. The mitigations are: a) placing staging areas the maximum distance possible from sensitive receptors; b) mufflers required on diesel equipment; c) operating tools and construction facilities off electrical power; and, d) noise attenuation such as sound blankets and temporary sound barriers. These mitigations are not anticipated to reduce construction noise below the required environmental threshold therefore the project’s temporary noise impact will be significant and unavoidable.

Aesthetics
The potential impacts for the Imperial Site are anticipated to be similar to those discussed for the Hilltop Park Site. The two mitigations for the Hilltop Park Site are the same mitigations recommended for the two options at the Imperial Site.

Air Quality
Similar to the Hilltop Park Site, the EIR identifies that temporary particulate matter impacts could occur as a result of project construction. Imperial Site Option 1 exceeds the SCAQMD threshold for small and fine particulates during the grading stage of construction. Imperial Site Option 2 exceeds the SCAQMD threshold for small particulates during the grading stage of construction. Dust control measures are recommended to deal with this environmental issue.

Recommended Mitigation Measures. The same dust control mitigation measures as the Hilltop Park Site are recommended. It is anticipated that implementation of
mitigation measures will reduce impacts to a less than significant level.

**Land Use**

Similar to the Hilltop Park Site, the EIR identifies that the Imperial Site Options would be generally compatible with existing adjacent land uses in the vicinity of the three project sites if the identified transportation, air quality, aesthetics and noise mitigation measures are implemented and land use impacts are less than significant. In addition, a zone change from the PRD Zone to OS or P-F Zone and a General Plan land use designation change from Planned Residential Development to either the Parks or Public Facilities Land Use Designations would have to occur before permitting the aquatics project at the Imperial Site.

**Transportation and Circulation**

*Construction Traffic.* Similar to the Hilltop Park Site, construction traffic is identified in the EIR as a potentially significant environmental impact. Same as the Hilltop Park Site, a construction management plan and worker parking plan are recommended to mitigate this issue area to a less than significant level.

*Operational Traffic.* Of the sixteen study intersections analyzed for the aquatics project, eight intersections were specifically studied for the Imperial Site. Existing morning and evening peak hour traffic counts were compiled and compared against the same four future traffic scenarios identified in the Hilltop Park Site discussion. Under all the modeled scenarios, the Imperial Site did not trigger a significant impact at any of the eight study intersections directly studied for this site. Even though the Imperial Site options do not trigger a significant impact, the same special event mitigation measure identified in the Hilltop Park Site discussion is recommended.

*Parking.* Parking supply was forecast for both Options 1 and 2 at the Imperial Site 'typical game', 'big game' and 'summer' scenarios. The summer operation of Option 2 (recreation pool and competition pool) is forecast to have an on-site parking deficit of six spaces. The Option 1 'big game' scenario is forecast to have an 11 space deficit above the 67 space proposed on-site supply. As the Imperial Site has an ample supply of nearby on-street parking, the environmental impact of the minor on-site parking deficits is less than significant.

**IX. Potentially Significant Impacts – Urho Saari Site**

*Noise*

Temporary construction noise has been identified as a significant and unavoidable environmental impact for all five project options. The environmental document identifies that the Urho Saari Site has uses classified as noise "sensitive receptors" in close proximity to the project site. These sensitive receptors include nearby residences (approximately 50 feet away) and the Richmond Street School (approximately 5 feet away). The EIR identifies the 65 dBA construction noise limit
at the property line of a receptor site (ESMC §7-2-10) as the most applicable threshold to evaluate the environmental impact on nearby sensitive receptors. The EIR identifies that construction noise could be as high as 88 dBA at the required residential property line location and 108 dBA at the Richmond Street School property line.

**Recommended Mitigation Measure.** Four construction noise mitigation measures are recommended to reduce temporary noise impacts from the project. The mitigations are: a) placing staging areas the maximum distance possible from sensitive receptors; b) mufflers required on diesel equipment; c) operating tools and construction facilities off electrical power; and, d) noise attenuation such as sound blankets and temporary sound barriers. These mitigations are not anticipated to reduce construction noise below the required environmental threshold therefore the project’s temporary noise impact will be significant and unavoidable.

**Cultural Resources**
The Urho Saari swim stadium was constructed in 1939 as a Public Works Administration (PWA) project. Well known Los Angeles architect John C. Austin designed the project. The Streamline Moderne structure features a pair of bas-relief features flanking the entry and the interior is an exposed steel strut roof with a clear-span of 110-feet, which was an unusually large span at the time of construction. The Plunge was designated a local cultural resource in 1994 and the EIR cultural resource consultant identifies that the Plunge is eligible for listing on both national and state inventories. Based on the cultural significance of the structure a mitigation measure is recommended that any work on the building be reviewed and any changes are in conformance with Federal preservation standards.

**Recommended Mitigation Measure.** The recommended mitigation measure is to hire a qualified City-approved historic resources professional to review and recommend to the City that the project conforms to the Secretary of the Interior Standards for Rehabilitation. The City must base a conformance finding on an inventory of the building’s character defining features. The building should not be altered in a way that creates a false sense of historical development and the addition should not destroy historic materials or features.

**Aesthetics**
The potential impact of surface parking and lighting for the Urho Saari Site are anticipated to be similar to those discussed for the other two sites. The same two mitigations regarding parking screening and on-site lighting are recommended for the Urho Saari Site. In addition, since the Plunge is a designated local cultural resource, the renovation of the building could impact the scenic view of the building. Compliance with the recommended cultural resource mitigation will mitigate any aesthetic view impacts of the Urho Saari option to a less than significant level.
Air Quality
The EIR identifies that small particulate matter impacts could occur at the Urho Saari Site as a result of project construction. Dust control measures are recommended to deal with this environmental issue.

Recommended Mitigation Measures. The same dust control mitigation measures as the other two sites are recommended. It is anticipated that implementation of mitigation measures will reduce impacts to a less than significant level.

Land Use
Similar to the Hilltop Park and Imperial sites, the EIR identifies that the project would be generally compatible with existing adjacent land uses in the vicinity of the three project sites if the identified transportation, air quality, aesthetics and noise mitigation measures are implemented and land use impacts are less than significant.

Transportation and Circulation
Construction Traffic. Similar to the other two sites, construction traffic is identified in the EIR as a potentially significant environmental impact. Construction management plan and worker parking plan mitigations are recommended.

Operational Traffic. Of the sixteen study intersections analyzed for the aquatics project, eight intersections were specifically studied for the Urho Saari Site. Existing morning and evening peak hour traffic counts were compiled and compared against the four future traffic scenarios identified in the EIR. Under all the modeled scenarios, the Urho Saari Site did not trigger a significant impact at any of the eight study intersections directly studied for this site. Even though the Urho Saari option does not trigger a significant impact, the same special event mitigation measure identified of the other two sites is recommended.

Parking. The Parking supply for the Urho Saari site differs from the other two sites. 38 parking spaces would be provided with two additional satellite locations meeting Site parking demand. The satellite parking locations are 58 spaces at the existing City-leased parking structure at the corner of Richmond Street and Grand Avenue and 24 spaces at the existing public lot at the corner of Main Street and Mariposa Avenue. The 24 spaces in the public lot would be restricted to Plunge users only during events, such as 'big games'. Proposed parking supply will be adequate with surplus supply for game scenarios and summer operation of the Urho Saari option. A mitigation measure of providing a shuttle service the Grand Avenue parking structure is recommended during special events to reduce any potential parking effects.

X. Public Comments
The EIR was circulated for public comment between April 28, 2011 and June 13, 2011. Two public agency comments, Caltrans and City of Los Angeles Department
of Transportation (LADOT), were received during the comment period. Neither agency challenged the environmental findings or the recommended mitigation measures of the report. Caltrans recommended the City be mindful of storm-water discharge and LADOT requested that the Imperial Site be considered the least viable option to avoid burdening the Sepulveda/Imperial Avenue intersection with additional traffic.

Six comments were received from El Segundo residents. One commenter expressed a preference for the Hilltop Site. One commenter expressed a preference for Imperial Site Option 1. One comment letter expressed a preference for the Urho Saari Site however they expressed concern over the parking supply for the site and the effect of the facility on current users of the surface parking lot at Mariposa Avenue and Main Street. Another commenter identified concerns with the EIR issue areas of traffic, noise and lighting at the Hilltop Park Site. As required by CEOA a full response to all public comments received during the comment period has been prepared and is attached as Exhibit C.

XI. Inter-departmental Comments

The administrative Draft EIR was circulated to all City Departments for review and comment. Comments were received from the Building Safety Division, Recreation and Parks Department and the Fire – Environmental Safety Division. The issues identified in the comments received have been incorporated in the publicly circulated Draft EIR for the project.

XII. Zoning and General Plan Consistency

The zoning designations of Open Space (O-S) and Public Facilities (P-F) apply to both the Hilltop Park Site and the Urho Saari Site. The proposed aquatics facility is an allowed use in both the O-S and P-F Zoning designations. If Hilltop Park Site Option One or Option Two or the Urho Saari Option were chosen the plans for those sites would be developed to be consistent with the applicable development standards of the O-S and P-F zones. The City would evaluate the project for ESMC compliance as part of the City building plan check process. The chosen project would therefore be consistent with the City's zoning requirements.

The zoning designation for the Imperial Site is currently Planned Residential Development (PRD). A permanent aquatics facility is not a permitted use in the PRD Zone. If Imperial Site Option One or Two were chosen, the City would have to initiate the following actions to obtain zoning consistency:

- A zone change from PRD to either O-S or P-F.
- A zone map amendment from PRD to either O-S or P-F.
The Aquatics Site Feasibility Alternatives project's is consistent with goals, objectives and policies of the General Plan as specified in the attached draft resolution. In addition, a discussion of General Plan Consistency is contained in EIR Section 4.8 Land Use and Planning.

If Imperial Option one or two were chosen the City would have initiate the following actions to obtain General Plan map consistency:

- A General Plan land use designation amendment to designate the site either the Parks or Public Facilities general plan designation.
- A General Plan map amendment from PRD to either Parks or Public Facilities.

XIII. Conclusion

Planning staff recommends that the Planning Commission adopt Resolution No. 2699, recommending approval of Environmental Assessment No. EA-836 certifying the Environmental Impact Report for the El Segundo Aquatics Site Feasibility Alternatives Project including the Mitigation Monitoring and Reporting Program (MMRP) and incorporating the Comments and Responses to Comment Section and EIR errata sheet. Planning staff recommends that the Planning Commission recommend to the City Council that the unavoidable significant cultural resource and construction noise impacts identified in the EIR are acceptable when balanced against the benefits of the Project. Furthermore, Staff recommends that the Planning Commission recommend to the City Council to not designate the reservoir structure at the Hilltop Site a local cultural resource.

XIV. Exhibits

A. Draft Resolution No. 2699, including MMRP
B. Initial Study
C. Draft Comments and Responses Section and Draft EIR Errata Sheet
D. Draft EIR (previously distributed under separate cover)

Prepared by: Masa Alkire, AICP, Principal Planner

Kimberly Christensen, AICP, Planning Manager
Department of Planning & Building Safety
RESOLUTION NO. 2699

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE ENVIRONMENTAL ASSESSMENT NO. EA-836 TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT WITH A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE AQUATICS SITE FEASIBILITY ALTERNATIVES PROJECT WITH POTENTIAL MUNICIPAL SWIMMING POOL LOCATIONS AT 301 MARYLAND STREET; 530 EAST IMPERIAL AVENUE; AND 219 WEST MARIPOSA AVENUE AND RECOMMENDING THE EXISTING RESERVOIR STRUCTURE AT 301 MARYLAND STREET NOT BE DESIGNATED A LOCAL CULTURAL RESOURCE.

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

SECTION 1: The Planning Commission finds and declares that:

A. In August 2005, the City completed an Aquatics Master Plan that set out goals to address the City’s current and future aquatic facilities needs;

B. On December 16, 2008 the City Council awarded a consultant contract to produce an Aquatics Feasibility study to evaluate sites and options for new municipal aquatics facilities;

C. On April 20, 2009, the City of El Segundo filed an application for an Environmental Assessment (EA No. 836) to review the El Segundo Aquatics Site Feasibility Alternatives Project for compliance with the California Environmental Quality Act (CEQA) at three potential locations; 301 Maryland Street, 530 East Imperial Avenue and 219 West Mariposa Avenue;

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

E. In addition, the application was reviewed by the City’s Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code (“ESMC”);
F. The Department of Planning and Building Safety completed its review and scheduled a public hearing regarding the application before this Commission for July 14, 2011;

G. On July 14, 2011 the Commission held a public hearing to receive public testimony and other evidence regarding the Project including, without limitation, information provided to the Commission by City staff and public testimony; and,

H. This Resolution, and its findings, are made based upon the evidence presented to the Commission at its July 14, 2011 hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Factual Findings and Conclusions. The Commission finds that the following facts exist:

A. The El Segundo Aquatics Site Feasibility Alternatives Project consists of environmental evaluation of three subject sites: 301 Maryland (Hilltop Site) in the Open Space (O-S) and Public Facilities (P-F) Zones, 530 East Imperial Avenue (Imperial Site) in the Planned Residential Development (PRD) Zone; and 219 West Mariposa Avenue (Urho Saari Site) in the Open Space (O-S) and Public Facilities (P-F) Zones;

B. The proposed project consists of two options at the Hilltop Site. Option 1 is a 40-meter long, 25-yard wide competition pool with associated bleacher seating and bathhouse. Option 2 consists of a new competition pool and a new recreation pool as well as additional supporting facilities;

C. The proposed project consists of two options at the Imperial Site. Option 1 is a 40-meter long, 25-yard wide competition pool with associated bleacher seating and bathhouse. Option 2 consists of a new competition pool and a new recreation pool as well as additional supporting facilities;

D. The proposed project consists of one option at the Urho Saari Site. This option consists of renovation and expansion of the existing aquatics facility at the Urho Saari Swim Stadium. A new outdoor 40 meter long, 25-yard wide competition pool with bleacher seating and shade structures would be sited north of the existing indoor pool building. The existing indoor facility would be converted into a new recreation pool and therapy pool. Existing restrooms and change areas would be renovated and additional

2
supporting facilities including a new mechanical room, office and storage space would be added to the facility;

E. The 2.11-acre Hilltop Site is surrounded by the following land uses: A City Public Works Water Division yard to the north, multi-family residences to the east, multi-family residences, a church and school to the south, and single family residences, a daycare and church facilities to the west;

F. The 1.34-acre Imperial Site Option 1 and 2.2-acre Imperial Site Option 2 are surrounded by a City linear park and LAX to the north, multi-family and single family residences to the east, the rest of the Imperial School site and multi-family residences to the south, and a mortuary and single family residences to the west;

G. The 1.19-acre Urho Saari Site is bound to the north, west and east by Richmond Street Elementary school and by a church and single and multi-family residences to the south;

H. Uses and structures on the Hilltop Site are currently comprised of: an approximately 170 foot by 100 foot empty water reservoir which is no longer in use, an approximately 40 foot by 30 foot recreation pool with an three-foot maximum depth, a restroom/maintenance building, a playground with play structures, a paved picnic area and green park space with picnic tables and barbeques;

I. The Imperial Site is developed with one-story brick classroom and office buildings for the no longer operating Imperial Avenue School;

J. The Urho Saari site is developed with the Urho Saari Swim Stadium (aka "The Plunge"). This building contains two indoor pools, restrooms with showers, locker rooms, bleacher seating, management offices and storage/maintenance space. The project site would expand outside the current Plunge building to include Richmond Street Elementary School areas currently occupied by green space and a playground; and

K. Vehicle access to the Imperial Site would occur from Imperial Avenue. Access to a new proposed parking lot at the Hilltop Site would occur from Grand Avenue. Access to two new surface lots at the Urho Saari site would occur from Mariposa Avenue. In addition two satellite parking locations, the municipal parking structure at Grand Avenue and Richmond Street and the public surface lot at Mariposa Avenue and Main Street, have been identified for the Urho Saari Site.
SECTION 3: Environmental Assessment.

The Planning Commission makes the following environmental findings:

A. A Draft Environmental Impact Report (DEIR) for this project pursuant to the requirements of CEQA was completed. A noticed Public Scoping meeting was held on Wednesday, May 12, 2010 pursuant to Public Resources Code (PRC) §15083. A Notice of Preparation of the DEIR was circulated for public review from July 1 to August 2, 2010 pursuant to PRC §15082. A Notice of Completion for the DEIR was filed with the State Office of Planning and Research on April 28, 2011 pursuant to PRC §15085. The public comment and review period for the DEIR was open between April 28, 2011 and June 13, 2011 in compliance with PRC §15087;

B. The Final EIR will be presented to the City Council, which will review and consider information contained in the Final EIR before approving or denying the project in accordance with PRC §15090;

C. Pursuant to PRC §15090 the Final EIR will reflect the City’s independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Draft EIR prepared for the Project. The Draft EIR is an accurate and complete statement of the potential environmental impacts of the project. The Final EIR will be prepared under the direction of the City of El Segundo Planning and Building Safety Department and will reflect the independent judgment and analysis of the environmental impacts and comments received on the Draft EIR;

D. The Draft EIR generally identifies, for each potentially significant impact of the project, one or more corresponding mitigation measures to reduce impacts to a level of insignificance, with the exception of cultural resource and noise impacts. The Planning Commission finds that each potentially significant impact identified in the Draft EIR is mitigated by its corresponding mitigation measures to the extent set forth in the Draft EIR;

E. In accordance with PRC §15091, the City Council will consider written findings regarding each of the significant environmental effects identified in the DEIR before certifying the Final EIR. Each finding will be a rationale of how mitigation measures have lessened identified significant environmental effects to a less than significant level for those effects that have been identified as mitigatable. For the two environmental effects that have been identified in the DEIR as not mitigable to a less than significant
level (Cultural Resources and Noise), the findings will provide a rationale on how proposed mitigation measures have substantially lessened these two environmental effects;

F. The DEIR states that a Statement of Overriding Consideration is required to approve the project. In accordance with PRC §15093 a Statement of Overriding Consideration will be included in the project’s record for City Council consideration. This statement will identify specific reasons why to support approval of the project based on information in the EIR and in the project’s record; and

G. The Planning Commission recommends that specific issues that should be included in the Statement of Overriding Consideration prepared for the City Council are: a) Providing a new aquatics facility is a social benefit as the need for a new aquatics facility is identified in the City’s Aquatics Master Plan (August 2005); b) The long-term recreational benefit of a pool facility outweigh the significant short-term construction noise impacts of the Project; and, c) The improvement of recreational amenities at Hilltop Park and the long term recreational benefits of a new pool outweigh the preservation of a dilapidated, unused and un-accessible surface reservoir that is potentially eligible for designation as a local cultural resource.

SECTION 4: General Plan. The proposed project conforms to the City’s General Plan as follows:

A. Implementation of the proposed project will meet relevant goals of the Land Use Element. Implementation of the project will help achieve Land Use Element Goal LU6, which is to “maintain and upgrade existing excellent parks, recreation, and open space facilities within the City of El Segundo.” The new facility will upgrade the level of aquatics facilities service within the City. A California Interscholastic Federation competition ready pool will provide training and game facilities that are currently unavailable in the community with current aquatics facilities. The new competition and recreation pools will increase aquatics facility capacity in the City improving service levels to residents.

B. Implementation of the proposed project is consistent with Land Use Element Policy LU6-1.2 to “encourage parks and recreational facilities to be located within walking distance of every household.” All three potential project sites are located within the residential section of the City. All three sites are within a reasonable walking distance of many households residing in the City.
C. Land Use Element Goal LU7 is to “provide the highest quality public facilities, services, and public infrastructure possible to the community.” The new facility increases the quality of aquatics recreational facilities in the City. The existing Urho Saari Swim Stadium aquatics facility is currently deteriorating and is in need of extensive repair and retrofitting. Providing new or renovated aquatics facilities is needed to continue to provide high quality public aquatics facilities to the community.

D. Implementation of the proposed project is consistent with Open Space and Recreation Element Goal OS1 to “provide and maintain high quality open space and recreational facilities that meet the needs of the existing and future residents and employees within the City of El Segundo.” The proposed facility meets the needs of the City’s residents and employees in that it provides high quality recreational swim facilities within the City. In addition the building will improve the facilities available to local schools for competitive swimming and water polo. The facility will also improve facilities available for child and adult aquatics teaching.

SECTION 5: Cultural Resource Designation. The Planning Commission makes the following findings regarding the potential local cultural resource designation of the abandoned reservoir at Hilltop Park:

A. The abandoned reservoir at Hilltop Park is a concrete basin approximately 170 by 100 feet in size. It is currently hidden behind a landscaped berm and is surrounded by a chain-link perimeter fence. The reservoir was constructed circa 1912 as the City’s first reservoir. When the reservoir was in use it was covered by a wood roof structure which has since been removed;

B. The integrity of the design of the structure is substantially reduced as the roof structure is no longer intact. The integrity of feeling and association of the structure is no longer intact as the structure is no longer used for its intended purpose, water storage. The structure appears to lack sufficient integrity to be eligible for listing on the National Register of Historic Places or the California Register of Historical Resources;

C. The reservoir structure meets two of the four criteria for potential designation as a local cultural resource contained in ESMC §15-14-4B. First, the structure is greater than 50 years old and, second, the structure is associated with a significant local event as it is the City of El Segundo’s first water reservoir and was integral to the establishment of the City;
D. The Planning Commission finds, while the reservoir is associated with a significant local event, the structure does not have distinctive architecture or method of construction, does not exemplify a particular period of local history, and does not provide aesthetic or recreational benefits to the City;

E. Furthermore, the Planning Commission finds that reservoir site poses a potential public safety hazard in its current unmaintained condition. The fencing around the site is necessary to maintain public safety and renders the site is un-accessible to the public. As a result, the reservoir has little utility as a local cultural resource; and

F. The Planning Commission recommends that the City Council not designate the reservoir structure at Hilltop Park a local cultural resource.

SECTION 6: Recommendations. Subject to the Mitigation Monitoring and Reporting Program in attached Exhibit “A,” which is incorporated into this Resolution by reference, the City Council should adopt the Draft Environmental Impact Report for Environmental Assessment No. 836 with a Statement of Overriding Consideration. Additionally the City Council should consider the findings in Section 5 of this Resolution and Appendix D of the EIR (Historic Resources Report) and not designate the reservoir structure at Hilltop Park a local cultural resource.

SECTION 7: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8: Limitations. The Planning Commission’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission’s knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 9: Summaries of Information. All summaries of information in the findings which precede this section, are based on the substantial evidence in the record. The
absence of any particular fact from any such summary is not an indication that a particular finding, is not based in part on that fact.

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

SECTION 11: According the El Segundo Municipal Code, a copy of this Resolution shall be mailed to any person requesting a copy.

PASSED, APPROVED AND ADOPTED this 14th day of July, 2011.

David Wagner, Chair
City of El Segundo Planning Commission

ATTEST:

Greg Carpenter, Secretary

Wagner -
Fellhauer -
Baldino -
Barbee -
Newman -

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

By: Karl H. Berger, Assistant City Attorney
City of El Segundo

El Segundo Aquatics
Site Feasibility
Alternatives Project

Final
Environmental
Impact Report
SCH# 2010071005

Volume I: Report

COMPLETE EIR REPORT AVAILABLE IN
CITY CLERKS OFFICE

July 2011

ELECTRONIC PDF FILE AVAILABLE AT
http://www.elsegundo.org/depts/planningsafety/planning/aquatics_feasibility_study_eir.asp
CITY OF EL SEGUNDO

POOL
ALTERNATIVES
STUDY
2010

COMPLETE STUDY AVAILABLE IN
CITY CLERKS OFFICE

FOR: THE CITY OF EL SEGUNDO
PREPARED BY: ROSSETTI & COUNSILMAN-HUNSAKER

ELECTRONIC PDF FILE AVAILABLE AT
http://www.elsegundo.org/depts/planningsafety/planning/aquatics_feasibility_study_eir.asp

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**DATE OF RATIFICATION: 08/16/11**

TOTAL PAYMENTS BY WIRE: **3,555,847.48**

Certified as to the accuracy of the wire transfers by:

**Mary M. Koles**
Deputy City Treasurer

**Dr. Barbara Holub**
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, AUGUST 2, 2011 – 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:

Eric Busch, Mayor, announced that Council would be meeting in closed session pursuant to the items listed on the agenda.

Council Member Don Brann not participating in the initiation of litigation pursuant to Government Code §54956.9(c), Wiseburn School District item, on this agenda or on any future agenda nor has he participated in such item in prior closed sessions.

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) -2- matters

City of El Segundo vs. City of Los Angeles, et. al. LASC Case No. BS094279
NSA Construction vs. City of El Segundo, LASC Case No. BC438182

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

Wyle Claim re Residential Sound Insulation Program

Initiation of litigation pursuant to Government Code §54956.9(c): -1- matter.

Wiseburn School District

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

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

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -5-
matters

Represented Group: Police Support Services Employees Association (PSSEA)
   Negotiators: Doug Willmore, City Manager
               Deborah Cullen, Finance Director
               Richard Kreisler

Represented Group: City Employees Association (CEA)
   Negotiators: Doug Willmore, City Manager
               Deborah Cullen, Finance Director
               Richard Kreisler

Represented Group: Firefighters Association (FFA)
   Negotiators: Doug Willmore, City Manager
               Deborah Cullen, Finance Director
               Richard Kreisler

Represented Group: Police Officers Association (POA)
   Negotiators: Doug Willmore, City Manager
               Deborah Cullen, Finance Director
               Richard Kreisler

Represented Group: Police Managers Association (PMA)
   Negotiators: Doug Willmore, City Manager
               Deborah Cullen, Finance Director
               Richard Kreisler

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, AUGUST 2, 2011 - 7:00 P.M.

AND

SPECIAL MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 2, 2011 – 7:00 P.M.

(Special Meeting Agenda Items 1 and 2 taken under Council Reports)

7:00 P.M. SESSION

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

INVOCATION – Pastor Lee Carlile, United Methodist Church

PLEDGE OF ALLEGIANCE – Council Member Dr. Don Brann

PRESENTATIONS

(a) Presentation by Relay of Life to the El Segundo City Council and El Segundo Recreation and Parks Department.

(b) Council Member Brann presented a Proclamation to Stephanie Katsouleas, Public Works Director, proclaiming National 811 Day, August 11, 2011, Identification of the Nation’s pipeline infrastructure by making one simple phone call to 811 in advance of any project to identify pipeline locations.

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.
Stan Myles, Senior Public Information Specialist, Air Quality Management District (AQMD), spoke on an AQMD policy being developed to improve air quality.

Marc Rener, resident, spoke on a recent article in the Daily Breeze, regarding events revolving around alcohol consumption in Manhattan Beach and Hermosa Beach. Also spoke regarding the waste hauling contract and redistricting.

Chris Powell, School Board Member, spoke on the funding agreement between the City and the El Segundo Unified School District.

Ron Swanson, El Segundo Education Foundation, spoke on the upcoming Grand Reopening of the El Segundo Community Theatre.

Julia Torres-Lau, resident, spoke on the ineffective parking signs that were put up on Walnut Avenue and requested the City reinstate permit parking. Also spoke regarding trash and dog problems at Washington Parks.

Jim Boulgarides, resident, spoke regarding the Trash Contract. Thanked Council for allowing him to participate on the Trash Subcommittee.

Liz Gamholz, resident, spoke regarding the $1,000,000 savings with the new Trash Contract.

Staff directed to report back to Council regarding the parking situation on Walnut Avenue.

A. PROCEDURAL MOTIONS

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

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

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action regarding a request to modify Condition 12(A) set forth in Ordinance No. 1345 regulating the hours of alcohol sales for hotels in the Corporate Campus Specific Plan area. Applicant: Michael Gallen, OTO Development. (Fiscal Impact: N/A)

Mayor Busch stated that this was the time and place to conduct a public hearing and receive testimony regarding a request to modify Condition 12(A) set forth in Ordinance No. 1345 regulating the hours of alcohol sales for hotels in the Corporate Campus Specific Plan area. Applicant: Michael Gallen, OTO Development.
Deputy City Clerk Domann stated that proper notice had been given in a timely manner and that no written communication has been received in the City Clerk's Office.

Greg Carpenter, Planning and Building Safety Director, gave a report.

Mike Gallen, OTO Development, spoke regarding the request to change the hours of alcohol sales and responded to Council questions.

MOTION by Council Member Jacobson, SECONDED BY Mayor Pro Tem Fisher to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Council Member Brann stated he was against changing the hours for sale of alcohol.

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1462

AN ORDINANCE AMENDING CONDITION NO. 12A TO RESOLUTION NO. 4241 AND ORDINANCE NO. 1345 FOR THE CORPORATE CAMPUS SPECIFIC PLAN.

Mayor Busch introduced the ordinance.

Second reading and adoption scheduled for August 16, 2011.

2. Consideration and possible action to open a Public Hearing, consider testimony, and adopt a Resolution finding that the City conforms with the annual Congestion Management Program (CMP) and adopting the annual CMP Local Development Report, in accordance with California Government Code § 65089. (Fiscal Impact: None).

Mayor Busch stated that this was the time and place to conduct a public hearing and receive testimony, and adopt a Resolution finding that the City conforms with the annual Congestion Management Program (CMP) and adopting the annual CMP Local Development Report, in accordance with California Government Code § 65089.

Deputy City Clerk Domann stated that proper notice had been given in a timely manner and that no written communication has been received in the City Clerk's Office.

Greg Carpenter, Planning and Building Safety Director, gave a report.

MOTION by Council Member Jacobson, SECONDED by Mayor Pro Tem Fisher to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, read by title only:
RESOLUTION NO. 4727

A RESOLUTION FINDING THE CITY TO BE IN COMPLIANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE § 65089.

MOTION by Council Member Jacobson, SECONDED by Mayor Pro Tem Fisher to adopt Resolution No. 4727 finding the City to be in compliance with the Congestion Management Program and adopting the Local Development Report in accordance with California Government Code § 65089. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

3. Consideration and possible action to open a public hearing and receive testimony regarding: 1) an Environmental Assessment for a proposed Categorical Exemption; and 2) a Precise Plan Amendment removing the 2,500 square-foot limit on the maximum permitted outdoor dining area in the Beach Cities Plaza Precise Plan. Applicant: Continental Rosecrans, Nash (Fiscal Impact: N/A)

Mayor Busch stated that this was the time and place to conduct a public hearing and receive testimony regarding: 1) an Environmental Assessment for a proposed Categorical Exemption; and 2) a Precise Plan Amendment removing the 2,500 square-foot limit on the maximum permitted outdoor dining area in the Beach Cities Plaza Precise Plan. Applicant: Continental Rosecrans, Nash

Deputy City Clerk Domann stated that proper notice had been given in a timely manner and that no written communication has been received in the City Clerk’s Office.

Greg Carpenter, Planning and Building Safety Director, gave a report.

Bob Tarnofski, Continental Development, stated he was available to answer any questions.

Marc Rener, resident, questioned whether this item would change the Municipal Code affecting the Downtown area.

Mike Robbins, resident, spoke regarding impact on traffic.

MOTION by Council Member Brann, SECONDED by Council Member Jacobson to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, read by title only:
ORDINANCE NO. 1463

AN ORDINANCE APPROVING A PRECISE PLAN AMENDMENT TO AMEND THE BEACH CITIES PLAZA PRECISE PLAN TO REMOVE THE 2,500 SQUARE-FOOT LIMIT ON THE MAXIMUM PERMITTED OUTDOOR DINING AREA.

Mayor Pro Tem Fisher introduced the ordinance.

Second reading and adoption scheduled for August 16, 2011.

Council Member Brann left the dais at 7:55 p.m.

C. UNFINISHED BUSINESS

4. Consideration and possible action to (1) accept the Trash Subcommittee's recommendation to award a new, 7-year waste hauling contract to Consolidated Disposal Services, the City's current waste hauling provider for the collection of single and multi-family residential and municipal solid waste and (2) direct the City Attorney to finalize the contract with Consolidated Disposal Services according to the bid submitted for $482,350 annually. (Fiscal Impact: None)

Stephanie Katsouleas, Public Works Director, gave a report.

Council Member Brann returned to the dais at 7:57 p.m.

MOTION by Council Member Jacobson, SECONDED by Council Member Fuentes to accept the Trash Subcommittee's recommendation to award a new, 7-year waste hauling Contract No. 4176 to Consolidated Disposal Services, the City's current waste hauling provider for the collection of single and multi-family residential and municipal solid waste; (2) Direct the City Attorney to finalize the new 7-year waste hauling contract with Consolidated Disposal Services based on the bid submitted and the form contract included with the request for proposals and return to Council with the final contract.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

5. Consideration and possible action regarding a recommendation by the Investment Advisory Committee to adopt the City's Investment Policy (Fiscal Impact: None)

Ralph Lanphere, City Treasurer, gave a report.

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Fisher to adopt City's Investment Policy as submitted. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

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

6. Approved Warrant Numbers 2583362 to 2583537 on Register No. 20 in the total amount of $485,892.03 and Wire Transfers from 07/08/11 through 07/21/11 in the total amount of $2,308,762.54. Authorized staff to release. Ratified Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments.


8. PULLED FOR DISCUSSION BY COUNCIL MEMBER BRANN

9. Authorized the City Manager to terminate EMAE International Inc.'s control over construction of El Segundo's new Beach Bathroom Facility and Lifeguard Station at El Segundo Beach; (2) directed EMAE International Inc.'s surety, First National Insurance Company of America, to complete the project in accordance with Specification No. PW 10-09; and (3) authorized the City Manager to execute Takeover Agreement No. 4177 with First National Insurance Company of America in a form approved by the City Attorney to complete construction of the Beach Bathroom Facility and Lifeguard Station at El Segundo Beach Project PW 10-09. (Fiscal Impact: None)

10. Granted C.T.&F., Inc. and JFL Electric, Inc. requests to withdraw their bids because of mathematical mistakes in accordance with Public Contract Code Section 5101 and awarded standard Public Works Contract No. 4179 to Steiny and Company, Inc. for the installation of Computer Network Equipment (conduits and appurtenances for future I-Net connection) for non-City Hall City facilities. Project No.: PW 10-08. (Fiscal Impact: $280,000.00) Authorized the City Manager to execute the contract in a form as approved by the City Attorney to Steiny and Company, Inc. in the amount of $255,156.00. Authorized a construction contingency in the amount of $24,844.00 for unforeseen additional work.

11. PULLED FOR DISCUSSION BY COUNCIL MEMBER FUENTES

MOTION by Council Member Jacobson, SECONDED by Council Member Fuentes to approve Consent Agenda Items 6, 7, 9, and 11. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA
8. Consideration and possible action to adopt a Resolution authorizing the annual destruction of identified records in accordance with the provisions of Section 34090 of the Government Code of the State of California. (Fiscal Impact: Not to exceed $1,000.00)

MOTION by Council Member Brann, SECONDED by Council Member Fuentes to adopt Resolution No.4728 the annual destruction of identified records in accordance with the provisions of Section 34090 of the Government Code of the State of California. MOTION PASSED BY UNANIMOUS VOTE. 5/0

11. Consideration and possible action to approve a thirty (30) day provisional appointment extension for the position of Interim Battalion Chief. (Fiscal Impact: None)

MOTION by Council Member Fuentes, SECONDED by Council Member Brann to approve a thirty (30) day provisional appointment extension for the position of Interim Battalion Chief. MOTION PASSED BY UNANIMOUS VOTE. 5/0

F. NEW BUSINESS

12. Consideration and possible action regarding the Funding Agreement extending financial assistance to the El Segundo Unified School District (ESUSD) for the purpose of school facilities and programs. (Fiscal Impact: $250,000 annual contribution.

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Fisher to direct staff to continue the Cash Contribution of $250,000 and in-kind contributions to School District ESUSD in the Fiscal Year 2011-2012 preliminary budget. MOTION PASSED BY UNANIMOUS VOTE. 5/0

G. REPORTS – CITY MANAGER – Gave a status report on labor negotiations.

H. REPORTS – CITY ATTORNEY – NONE

I. REPORTS – CITY CLERK – NONE

J. REPORTS – CITY TREASURER – NONE

K. REPORTS – CITY COUNCIL MEMBERS

1. Consideration and possible action regarding the City Council's position on the County of Los Angeles' proposed redistricting of the County Board of Supervisor Districts.
2. Discussion and possible action regarding the latest proposed Congressional and State Assembly and Senate redistricting maps and announcement of website ("wedrawthe-lines.ca.gov") where the public can direct its communications regarding the redistricting maps.

MOTION by Council Member Jacobson, SECONDED by Mayor Busch to urge the County Board of Supervisors to maintain the continuity of the Beach Cities and keep El Segundo in the Beach Cities District and not shift the City to the East. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Information regarding where to direct communications to be posted on the City website.

Council Member Fuentes – Spoke regarding the Chamber event, Fastrack project for the 110 Freeway, Navy Week, her attendance at the South Bay COG, and the CERT Program.

Council Member Brann – Thanked Council Member Fuentes for attending the South Bay COG meeting in his absence. Spoke regarding the Broadway in the Park Performance.

Council Member Jacobson – Spoke on Relay for Life, Broadway in the Park, and the Chamber of Commerce sponsored Dodger Day.

Mayor Pro Tem Fisher – Spoke on recent Dodger Day event, Relay for Life, and Congressional redistricting.

Mayor Busch – Spoke on Broadway in the Park, Dodger Day, thanked El Segundo Concert Band for wonderful event at the High School, Food Trucks event, and the upcoming annual Movie in The Park, Saturday, August 6th at Chevron Park.

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.

Ron Swanson, spoke, regarding the Food Trucks event. Also spoke on the Special Events permit process.

Liz Garnholz, resident, spoke against the proposed redistricting maps.

Marc Rener, resident, spoke against the proposed redistricting maps.
Mike Robbins, resident, spoke against the proposed redistricting maps, Capital Improvement CIPAC Agendas missing from the City Web Site, and his comment regarding secret Council negotiation meetings at the last Council meeting.

MEMORIALS – Maxine M. Green and Eugene Watts.

CELEBRATIONS – The birth of Gavin George Poulos.

CLOSED SESSION – NONE

ADJOURNMENT at 8:52 p.m.

Cathy Domann, Deputy City Clerk
AGENDA DESCRIPTION:

Consideration and possible action regarding the adoption of a Resolution to apply for a grant from Los Angeles County Regional Park and Open Space District (RPOSD) in the amount of $150,000. The grant funds will be allocated for improvement and rehabilitation of Recreation Park.  
(Fiscal Impact: FY 10-11: None; FY 11-12: $150,000 of Intergovernmental Grant Revenue)

RECOMMENDED COUNCIL ACTION:

(1) Adopt the Resolution to apply for the RPOSD Excess Funds Grant Program.  
(2) Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

(1) Resolution  
(2) Site Plan

FISCAL IMPACT:  (Fiscal Impact: FY 10-11: None; FY 11-12: $150,000 of Intergovernmental Grant Revenue)

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ORIGINATED BY: Vina Ramos, Administrative Analyst  
REVIEWED BY: Bob Cummings, Director of Recreation and Parks  
APPROVED BY: Doug Willmore, City Manager

BACKGROUND & DISCUSSION:

On July 12, 2011, the Board of Supervisors from RPOSD approved the City’s allocation of $150,000 to improve and rehabilitate Recreation Park. The funds are from the Excess Funds Grant Program of The Safe Neighborhood Parks Propositions of 1992 and 1996 (Proposition A). The Proposition funds are restricted for public agencies and non-profit organizations for the purpose of acquiring and/or developing facilities and open space for public recreation.

To receive funding, the City is required to submit a grant application package which will include a City Council adopted Resolution and cost estimates for the following projects approved by City Council on June 16, 2011:  
- Refurbish tennis, volleyball, and paddle tennis courts;  
- Replace and repair park fencing;  
- Upgrade lights which will introduce “green” lighting to some hard courts to reduce electrical consumption.
RESOLUTION NO. ______

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE, AND APPROPRIATE GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT (EXCESS FUNDS) GRANT PROGRAM.

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

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

A. The people of County of Los Angeles on November 3, 1992 and on November 5, 1996, enacted Los Angeles County Proposition A, Safe Neighborhood Parks, Gang Prevention, Tree-Planting, Senior and Youth Recreation, Beaches and Wildlife Protection (the Propositions), which, among other uses, provides funds to public agencies and nonprofit organizations in the County for the purposes of acquiring and/or developing facilities and open space for public recreation; and

B. Los Angeles County Regional Park and Open Space District administers such funds;

C. The District established the necessary procedures governing applications for grant funds under the Proposition;

D. The District’s procedures require the City to certify by resolution, the approval of the application before submission of said application to the District;

E. This Resolution certifies that the application may be submitted to the District. The Resolution from Los Angeles County Regional Park and Open Space is attached to this Resolution as Exhibit “A”.

F. The City agrees to enter into a Project Agreement with the District for the performance of the Project as described in the application.

SECTION 2: The City Manager, or designee, is authorized to apply for a grant from the Los Angeles County Regional Park and Open Space to improve and rehabilitate Recreation Park located at 401 Sheldon St. El Segundo, CA 90245.

SECTION 3: The City Manager, or designee, is authorized to execute any required documents to receive the grant for the purposes identified herein.

SECTION 4: The City Manager, or designee, is authorized to accept and spend the grant monies identified in this Resolution for the purposes set forth herein.

SECTION 5: The City Council hereby amends or supplements the City’s Budget for fiscal year 2011-2012 to appropriate the monies identified herein to pay for the plan proposed by the City in support of its grant application. The City Manager, or designee, is authorized to implement the purpose of this section.
SECTION 6: The City Council agrees to the following:

1. The assurances and certifications contained in the grant application form;

2. The City is understands its obligation to operate and maintain the property improved with grant money in perpetuity;

3. The project agreement will be executed and returned to the District within thirty (30) days of receipt.

SECTION 7: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ___ day of _______________, 2011.

______________________________
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 16th day of August, 2011, 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
RESOLUTION OF THE (Governing Body) OF THE (Agency Name) APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT (Specified Project, Per Parcel Discretionary, and/or Excess Funds) GRANT PROGRAM FOR (Name of Project)

WHEREAS, the people of the County of Los Angeles on November 3, 1992, and on November 5, 1996, enacted Los Angeles County Proposition A, Safe Neighborhood Parks, Gang Prevention, Tree-Planting, Senior and Youth Recreation, Beaches and Wildlife Protection (the Propositions), which, among other uses, provides funds to public agencies and nonprofit organizations in the County for the purposes of acquiring and/or developing facilities and open space for public recreation; and

WHEREAS, the Propositions also created the Los Angeles County Regional Park and Open Space District (the District) to administer said funds; and

WHEREAS, the District has set forth the necessary procedures governing applications for grant funds under the Propositions; and

WHEREAS, the District’s procedures require the Applicant to certify, by resolution, the approval of the application(s) before submission of said application(s) to the District; and

WHEREAS, the application form contains assurances that the Applicant must comply with; and

WHEREAS, the Applicant certifies, through this resolution, that the application is approved for submission to the District; and

WHEREAS, the Applicant will enter into a Project Agreement with the District for the performance of the Project as described in the application;

NOW THEREFORE, BE IT RESOLVED THAT THE (Governing Body) HEREBY:

1. Approves the filing of an application with the District for funds allocated under Section(s) (List each section) of the Proposition for the above named Project; and

2. Certifies that said Applicant understands the assurances and certifications in the application form; and

3. Certifies that said Applicant understands its obligation to operate and maintain the property(s) in perpetuity; and

4. Certifies that said Applicant will sign and return, within 30 days, both copies of the project agreement sent by the District for authorizing signature; and
AGENDA DESCRIPTION:
Consideration and possible action regarding a request from the El Segundo Education Foundation to waive City fees and costs in the amount of approximately $3129.62 in accordance with ESMC Section 8-8-7 D 1 for the El Segundo Education Foundation’s event celebrating the El Segundo Unified School District’s 75th Anniversary and the reopening of the El Segundo High School Community Theater. In addition, the El Segundo Education Foundation is requesting approval for the El Segundo Kiwanis Club to operate a “Beer and Wine Garden” at the event. (Fiscal Impact: approximately $3129.62)

RECOMMENDED COUNCIL ACTION:
1. Approve the request from the El Segundo Education Foundation to waive approximately $3129.62 in City fees and costs;
2. Authorize the El Segundo Kiwanis Club to operate a Beer and Wine Garden at the event;
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Letter of request from the El Segundo Education Foundation
2. Letter of support from the El Segundo Unified School District
3. Event site plan provided by the El Segundo Education Foundation
4. Copy of ESMC Section 8-8-7 D 1

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

ORIGINATED BY: Bob Cummings, Director of Recreation and Parks
REVIEWED BY: Katie
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:
The El Segundo Education Foundation is holding an event to celebrate the El Segundo Unified School District’s 75th anniversary and the reopening of the El Segundo High School Community Theater. The event will take place on October 1, 2011 from 5:00 pm – 10:00 pm on the El Segundo High School Campus and on the street on Main Street between Mariposa and Palm.

The El Segundo Education Foundation is requesting the City to waive fees in the approximate amount of $3129.62 in accordance with ESMC Section 8-8-7 D 1, which includes $750.00 for the Public Right-of-Way usage, $135.00 for the Amplified Sound Permit, and approximately $2244.62 in staffing costs.

The El Segundo Education Foundation is requesting approval of an El Segundo Kiwanis Club sponsored Beer and Wine Garden, which will be located on the Main Street area of the event.
May 4, 2011

Mayor Eric Busch &
City Council
City of El Segundo
350 Main Street
El Segundo, CA 90245

Dear Mayor Busch & Members of the City Council

Throughout 2011, the El Segundo Education Foundation is celebrating the El Segundo Unified School District’s 75th anniversary. The Foundation is rallying the entire community to support El Segundo schools to help close the school district’s budget deficit and to keep El Segundo schools among the best in California.

To celebrate this anniversary and the reopening of The El Segundo Community Theatre, the El Segundo Education Foundation requests your support and partnership in holding a successful event tentatively titled “El Segundo Community Theater Grand Reopening.”

Specifically, on October 1st, 2011, the El Segundo Education Foundation requests permission to, from 3:00-11:00 PM, close the 600 block of Main Street for our event. The outdoor activities would include food and deserts by “Gourmet Food Trucks”, dining areas, vendor booths for our partners, and an El Segundo Kiwanis Club hosted beer and wine garden. The events highlight will be the two showings inside The Community Theater of the acclaimed and educational 3-D movie “Ultimate Wave Tahiti.”

Such an event would enable us to hold a festive atmosphere in which all of El Segundo would be invited to celebrate the incredibly revitalized venue that is The Community Theater, which is sure to be one of the hallmarks of our city’s activity and pride.

Please note that this letter is a “Informational only” correspondence and that we will be formally requesting permission for our event in the near future. We look forward to working with Staff to develop our event.

Thank you in advance for your continued support for the students of ESUSD!

Sincerely,

Adam Aberman, Executive Director, ESEF

________________________________________
Al Keahi, Director ESEF

________________________________________
Ron Swanson, Director ESEF

cc: Doug Wilmore, El Segundo City Manager
July 12, 2011

Dear ESEF Board of Directors,

The El Segundo Unified School District strongly supports the El Segundo Education Foundation in their effort to recognize the opening of the ESHS Community Theatre on October 1, 2011 and provide the community with a spectacular gathering. Since the passage of the Measure M Bond in 2008, we have highly anticipated the restoration of the 80 year old high school auditorium.

The District values and greatly appreciates the Foundation’s continued support of our students and community.

Sincerely,

Geoff Yantz, Ed.D.
Superintendent
8-8-5: PERMIT REQUIREMENTS:

A. It is unlawful for any person to conduct, sponsor, or knowingly participate in any event on or within any city street, sidewalk, parking facility, or other public right of way that obstructs or interferes with the normal flow of vehicular or pedestrian traffic or which does not comply with applicable traffic laws or controls.

B. Activity in subsection A of this section is permissible when a permit for such an event is obtained pursuant to this chapter. A permit is not deemed issued until the director receives the applicant’s written acceptance in accordance with this chapter. (Ord. 1362, 6-3-2003)

8-8-6: EXCEPTIONS: A special event permit is not required for a parade consisting of a vehicular funeral procession or wedding procession. (Ord. 1362, 6-3-2003)

8-8-7: FEES:

A. Established: Except as otherwise provided by federal, state, or local laws, or other city council authorized restrictions, all fees applicable to this chapter including, without limitation, fees for using public property, will be established by city council resolution.

B. Service Charges: Charges will be imposed for city services provided to a permittee other than public safety and emergency services. Such charges will be determined by the applicable servicing city department(s) and will be based on the actual cost incurred by the city in providing such services. Such service charges will include, without limitation, charges for labor, supervision, overhead, administration and the use of any and all city equipment, supplies, and the like. Additional charges may be imposed to cover the cost of extraordinary permit investigation and staff costs, if the director determines this necessary.

C. Traffic Control Fee: Permittee will pay the city a fee in an amount equal to the city’s total estimated costs for providing all of the personnel and materials, including, without limitation, public safety personnel, necessary to control and monitor pedestrian and vehicular traffic for such event. Such fee will be paid by the permittee before the director issues a permit. The traffic control fee may be waived by the director for any permit authorizing an event involving an exercise of free speech rights. Such waiver may be granted only upon a showing of the applicant’s inability to pay, which will be supported by a financial declaration.

D. Fee Waivers: Upon an applicant’s request, the director may, but is not required to, seek a fee waiver from the city council for an event. Fees may only be waived for the following applicants:

1. Nonprofit groups with current internal revenue code 501(c)(3) status or 501(c)(6) status, government agencies, and public schools; or

2. Community service groups or organizations without current internal revenue code 501(c)(3) status or 501(c)(6) status where the city council, by reso-
AGENDA DESCRIPTION:

Consideration and possible action regarding acceptance of the project for the City’s 2010-2011 annual sidewalk, curb and gutter repair/replacement program and other minor improvements at various locations citywide. Approved Capital Improvement Project. Project No. PW 11-01. (Fiscal Impact: $78,476.80)

RECOMMENDED COUNCIL ACTION:

1. Approve Change Order No. 1 for $7,178.94;
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: $7,178.94
Additional Appropriation: No
Account Number(s): 106-400-8206-8943

ORIGINATED BY: Maryam M. Jonas, Principal Civil Engineer
REVIEWED BY: Stephanie Katsouleas, Public Works Director
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:

On March 15, 2011, City Council awarded a contract to Kalban, Inc. for $46,997.86 and approved an additional $3,002.14 contingency for potential change orders for the City’s 2010-2011 annual sidewalk, curb and gutter repair/replacement program. On June 7, 2011, City Council approved an amendment to the contract for an additional $24,300.00 to install a new concrete block wall around the perimeter of the plaza’s landscape area at Campus El Segundo.

The additional $7,178.94 change order amount requested includes $6,178.94 for actual measured quantities for the sidewalk, curb and gutter program and $1,000 for the relocation of additional irrigation lines at Campus El Segundo. All work has now been completed to the satisfaction of the City and staff recommends acceptance of the project.
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: 2010-2011 annual contract for curb, gutter, sidewalk and other minor improvements at various locations citywide

Project No.: PW 11-01

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of 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 Street

5. A work of improvement on the property hereinafter described was field reviewed by the City Engineer on July 18, 2011. The work done was: Replacement of displaced sidewalk, curbs, gutters, driveways and concrete block wall.

6. On August 16, 2011, 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: Kalban, 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 Right-of-way.

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 _________________, 2011 at El Segundo, California.

Stephanie Katsouleas
Public Works Director
AGENDA DESCRIPTION:

Consideration and possible action to adopt Ordinance No. 1462 approving Environmental Assessment EA 924, to modify Condition of Approval No. 12(A) in Ordinance No. 1345 to allow alcohol sales in hotels between the hours of 7:00 a.m. and 2 a.m. in the Corporate Campus Specific Plan. (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:

1. Waive second reading and adopt Ordinance No. 1462 for Environmental Assessment EA 924; and/or
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Ordinance No. 1462

FISCAL IMPACT: None

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

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:

I. Background

On August 2, 2011, the City Council introduced an Ordinance to approve Environmental Assessment EA 924 to modify Condition of Approval No. 12(A) for EA-548 as adopted by Ordinance No. 1345 which limits the hours when alcohol can be sold within the Corporate Campus Specific Plan (CCSP) area. Condition of Approval No. 12(A) allows alcohol sales from 10:00 a.m. to 2:00 a.m. in the CCSP for restaurants, coffee shops, delicatessens, cafes and hotels. The attached ordinance would extend the time for selling alcohol in hotels by three hours in the morning. Instead of allowing sales between 10:00 a.m. and 2:00 a.m., the new hours would allow alcohol sales between 7:00 a.m. and 2:00 a.m. The request does not include modification to the hours of alcohol sales for restaurants, coffee shops, delicatessens, and cafes within the CCSP.

At the August 2nd meeting, the Council directed staff to provide information regarding alcohol service at the City’s hotels. The following is a list of the City’s hotels that provide alcohol service and the permitted hours of alcohol service:
<table>
<thead>
<tr>
<th>Hotel</th>
<th>Address</th>
<th>Permitted Alcohol Service Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Courtyard Marriott</td>
<td>2000 E Mariposa Ave.</td>
<td>6 a.m. to 1 a.m.</td>
</tr>
<tr>
<td>Doubletree Hotel LAX</td>
<td>1985 E Grand Ave.</td>
<td>7 a.m. to 9 p.m.</td>
</tr>
<tr>
<td>Embassy Suites</td>
<td>1440 E. Imperial Ave.</td>
<td>6 a.m. to 2 a.m.</td>
</tr>
<tr>
<td>Hacienda Hotel</td>
<td>525 N. Sepulveda Blvd.</td>
<td>6 a.m. to 2 a.m.</td>
</tr>
<tr>
<td>Hilton Garden Inn</td>
<td>2100 E. Mariposa Ave.</td>
<td>6 a.m. to 2 a.m.</td>
</tr>
<tr>
<td>Residence Inn by Marriot</td>
<td>2135 E El Segundo Blvd.</td>
<td>6 a.m. to 2 a.m.</td>
</tr>
<tr>
<td>Summerfield Suites</td>
<td>810 S. Douglas St.</td>
<td>6 a.m. to 2 a.m.</td>
</tr>
</tbody>
</table>

The Council may waive second reading and adopt the Ordinance. If adopted without change, Ordinance No. 1462 will become effective in 30 days.
ORDINANCE NO. 1462

AN ORDINANCE AMENDING CONDITION NO. 12A TO RESOLUTION NO. 4241 AND ORDINANCE NO. 1345 FOR THE CORPORATE CAMPUS SPECIFIC PLAN.

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

SECTION 1: The City Council finds and declares that:

A. On January 2, 2002, the City Council approved General Plan Amendment No. 01-02, Specific Plan No. 01-01, Zone Change No. 01-01, Zone Text Amendment No. 01-01, Development Agreement No. 01-01, Administrative Use Permit No. 01-01, Subdivision No. 01-05 and certified the final environmental impact report for Environmental Assessment No. 548 for the Corporate Campus Specific Plan Project (City Council Resolution No. 4241 and Ordinance No. 1345);

B. On June 1, 2011, the applicant filed an application (Environmental Assessment No. EA-924) to modify Condition No. 12A of Resolution No. 4241 and Ordinance No. 1345;

C. The application was reviewed by the City's Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code ("ESMC");

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

E. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for June 23, 2011;

F. On June 23, 2011, the Planning Commission opened the public hearing to receive public testimony and other evidence regarding the application including, without limitation, information provided to the Commission by City Staff, public testimony, and representatives of the applicant;

G. Following the public hearing, the Planning Commission adopted Resolution No. 2697 recommending that the City Council, among other things, modify Condition of Approval No. 12A for the Corporate Campus Specific Plan;

-1- (Intentionally removed pages 123-127)
H. On August 2, 2011, the City Council held a public hearing and considered the information provided by City staff, public testimony and the applicant; and

I. This Ordinance and its findings are made based upon the entire administrative record including, without limitation, testimony and evidence presented to the Council at its August 2, 2011 hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

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

A. The Corporate Campus Specific Plan was approved to allow the development of up to 87,000 gross square feet of hotel/conference facilities;

B. On June 6, 2011, OTO Development submitted a building permit application to the City for a 83,855 square-foot hotel at 750 North Nash Street in the Corporate Campus Specific Plan area;

C. The proposed modification to Condition of Approval No. 12A is unlikely to apply to any site other than the proposed hotel at 750 North Nash because construction of the hotel would meet the anticipated size of hotel development identified in the Corporate Campus Specific Plan and Development Agreement No. 01-01. Any additional hotel in the Corporate Campus Specific Plan area would require modification to Specific Plan No. 01-01, Development Agreement No. 01-01 and additional environmental review in compliance with CEQA;

D. The proposed modification to Condition of Approval No. 12A would allow alcohol service in a hotel to start three hours earlier than currently allowed in the Corporate Campus Specific Plan. Alcohol service would begin at 7 a.m. instead of 10 a.m.;

E. Alcohol service is a compatible activity within a hotel use. All hotels in California serving alcohol are required to obtain and Alcoholic Beverage Control license and comply with State of California Business and Professions Code §25631 which prohibits sale of on or off site sales of alcohol between the hours of 2 a.m. and 6 a.m. The requested modification to Condition of Approval 12A is compliant with Business and Professions Code §25631; and
F. The City of El Segundo Police Department reviewed the modification request and had no comment. It is not anticipated that the approval of the request would have a detrimental effect on public safety.

SECTION 3: Environmental Assessment. The City Council previously certified a Final Environmental Impact Report ("FEIR") for this project on January 2, 2002. In accordance with CEQA Guidelines §15168(C)(2), a new environmental document is not required for the proposed modification to a condition of approval of the Corporate Campus Specific Plan since the proposed change would not result in a significant impact to the environmental or require new mitigation measures.

SECTION 4: General Plan and Corporate Campus Specific Plan. The proposed project conforms with the City's General Plan and the Corporate Campus Specific Plan as follows:

A. The General Plan contains relevant Goals, Objectives, and Policies in the Land Use Element. The goal stated in Goal LU4 is to "provide a stable tax base for the City through development of new commercial uses, primarily within a mixed-use environment, without adversely affecting the viability of Downtown." The proposed modification to Condition No. 12A will contribute to the economic performance of the hotel use within the Corporate Campus Specific Plan area which will contribute to the maintenance of a stable source of tax revenue for the City.

B. The General Plan contains a number of relevant Goals, Objectives, and Policies in the Economic Development Element. Goal ED1 aims "to create in El Segundo a strong, healthy economic community in which all diverse stakeholders may benefit." The proposed modification to condition of approval 12A will contribute to the economic health of the hotel use going in to the Corporate Campus Specific Plan Area. As much of the specific plan area has yet to be developed the health of the hotel as one of the first businesses in the Specific Plan area will contribute to successful development of the rest of the Specific Plan area.

C. Objective ED2-1 is "to strengthen the partnerships between local government, the residential community, and El Segundo's business community." Modifying the regulatory framework for the Specific Plan area to facilitate the operational needs of the hotel is consistent with this objective as it strengthens the partnership between the City of El Segundo and a business operator in the City.

D. The Corporate Campus Specific Plan contains a number of relevant Goals. Corporate Campus Specific Plan (CCSP) Goal No. 1 facilitates economic development. More specifically, the requested amendment to Condition of Approval No. 12A is consistent with Goal No. 1a that states "Enhance the City's economic base through the addition of a variety of
uses such as (but not limited to) office, hotel, retail, restaurant, recreation, office, light industrial, research and development, and technology/web hosting/telecommunications."

E. CCSP Goal No. 2 promotes compatible land uses. The requested amendment to Condition No. 12A is consistent with both Goal No. 2a and Goal No. 2b that state respectively "Retain and attract economically viable, environmentally safe uses that provide a stable tax base and minimize and negative impact on the City" and "Provide a combination of standards and incentives that will stimulate quality development."

F. CCSP Goal No. 4 accentuates the overall positive identity of the community. The requested amendment to Condition No. 12A is consistent with Goal No. 4a that states "Enhance services and convenience while respecting the immediate surrounding uses."

SECTION 5: Amendment. Condition No. 12A to Ordinance No. 1345 and Resolution No. 4241 is amended to read as follows:

"A. The on-site sale of alcoholic beverages in restaurants, coffee shops, delicatessens, and cafes is permitted between the hours of 10:00 a.m. and 2:00 a.m., seven days a week. The on-site sale of alcoholic beverages in hotel(s) is permitted between the hours of 7:00 a.m. to 2 a.m., seven days a week."

SECTION 6: Reliance on Record. Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: Limitations. The City Council’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council’s lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.
SECTION 9: Construction. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 10: Enforceability. Repeal of any provision of the ESMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 11: Validity of Previous Code Sections. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 12: 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 13: This Ordinance will remain effective until superseded by a subsequent ordinance.

SECTION 14: 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 15: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this 16th day of August, 2011.

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. 1462 was duly introduced by said City Council at a regular meeting held on the 2nd day of August, 2011, 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 16th day of August, 2011, 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

Kari H. Berger, Assistant City Attorney
Elizabeth M. Calciano, Deputy City Attorney
AGENDA DESCRIPTION:
Consideration and possible action to adopt Ordinance No. 1463 approving Environmental Assessment EA 921 and Precise Plan Amendment No. 11-01, to remove the 2,500 square-foot limit on the maximum permitted outdoor dining area in the Beach Cities Plaza Precise Plan. (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:
1. Waive second reading and adopt Ordinance No. 1463 for Environmental Assessment EA 921 and Precise Plan Amendment No. 11-01; and/or
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Ordinance No. 1463

FISCAL IMPACT: None

<table>
<thead>
<tr>
<th>Amount Budgeted:</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Appropriation:</td>
<td>N/A</td>
</tr>
<tr>
<td>Account Number(s):</td>
<td>N/A</td>
</tr>
</tbody>
</table>

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:

I. Background

On August 2, 2011, the City Council introduced an Ordinance to approve Environmental Assessment EA 921 and Precise Plan Amendment No. 11-01 to remove the 2,500 square-foot limit on the maximum permitted outdoor dining area in the Beach Cities Plaza Precise Plan. The Council may waive second reading and adopt the Ordinance. If adopted without change, Ordinance No. 1463 will become effective in 30 days.
ORDINANCE NO. 1463

AN ORDINANCE APPROVING A PRECISE PLAN AMENDMENT TO AMEND THE BEACH CITIES PLAZA PRECISE PLAN TO REMOVE THE 2,500 SQUARE-FOOT LIMIT ON THE MAXIMUM PERMITTED OUTDOOR DINING AREA.

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

SECTION 1: The City Council incorporates by reference all of the findings and conclusions set forth in Planning Commission Resolution No. 2698 as if fully set forth.

SECTION 2: Environmental Assessment. Because of the facts identified in Planning Commission Resolution No. 2698, the proposed project conforms with the Mitigated Negative Declaration adopted for the site as part of Environmental Assessment EA 350 and Precise Plan PP No. 94-1 (3rd Amendment to PP No. 12-72). In addition, the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities) and § 15311 as a Class 11 categorical exemption (Accessory Structures).

SECTION 3: General Plan. The proposed project conforms to the City’s General Plan as follows:

A. The General Plan Land Use designation of the project site, as well as the underlying zoning, is Urban Mixed-Use South (MU-S). This designation allows a mixture of uses including office, hotels, and retail. Light industrial uses are allowed with discretionary approval.

B. The project is consistent with several General Plan Land Use Element Goals, Policies, and Objectives. Goal LU4 states: “Provide a stable tax base for the City through development of new commercial uses, primarily within a mixed-use environment, without adversely affecting the viability of Downtown.” The project is consistent with this goal, in that any additional outdoor dining area within the mixed use environmental of the Beach Cities Plaza will benefit all the businesses in the immediate vicinity. In addition, the distance of the subject site from the Downtown will minimize any potential impact on the Downtown businesses.

C. The project is also consistent with Goal LU5, which states: “Retain and attract clean and environmentally safe industrial uses that provide a stable tax base and minimize any negative impact on the City.” The additional outdoor dining area at the Beach Cities Plaza will be an additional amenity available to all the industrial uses in the Continental Park development and the immediate vicinity.

Page 1
D. The project is also consistent with several General Plan Economic Development Element Goals, Policies, and Objectives. Specifically, Goal ED1 – Economic Base states: “To create in El Segundo a strong, healthy economic community in which all diverse stakeholders may benefit.” The additional outdoor dining area in the mixed use environmental of the Beach Cities Plaza will benefit all the businesses in the Plaza, the Continental Development Park by providing an additional amenity for employees and patrons of those businesses. As a result, the City’s economic tax base will be strengthened (Policy ED1-2.2).

SECTION 4: Zoning Consistency. The proposed project is consistent with the zoning regulations of the ESMC as follows:

A. The project is consistent with the purpose of the zoning regulations in that the Beach Cities Plaza Precise Plan and the underlying Urban Mixed-Use South (MU-S) Zone permit outdoor dining uses.

B. Any new or expanded outdoor dining areas at the Beach Cities Plaza must comply with the development standards of the Precise Plan and the Urban Mixed-Use South (MU-S) Zone.

C. There is adequate parking capacity on and offsite to accommodate new or expanded outdoor dining areas in that the current uses at Beach Cities Plaza require 955 parking spaces and the development provides 1,416 parking spaces in two parking structures and two surface parking lots.

SECTION 5: Section 2.0 of the Beach Cities Plaza Precise Plan (Development Plan) is amended to read as follows:

"INTRODUCTION

The Beach Cities Plaza Development Plan provides for the development of approximately 6.03 acres. The Development Plan is provided as Exhibit 3, Elevations Exhibit 4, and the Circulation Plan as Exhibit 5, and as detailed in the full scale drawings on file in the Planning Division.

DEVELOPMENT PLAN

Permitted Uses

Permitted Uses in the Beach Cities Plaza Precise Plan are as established by the Urban Mixed-Use South (MU-S) Zone (ESMC § 15-5F-2). Additionally, the following uses are permitted subject to review and approval of the Director of Planning and Building Safety:
1. Incidental uses such as permanent tables, chairs, signs outdoor retail operations, push carts, kiosks, and other similar outdoor amenities, provided each use is located in the area designated for incidental uses on the Development Plan (Exhibit 3).

2. Additional uses such as outdoor dining.

* * *

SECTION 6: Sections 2.0 (Development Plan), 3.0 (Development Standards), and 4.0 (Administration) of the Beach Cities Plaza Precise Plan are amended to read as follows:

"All references in the Beach Cities Plaza Precise Plan to ESMC Sections in Chapter 20.38 – Urban Mixed-Use South (MU-S) Zone, Chapter 20.72 - Administrative Determinations, and Chapter 20.80 – Adult Use Zoning Regulations are amended to refer to the corresponding Sections in ESMC Title 15 Chapter 5 – Commercial Zones, Article F – Urban Mixed Use South (MU-S) Zone, Chapter 13 – Adult Use Zoning Regulations, and Chapter 22 – Administrative Determinations."

SECTION 7: Reliance On Record. Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8: Limitations. The City Council’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council’s lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the city’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 9: Summaries of Information. All summaries of information in the findings which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 10: Construction. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council’s intent that the
provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 11: Enforceability. Repeal of any provision of the ESMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 12: Validity of Previous Code Sections. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 13: 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 14: 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 15: This Ordinance will remain effective until superseded by a subsequent ordinance.
SECTION 16: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this 16th day of August, 2011.

__________________________
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. 1463 was duly introduced by said City Council at a regular meeting held on the 2nd day of August, 2011, 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 16th day of August, 2011, and the same was so passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

__________________________
Cindy Mortesen, City Clerk

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

By: _____________________________
Karl H. Berger, Assistant City Attorney

P:\Planning & Building Safety\0 Planning - Old PROJECTS (Planning)\901-925\EA-921\City Council 08 16 2011\EA 921 Beach Cities Plaza Ordinance 08162011.doc

Page 5
Consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 47 Alcoholic Beverage Control License) at Jackson's Food and Drink located at 2041 Rosecrans Avenue # 190. (Fiscal Impact: N/A)

RECOMMENDED COUNCIL ACTION:
1. Receive and file this report without objecting to a new Type 47 ABC license at 2041 Rosecrans Avenue # 190; and/or,
2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Crime and Arrest Statistics by Reporting Districts (RD)
2. Police Reporting Districts Map
4. Approval Letter to Applicant dated July 21, 2011

FISCAL IMPACT: None

<table>
<thead>
<tr>
<th>Amount Budgeted:</th>
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<tr>
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<td>Account Number(s):</td>
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</table>

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Planning and Building Safety Director
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:

I. Background

In 1995, the City Council directed staff to bring all future ABC licenses to it for review. For alcohol sales at restaurants, California regulations require a 30-day review and comment period after notifying local police and planning departments. The grounds of a protest, if any, should relate to public health, safety or welfare concerns. Based upon previous Council direction, staff is providing background information regarding this application.
II. Analysis

According to the most recent Crime and Arrest statistics report (January – June 2011, Exhibit 1) prepared by the Police Department, the proposed restaurant is located in Reporting District (RD) 319. Based on 2011 reported data prepared by the Police Department, the district had a total of 13 Part I crimes (criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson), and 2 felony and misdemeanor arrests. The Reporting District is considered a high crime area with a total of 15 Part I crimes and all arrests for other crimes reported between January and June 2011. However, the Police Department and the Planning and Building Safety Department do not object to a new ABC license for the proposed restaurant.

This license request will allow the sale of beer, wine, and distilled spirits in conjunction with the operations of a restaurant. A request for a new license is required, because the applicant is expanding the alcohol service to include distilled spirits and is increasing the area that is licensed for alcohol service. The applicant’s proposed hours for alcohol sales will be the same as the hours the restaurant is open. The restaurant's hours of operation are limited to: 7:00 a.m. to 11:00 p.m. Mondays through Thursdays, 7:00 a.m. to 1:00 a.m. on Fridays, 10:00 a.m. to 1:00 a.m. on Saturdays, and 10:00 a.m. to 10:00 p.m. on Sundays.

On July 21, 2011, the Director of Planning and Building Safety approved an Administrative Use Permit application (EA No. 929, AUP No. 11-07) for 2041 Rosecrans Avenue # 190. The Director's decision was forwarded to the Planning Commission on July 28, 2011. On July 28, 2011, the Planning Commission chose to Receive and File the item with the conditions of approval.

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

III. Conclusion

Planning staff recommends that the Council receive and file this report without objecting to a new Type 47 ABC license at 2041 Rosecrans Avenue # 190.
<table>
<thead>
<tr>
<th>REPORTING DISTRICT</th>
<th>PART I CRIMES</th>
<th>FELONY/MISD ARRESTS</th>
<th>TOTAL</th>
<th>AVERAGE BY RD PERCENTAGE +/-</th>
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<td>323</td>
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<td>5</td>
<td>-44%</td>
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</tbody>
</table>

**TOTALS** 290 177 467

Number of Reporting Districts = 53
Average # of Part I Crimes per Reporting District = 5
Average # of Felony/Misdemeanor Part I Crime Arrests per Reporting District = 3
Average # of Crimes and Arrests per Reporting District = 9
(Results from 01/01/2011 through 06/30/2011)

High Crime Area per B&P Code Section 23958.4 = >20%
I. INTRODUCTION

The proposed project is a request for an Administrative Use Permit to allow the on-site sale and consumption of alcohol (Type 47 Alcoholic Beverage Control License) at a new restaurant that is replacing an existing restaurant. The restaurant is in an office building located at 2041 Rosecrans Avenue in the Beach Cities Plaza Precise Plan. The project also includes an interior remodel, an addition of 78 square feet to the building, and an expansion of 527 square feet to the existing outdoor dining patio. The Director made the necessary findings to grant an Administrative Use Permit for the on-site sale and consumption of alcohol and approved the Administrative Use Permit on July 21, 2011 (see Exhibit A).

II. BACKGROUND

Site Location

The project site (Beach Cities Plaza) is located in the western portion of Continental Park, which is a large office and industrial park. It is generally bounded on the
north by vacant land, on the south by Rosecrans Avenue, on the east by Nash Street, and on the west by heavy industrial uses. The subject restaurant is located in the northwest portion of an office/retail building at 2041 Rosecrans Avenue and faces a common plaza area between the office/retail building and a movie theater complex and a parking structure to the north.

**Surrounding Land Uses**

The following table lists the uses surrounding the subject site.

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site</td>
<td>Office, retail, restaurant, and movie theater</td>
<td>Beach Cities Plaza Precise Plan</td>
</tr>
<tr>
<td>North</td>
<td>Vacant Land</td>
<td>Commercial Center (C-4)</td>
</tr>
<tr>
<td>East</td>
<td>Office and Parking</td>
<td>Urban Mixed-Use South (MU-S)</td>
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<td>South</td>
<td>Office/Retail</td>
<td>Planned Development (PD)</td>
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<tr>
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<td>City of Manhattan Beach</td>
</tr>
<tr>
<td>West</td>
<td>Heavy Industrial</td>
<td>Commercial Center (C-4)</td>
</tr>
</tbody>
</table>

**Site Description**

The Beach Cities Plaza is approximately 6.03 acres (262,737 square feet). The development consists of the subject office/retail building at 2041 Rosecrans Avenue, a 15-screen movie theater at 831 South Nash Street, and a parking structure at 871 South Nash Street. The office/retail building contains 71,792 square feet of retail and office area, 8,872 square feet of indoor restaurant area and 1,733 square feet of outdoor dining area divided between two restaurants. The movie theater is approximately 65,000 square feet and contains a 760-square-foot café with 725 square feet of outdoor dining area. The outdoor dining areas for the restaurants and the café total 2,458 square feet and are located in an open plaza between the office/retail building and the theater. The plaza area has other amenities such as landscaping, benches, and trellis structures.

**III. ANALYSIS**

**Project Description**

The subject site is a commercial space currently occupied by a restaurant with outdoor dining and on-site service and consumption of beer and wine (Type 41
Alcoholic Beverage Control license). The existing restaurant currently has 1,366 square feet of non-dining area, 482 square feet of indoor dining area, and 461 square feet of outdoor dining area. In addition to expanded alcohol service (a Type 47 ABC permit which also allows distilled spirits), the proposed project includes the addition of 78 square feet of indoor dining area and 527 square feet of outdoor dining area for a total of 560 square feet of indoor dining area and 988 square feet of outdoor dining area. The proposed hours of operation are: 7:00 a.m. to 11:00 p.m. Mondays through Thursdays, 7:00 a.m. to 1:00 a.m. on Fridays, 10:00 a.m. to 1:00 a.m. on Saturdays, and 10:00 a.m. to 10:00 p.m. on Sundays.

The interior of the restaurant includes a main dining area and a bar area. The main dining area will contain 32 seats, the bar will contain 11 seats, and the outdoor dining area will contain 56 seats for a total of 99 seats. The following chart summarizes the proposed dining and seating areas:

<table>
<thead>
<tr>
<th>PROPOSED RESTAURANT</th>
<th>PROPOSED SQUARE FOOTAGE</th>
<th>NUMBER OF SEATS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor Dining/Bar</td>
<td>560 SF</td>
<td>43 seats</td>
</tr>
<tr>
<td>Outdoor Patio</td>
<td>988 SF</td>
<td>56 seats</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,548 net SF of seating area</strong></td>
<td><strong>99 seats</strong></td>
</tr>
</tbody>
</table>

Restaurants are a permitted use in the Beach Cities Plaza Precise Plan. The proposed use (on-site sale and consumption of beer, wine, and distilled spirits) requires an Administrative Use Permit (AUP) in accordance with El Segundo Municipal Code § 15-5F-4(C).

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

<table>
<thead>
<tr>
<th>PROPOSED RESTAURANT</th>
<th>PROPOSED SQUARE FOOTAGE - REQUIRED PARKING RATIO</th>
<th>REQUIRED PARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor Dining and Bar</td>
<td>560 net SF – 1 Space/75 SF</td>
<td>7.47 Parking Spaces</td>
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<tr>
<td>Non-dining area</td>
<td>1,366 SF – 1 Space/250 SF</td>
<td>5.46 Parking Spaces</td>
</tr>
<tr>
<td>Outdoor Patio</td>
<td>988 SF – 1 Space/75 SF*</td>
<td>10.51 Parking Spaces</td>
</tr>
<tr>
<td>Total</td>
<td>2,914 net SF</td>
<td>23 Parking Spaces**</td>
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</tr>
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* Pursuant to El Segundo Municipal Code § 15-15-6.A, parking for outdoor dining areas is required only for the portion that exceeds 200 square feet or 20 percent of the indoor dining area, whichever is less.

A total of 1,416 parking spaces are provided for the Beach Cities Plaza, 572 onsite on surface lots and the parking structure, and 844 in a parking structure across the street at 870 Nash Street. The total parking requirement for the uses at the Beach Cities Plaza, including the proposed restaurant will be 965 parking spaces. Therefore, the parking demand from the new restaurant will be adequately addressed by the available parking on the subject parcel and the offsite parking structure.

The restaurant dining hours of operation are limited to: 7:00 a.m. to 11:00 p.m. Mondays through Thursdays, 7:00 a.m. to 1:00 a.m. on Fridays, 10:00 a.m. to 1:00 a.m. on Saturdays, and 10:00 a.m. to 10:00 p.m. on Sundays. The outdoor patio would be open the same hours as the restaurant. Any change to the hours of operation is subject to review and approval by the Director of Planning and Building Safety.

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

IV. INTER-DEPARTMENTAL COMMENTS

The project applications and plans were circulated to the Police Department, Fire Department and Building Division for review. The Departments submitted comments which have been incorporated in the approval letter (See Exhibit A).

V. CONCLUSION

Planning staff recommends that the Planning Commission Receive and File Administrative Use Permit No. 11-07.

VI. EXHIBITS

A. Administrative Use Permit No. 11-07 Approval Letter, dated July 21, 2011.
B. Applications
C. Plans
Prepared by: Paul Samaras, Principal Planner

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

Greg Carpenter, Director
Department of Planning & Building Safety
July 21, 2011

Scott Cooper
DPS Foodworks, LLC
4718 Darien Street
Torrance, CA 90503

RE: Environmental Assessment No. EA-929 and Administrative Use Permit (AUP) No. 11-07
On-Site Sale and Consumption of Beer, Wine, and Distilled Spirits (Type 47 State of California Alcoholic Beverage Control License) in Conjunction with the Operation of a New Restaurant (Jackson’s Food and Drink)
Address: 2041 Rosecrans Avenue, Suite 190, El Segundo CA

Dear Mr. Cooper:

In accordance with El Segundo Municipal Code ("ESMC") Chapter 15-22, the Planning Division reviewed your application for the above-referenced project and the Director of Planning and Building Safety Department APPROVED Environmental Assessment No. EA-929 and Administrative Use Permit No. 11-07 for the on-site sale and on-site consumption of beer and wine at 2041 Rosecrans Avenue, Suite 190. The following are the findings and facts in support of each finding for this decision:
FINDINGS AND FACTS IN SUPPORT OF FINDINGS:

Environmental Assessment No. EA-929

Finding 1

- The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities) and § 15311 as a Class 11 (Accessory Structures).

Facts in Support of Finding 1

1. The applicant proposes to sell beer and wine for on-site consumption at a new restaurant replacing an existing restaurant. The existing restaurant currently has 1,336 square feet of non-dining area, 482 square feet of indoor dining area, and 461 square feet of outdoor dining area. The proposed project includes an addition of 78 square feet of indoor dining area and 527 square feet of outdoor dining area for a total of 560 square feet of indoor dining area and 988 square feet of outdoor dining area. The property is in an urbanized area where it has adequate access and all public services and facilities are available. The site is currently developed as the Beach Cities Plaza, with 83,000 square feet of office, retail, and restaurant uses, and a 65,000 square-foot theater complex. The site is in an area that is not environmentally sensitive and has no value as habitat for endangered, rare, or threatened species. Therefore, the project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality.

Administrative Use Permit 11-07

Finding 1

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

Facts in Support of Finding 1

1. The applicant proposes to provide on-site sale and consumption of beer and wine in a new restaurant that is replacing an existing restaurant. The restaurant will be located in an existing building at 2041 Rosecrans Avenue in the Beach Cities Plaza Precise Plan. The restaurant will have approximately 1,818 square feet of interior space and 988 square feet of outdoor dining space. The restaurant will contain 43 seats in the indoor dining area, including 11 seats in the bar area, and 56 seats in the outdoor dining area for a total of 99 seats. The
outdoor dining area is proposed along the north and east sides of the building with direct access from the restaurant interior.

2. The minimum number of required parking spaces for the restaurant and patio is 23 parking stalls which will be provided on-site.

3. The General Plan Land Use designation for the site is Urban Mixed-Use South. The site is Beach Cities Plaza Precise Plan. Restaurants are permitted in the Beach Cities Plaza Precise Plan and on-site sale and consumption of alcohol is permitted with the approval of an Administrative Use Permit.

4. The surrounding land uses include: commercial retail, restaurant, office, and movie theater uses. These uses are permitted in the Beach Cities Plaza Precise Plan. The proposed restaurant will be similar and compatible with the surrounding uses.

5. The restaurant must obtain a State of California Alcohol and Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 47).

6. On July 28, 2011, the El Segundo Planning Commission is scheduled to Receive and File the Administrative Use Permit request.

Finding 2

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

Facts in Support of Finding 2

1. The General Plan Land Use designation for the site is Urban Mixed-Use South.

2. The site is located in the Beach Cities Plaza Precise Plan. Restaurants are a permitted use in the Precise Plan. The proposed use (on-site sale and consumption of beer, wine, and distilled spirits at a new restaurant) requires an Administrative Use Permit in accordance with ESMC § 15-5F-4(C).

3. The purpose of the Beach Cities Plaza Precise Plan is to provide for a more efficient use of land and a better community environment by utilizing more imaginative and innovative planning concepts than are possible under conventional zoning. The precise plan was established to provide specific land uses, and density and intensity limitations on this property. The proposed use is consistent with this purpose of the zone in that restaurants are permitted uses and outdoor dining uses are permitted with approval of an Administrative Use Permit (AUP) in the Precise Plan.
4. The proposed use is consistent with the Land Use Element in that the Urban Mixed-Use South Land Use Category is intended to permit a mixture of office, research and development, retail, and hotel uses.

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

6. The proposed use is consistent with Land Use Element Objective LU4-1 in that it promotes the development of high quality retail facilities in proximity to major employment centers.

7. The proposed use is consistent with Land Use Element Objective LU4-4 in that it adds to the mixture of uses, which has the potential to maximize economic benefit, reduce traffic impacts and encourage a pedestrian environment.

8. The surrounding land uses include: commercial retail, restaurant, office, a movie theater, and industrial uses. The proposed restaurant will be compatible with the surrounding uses.

Finding 3

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

Facts in Support of Finding 3

1. The restaurant will be located inside an existing commercial building and will be constructed in accordance with all applicable codes and regulations. New construction is proposed as part of the current request for the alcohol license, but will be limited to a 78-square-foot building addition, interior remodeling, and an expansion of the outdoor dining patio. Sufficient parking will be provided on-site and on a neighboring parcel in compliance with ESMC Chapter 15-15.

2. The surrounding land uses include commercial retail, restaurant, office, a movie theater and industrial uses. The proposed restaurant and on-site consumption of beer and wine is a permitted use within the Beach Cities Plaza Precise Plan.

3. The new restaurant will include a 560 square-foot indoor dining area and a 988 square-foot outdoor dining patio.

4. The restaurant dining hours of operation are limited to: 7:00 a.m. to 11:00 p.m. Mondays through Thursdays, 7:00 a.m. to 1:00 a.m. on Fridays, 10:00 a.m. to 1:00 a.m. on Saturdays, and 10:00 a.m. to 10:00 p.m. on Sundays. The outdoor
dining patio would be open the same hours as the restaurant. No live entertainment is proposed and the restaurant will be required to meet the noise and vibration requirements of ESMC § 7-2-1. The proposed hours are similar to other businesses in the immediate vicinity. Therefore, the proposed restaurant, including the outdoor dining area will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

**Finding 4**

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

**Facts in Support of Finding 4**

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

2. The proposed hours of operation and alcohol sales are limited to: 7:00 a.m. to 11:00 p.m. Mondays through Thursdays, 7:00 a.m. to 1:00 a.m. on Fridays, 10:00 a.m. to 1:00 a.m. on Saturdays, and 10:00 a.m. to 10:00 p.m. on Sundays. These hours also apply to the outdoor patio. The proposed restaurant is located in a predominantly commercial area that is not adjacent to any residential uses, which will minimize noise impacts on sensitive uses.

3. The proposed restaurant will provide adequate parking on-site and on a neighboring parcel. In addition, the restaurant is located on the street level within an existing office complex and adjacent to a movie theater, which will make it accessible by pedestrians on site and limit the vehicular traffic to and from the site.

4. In addition to complying with the requirements of the City of El Segundo and the State of California Department of Alcoholic Beverage Control the restaurant is subject to County Health Department regulations that address and monitor impacts of fumes and odors.

**Finding 5**

- The State Department of Alcoholic Beverage Control has issued or will issue a license to sell alcohol to the applicant.
Facts in Support of Finding 5

1. The applicant must obtain a license from the State of California Department of Alcoholic Beverage Control (Type No. 47).

DIRECTOR OF PLANNING AND BUILDING SAFETY DEPARTMENT ACTION

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

1. The restaurant dining hours of operation are limited to: 7:00 a.m. to 11:00 p.m. Mondays through Thursdays, 7:00 a.m. to 1:00 a.m. on Fridays, 10:00 a.m. to 1:00 a.m. on Saturdays, and 10:00 a.m. to 10:00 p.m. on Sundays. The outdoor patio would be open the same hours as the restaurant. Food service must be available in the indoor dining area and the outdoor patio during the dining hours. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety.

2. The seating within the restaurant is limited to 43 indoor dining seats, including 11 bar seats, and the outdoor patio must not exceed 56 seats. The restaurant may contain a combined total of 99 seats.

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

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

5. The applicant must obtain and maintain all licenses required by the Alcoholic Beverage Control Act (Business & Professions Code §§ 23300 et seq.). The applicant must obtain and maintain a Type 47 license.

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

7. The Planning and Building Safety Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may be cause to schedule a hearing before the Planning Commission regarding the status of the administrative use permit.
8. The applicant must comply with all regulations of the Alcoholic Beverage Control Act and the regulations promulgated by the Alcoholic Beverage Control Board including, without limitation, the regulations set forth in 4 Cal. Code of Regs. §§ 55, et seq.

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

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

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

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

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

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

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

   c. The ABC-licensed proprietors must have confirmed with the Planning and Building Safety Department within fifteen (15) days of the Director's decision, or by final project approval, that a date certain has been scheduled within the local ABC Office to complete the LEAD course.
d. Within thirty (30) days of taking said course, the employees, or responsible employer must deliver each required certificate showing completion to the Police Department.

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

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

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

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

18. The building and any outdoor seating must comply with the applicable requirements of the 2010 California Building and Fire Code, and the 2009 International Fire Code, as adopted by the ESMC, and with El Segundo Fire Department Regulations, including disabled access compliance.

19. The applicant must provide the following conditions for the fire feature:

   a. A barrier must be provided around the fire feature to prevent accidental access into the fire feature.

   b. The distance between the fire feature and combustible material and furnishings must meet the fire feature's listing and manufacturer's requirements.

   c. If the fire feature's protective barrier exceeds ambient temperatures, all exit paths and occupant seating must be a minimum 36 inches from the fire feature.

20. Before the City issues a building permit for the project, the applicant must submit plans for review and approval that address the El Segundo Police Department's requirements for security cameras and a safe.

21. Approval of Environmental Assessment No. 929 and Administrative Use Permit No. 11-07 is contingent upon, and will be effective 30 days after, approval of Environmental Assessment No. 921 and Precise Plan Amendment No. 11-01.

22. The Applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees),
injuries, or liability, arising from the City's approval of Environmental Assessment No. 929 or Administrative Use Permit No. 11-07. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of EA-929 or AUP 11-07, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.

**PLANNING COMMISSION**

This determination is scheduled to be received and filed by the Planning Commission at its July 28, 2011 meeting. Please be advised that this does not conclude the review process. The City Council will determine whether or not to protest the issuance of the ABC License (Type 47) at its meeting on August 16, 2011.

Should you have any questions, please contact Paul Samaras, Principal Planner, at (310) 524-2312.

Sincerely,

Greg Carpenter, Director
Department of Planning and Building Safety
APPLICATION FOR AN ADMINISTRATIVE USE PERMIT

Environmental Assessment No: 929 AUP No: 11-02

Date: July 7, 2011

Applicant: DPS Foodworks, LLC (dba) Jackson's Food and Drink
Name (print or type) 4718 Darien Street
Address Torrance, CA 90503
City/St/Zip

Check One: Owner X Lessee

Property Owner:
Continental Rosecrans Nash, LLC
Name (print or type) 2041 Rosecrans Avenue, Suite 200
Address El Segundo, CA 90245
City/St/Zip

Representative of applicant: (i.e., attorney, expeditor, etc.)
Toni Reina, Planning Manager Continental Development Corporation
Name (print or type) 2041 Rosecrans Avenue, Suite 200
Address El Segundo, CA 90245
City/St/Zip

(310) 617-0500 Phone scott@jacksonsfoodanddrink.com Email

Signature

(310) 640-1520 Phone 310-524-0864 Fax arose@continentaldevelopment.com Email

Signature

Toni Reina, Planning Manager

Alex J. Rose, Senior Vice President

Planning and Building Safety
350 Main Street
El Segundo, CA 90245
(310) 524-2344; FAX: (310) 322-4167
www.elsegundo.org
Architect/Engineer:
Michael Smith
Name (print or type)
8629 Forsythe St.
Address
Sunland, CA 91040
City/St/Zip
Phone
(818) 951-1357
Fax
mjohnsmith@ca.rr.com
Email
Signature

Property situated at:
2041 Rosecrans Avenue & 831-871 S. Nash Street - See attached legal description
(Exact legal description. Provide attachment, if necessary).

General location:
2041 Rosecrans Avenue
between Rosecrans Avenue and Park Place
Address (Street/Avenue) (Street/Avenue)

Zoning: Mu-S
General Plan Land Use Designation: Urban Mixed-Use South

Article F/Sections 15-5F-1, 15-5F-2, and 15-5F4. Chapter 15, and Chapter 22 pertaining to sale
consumption of alcohol at a restaurant.

Request: Under the provisions of Section 15-22-3 of the El Segundo Municipal Code, application for
consideration of an Administration Use Permit for the above described property.

1. Describe in detail the entire proposed project (type of construction, materials to be used, uses involved, i.e.,
bank, general office, industrial, restaurant, etc.) buildings, and other equipment necessary to the project.
The proposed project "Jackson's" will be a full-service restaurant, including the sale and
service of a full line of alcoholic beverages for on-site consumption. The proposed restaurant
will be occupying an existing tenant space which currently houses Taiko Restaurant, which is
permitted to serve beer and wine for on-site consumption. In addition to occupying the current
tenant space, Jackson's will complete a small increase of the existing patio/outdoor dining area.
See project plans labeled Overall Property Plan, Focused Site Plan, and Floor Plan attached hereto.

2. Describe the existing development on the site (include square footages and uses of each building).
Existing development at 2041 Rosecrans Avenue consists of a 3-story, 83,000 square foot commercial
building containing office, retail, and restaurant uses with alcohol service and outdoor dining. The proposed
restaurant will occupy Suite 190, currently occupied by another restaurant use which holds a Type 41 Alcoholic
Beverage Control License. The site also contains a 65,000 square foot multiplex theater with a cafe and outdoor
dining, a common area plaza, and related parking facilities.
3. Explain in detail why this particular site is especially suited for the proposed development and how it is compatible with the purpose of the zone.

The existing building, uses and development standards were approved in 1972 under a Precise Plan (PP12-72) as amended. The site is located within the General Plan Urban-Mixed Use South land use area and is zoned Mixed-Use South (MU-S). The purpose of the MU-S zone is to provide areas where a mixture of compatible office, commercial, retail, hotel, and food serving uses can develop in a mutually beneficial manner.

The site has operated successfully as a mixed-use commercial center with office, retail, restaurant, and a multi-plex theater for approximately fourteen years. The proposed restaurant will be a compatible addition to the site.

4. Describe how the proposed project relates to the development of adjacent properties and the immediate area and will not have detrimental effects to the adjacent properties or neighborhood.

The proposed restaurant with outdoor dining and alcohol service will conform with the development standards of the General Plan and Zoning Code. Sufficient parking is provided as indicated on the attached Parking Summary labeled Exhibit A. The proposed restaurant is consistent with the quality of restaurants in the immediate area and the Applicant will operate the proposed restaurant in a conscientious manner with a sensitivity to building occupants and adjacent properties and will not have detrimental effects on the adjacent properties or neighborhood.

5. Describe the requested hours of operation of the proposed use/uses. Please list hours for each use if there are multiple uses on the site. If the application is for an alcohol permit, please also clarify if any entertainment is proposed and what are the requested hours of entertainment.

The project is a full service restaurant with the sale of a full line of alcohol for on-site consumption. The hours of operation are 7:00 AM to 11:00 PM Monday through Thursday, 7:00 AM to 1:00 AM Friday, 10:00 AM to 1:00 AM Saturday, 10:00 AM to 10:00 PM Sunday. Hours of alcohol sales will be the same as hours of operation. No entertainment is planned with the operation of the restaurant.

6. If the application is for an alcohol permit, please list the type of alcohol license you are requesting (i.e., Type 41, On-site Sale and Consumption of beer and wine).

Applicant is requesting a Type #47 ABC License which allows the On-site sale and consumption of a full-line of alcoholic beverages in conjunction with the operation of a restaurant. The current tenant of the space operated with a Type #41 ABC License which permits the sale of beer and wine for on-site consumption within a restaurant.
NOTE: Separate Affidavits must be submitted if there are multiple owners.

OWNER'S AFFIDAVIT

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

Signature 7-7-11
Alex J. Rose, Senior Vice President

STATE OF CALIFORNIA, )
County of Los Angeles )ss.

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

WITNESS my hand and official seal.

Notary Public in and for said County and State

[Signature] Seen attached.
OWNER'S AUTHORIZATION
Continental Development Corporation and

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

[Signature]
Owner's Signature
Alex J. Rose, Senior Vice President

7-7-11
Date

APPLICANT AFFIDAVIT

DOS FOODWORKS, LLC (DBA)

I (we) Jackson's Food & Drink am (are) the APPLICANT(S) of the property involved in this application; I (we) have familiarized myself (ourselves) with the rules and regulation of the City of El Segundo with respect to preparing and filing this application; and the information documents and all plans is true and correct to the best of my (our) knowledge and belief.

[Signature]
Applicant's Signature
Scott Cooper

7-7-11
Date
Procedures for filing application

Submit the application with the signatures of the owner/owners of the property owner(s) and applicant(s) to the Planning Division along with the following documents:

1. Submit the properly completed application to the office of the Planning Division. Signature of the owner, owners, lessee, and/or agent shall be notarized before a Notary Public.

2. File application property completed in the office of the Planning and Building Safety Dept. along with completed Initial Study Applicant Questionnaire. Signature of the owner/owners, lessee (if applicant), and/or agent shall be required on all applications.

3. Applicant shall provide all information, drawings, and other materials as requested by the Planning Department as indicated.

4. Pay filing fee. (see fee schedule)

5. Applicant and affected property owners will be notified of time of hearing.

6. Applicant must be present at the hearing and may offer additional evidence to support his/her support.

7. There shall be an additional fee for filing an appeal.

8. A map of all properties within a 300-foot radius of the subject property, keyed to a list of names and address of the current property owner(s). Planning Staff can assist in the preparation of the radius map. The names and addresses of the property owner(s) can be obtained by contacting: Los Angeles County Assessors Office, 24330 Narbonne Avenue, Lomita, California. Phone number: (310) 534-6100.

9. Certification that the names and addresses provided are those of the property owner(s) currently listed in the latest available Tax Assessor's records. (Your hearing may be delayed if an excessive number of notices are returned).

10. Unaddressed business envelopes with no return address, stamped with first class postage, of sufficient number to contact every property owner within the 300-foot radius map. The subject property owner(s), the applicant(s), and any other interested party which the applicant wants notified (sufficient for two mailings).

11. Two sets of adhesive mailing labels and one copy of a list of names and addresses, both keyed into the radius map in item #1 with the names and addresses of every person indicated in item #3.

12. Provide eight (8) sets of plans (site plans, floor plans, and elevations), preliminary title report (new construction only), and all other information request by the Planning Division. All plans must be folded to a maximum of 8 ½” x 11”.

13. Signature page of application must be notarized, as noted on the fee schedule.

14. Fish and Game Document Handling fee - $75.00 (all projects). County of Los Angeles Public Hearing Notice posting fee - $75.00 (for projects with an Initial Study and Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report. Not required for projects which are exempt from CEQA). Two separate checks, each made payable to the County of Los
Angeles.

15. Any other information as determined necessary by the Director of Planning and Building Safety.

16. Applicant will be notified within five (5) working days as to the completeness of application.

17. The Director of Planning and Building Safety will approve or deny the application within ten (10) working days from the date the application is deemed complete.

18. The Director's decision will be set for the next available agenda of the Planning Commission meeting as a receive and file item, and noticed through the Public Notice process. Any Planning Commission may request that an item be discussed. The decision of the Director is not final until received and finaled or acted upon by the Planning Commission or upheld on appeal.

<table>
<thead>
<tr>
<th>Planning Staff to complete</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date Received:</strong> 11/11/07</td>
</tr>
<tr>
<td><strong>Planner:</strong> (print name) Maria Ramirez</td>
</tr>
<tr>
<td><strong>Signature:</strong></td>
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Rev. 03-01-67
P:Planning & Building Safety\FORMS - PLANNING\APPLICATIONS\Revised Applications\My Revisions\Administrative Use Permit.doc
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Los Angeles

On July 7, 2011 before me, Ester M. Fungладda, Notary Public,
personally appeared Tony Reina and Alex J. Rose

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

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

WITNESS my hand and official seal.

Signature E. Fungладda

OPTIONAL

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

Description of Attached Document:
Title or Type of Document: Application for an Administration
Document Date: July 7, 2011 Number of Pages:
Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

□ Individual
□ Corporate Officer — Title(s):
□ Partner — □ Limited □ General
□ Attorney in Fact
□ Trustee
□ Guardian or Conservator
□ Other:

Signer Is Representing: ____________________________

□ Individual
□ Corporate Officer — Title(s):
□ Partner — □ Limited □ General
□ Attorney in Fact
□ Trustee
□ Guardian or Conservator
□ Other:

Signer Is Representing: ____________________________

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On July 7, 2011 before me, Ester M. Fungladda, Notary Public personally appeared

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

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

WITNESS my hand and official seal.

Signature

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Application for an Administrative Use Permit

Document Date: July 7, 2011 Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: □ Individual
□ Corporate Officer — Title(s):
□ Partner — □ Limited □ General
□ Attorney in Fact
□ Trustee
□ Guardian or Conservator
□ Other: ________________________________

Signer Is Representing: ________________________________

Signature of Notary Public

© 2007 National Notary Association 8350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91311-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6627
(2041 Rosecrans Avenue)

Parcel 2 of Parcel Map No. 7057, in the City of El Segundo, County of Los Angeles, State of California, as shown on map filed in Book 72, page 36 of Parcel Maps in the office of the County Recorder of said County of Los Angeles, State of California.

(831 - 871 S. Nash Street)

Parcel 1 together with that portion of Parcel 2 of Parcel Map No. 7057, in the City of El Segundo, County of Los Angeles, State of California, as shown on map filed in Book 72, page 36, of Parcel Maps in the office of the County Recorder of said County of Los Angeles, State of California.

APN #: 4138-015-027 & 4138-015-029
## Exhibit “A”
Beach Cities Plaza Parking Summary
Revised 6/23/11

<table>
<thead>
<tr>
<th>Building Address &amp; Use</th>
<th>Net Floor Area/Square Feet</th>
<th>S.F. Proposed</th>
<th>ESMC Parking Ratio (Ord. No. 1444)</th>
<th>Parking Spaces Required</th>
<th>Parking Spaces Provided</th>
<th>Surplus Parking Spaces</th>
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</thead>
<tbody>
<tr>
<td>2041 Rosecrans</td>
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<td></td>
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</tr>
<tr>
<td>Retail / Office</td>
<td>25,000</td>
<td>1 space per 300 s.f.</td>
<td>83.33</td>
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<td>25,000</td>
<td>1 space per 350 s.f.</td>
<td>71.42</td>
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<td>21,792</td>
<td>1 space per 400 s.f.</td>
<td>54.48</td>
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<td>71,792</td>
<td>1 space per 75 s.f.</td>
<td>118.29</td>
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<td>Restaurant excluding existing outdoor dining</td>
<td>8,872</td>
<td>1 space per 75 s.f.</td>
<td>118.29</td>
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<td>Total Net Building Area</td>
<td>80,664</td>
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<tr>
<td>Outdoor dining area</td>
<td>1,733</td>
<td>1 space per 75 s.f.</td>
<td>23.11</td>
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<tr>
<td>831 Nash Street</td>
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</tr>
<tr>
<td>Theater café including outdoor dining</td>
<td>760</td>
<td>1 space per 75 s.f. (-200 s.f. allowed by right)</td>
<td>17</td>
<td></td>
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<tr>
<td>ArcLight Theater Remodeled Auditorium</td>
<td>2,349 seats</td>
<td>1 space for every 4 fixed seats</td>
<td>587.25</td>
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<td>831 Nash surface parking lot</td>
<td></td>
<td></td>
<td></td>
<td>177</td>
<td></td>
<td></td>
</tr>
<tr>
<td>871 Nash Parking Structure &amp; surface parking</td>
<td></td>
<td></td>
<td></td>
<td>395</td>
<td></td>
<td></td>
</tr>
<tr>
<td>870 Nash Parking Structure (joint use)</td>
<td></td>
<td></td>
<td></td>
<td>572</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current Parking Demand &amp; Capacity Totals</td>
<td></td>
<td></td>
<td></td>
<td>844</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: City Council Resolution No. 4139 adopted 11/3/99 increased the total amount of permitted outdoor dining area from 1,200 s.f. to 2,500 s.f. and revised the required parking from 1,330 parking spaces to 1,066 parking spaces with a theater capacity of 3,391 seats @ 1 parking space per 3 seats.
# City of El Segundo

## ENVIRONMENTAL CHECKLIST

**Environmental Assessment No:** 929  
**Date:** July 7, 2011

### BACKGROUND

1. **Project Title:** Jackson's Food and Drink Administrative Use Permit for a Type 47 Alcoholic Beverage Control License
2. **Project Location:** 2041 Rosecrans Avenue, Suite 190  
   El Segundo, CA 90245

### Applicant

<table>
<thead>
<tr>
<th>Name (print or type)</th>
<th>Phone</th>
<th>Fax</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>DPS Foodworks LLC</td>
<td></td>
<td></td>
<td><a href="mailto:Scott@jacksonsfoodanddrink.com">Scott@jacksonsfoodanddrink.com</a></td>
</tr>
<tr>
<td>Address</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4718 Darien St.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City/St/Zip</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Torrance, CA 90503</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Signature:**

### Property Owner

<table>
<thead>
<tr>
<th>Name (print or type)</th>
<th>Phone</th>
<th>Fax</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continental Rosecrans Nash, LLC</td>
<td>310-640-1520</td>
<td>310-524-0864</td>
<td><a href="mailto:aroso@continentaldevelopment.com">aroso@continentaldevelopment.com</a></td>
</tr>
<tr>
<td>Address</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2041 Rosecrans Avenue, Suite 200</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>El Segundo, CA 90245</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Signature:**

City of El Segundo Initial Study Applicant Questionnaire
5. **Representative of applicant:** (i.e., attorney, expeditor, etc.)
   
   Toni Reina, Planning Manager  
   Continental Development Corporation

   **Name (print or type)**  
   2041 Rosecrans Avenue, Suite 200

   **Address**  
   El Segundo, CA 90245

   **City/St/Zip**

6. **Architect/Engineer:**
   
   Michael J. Smith

   **Name (print or type)**  
   8629 Forsythe St.

   **Address**  
   Sunland, CA 91040

   **City/St/Zip**

---

**Property situated at:**

See attached legal description.

**General location:**

2041 Rosecrans Avenue & 831 - 871 South Nash Street  
between Rosecrans Avenue and Park Place

**Address (Street/Avenue)**

**Existing Zoning:**

MU-S  
**General Plan Land Use Designation:** Urban Mixed-Use South

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II. **PROJECT INFORMATION**

1. **Site Area:** 6.035 acres  
   **Bldg Area:** 147,397 SF  
   **Bldg. Height:** *  
   **No. Floors:** 3

   **Floor Area Ratio (FAR):** 0.66  
   **Percent of lot coverage by structures:** 45%

2. **Total no. employees:** 25  
   **Max. per shift:** 15  
   **Days/Hours of operation:**

3. **Number of on-site parking spaces provided:** 572

4. **Proposed construction scheduling:** Proposed completion, September 2011

5. **Will any permits (including a Hazardous Materials Business Plan) be required from agencies other than the City? (please explain)**

   No such permits are required.

6. **Will the project use, store, or dispose of potentially hazardous chemicals, materials, toxic substances, flammables or explosives? (please explain)**

   No.

---

If yes to either 5 or 6 please describe in detail on a separate sheet.

City of El Segundo Initial Study Applicant Questionnaire
7. Existing land uses of the subject site and surrounding properties:

Subject property: Office, retail service type facilities including restaurants, multiplex theater, parking & plaza
North: RR / vacant land / retail - Plaza El Segundo shopping center
East: Office / restaurant / parking
South: Office / hotel
West: Industrial

8. Physical Site:

Will the project modify existing natural features? No
Estimated cubic yards of grading involved in the project: Cut= 0 Fill= 0

9. Other public agencies whose approval is required: (e.g., permits, financing, approval or participation agreement, etc.) A license is being applied for with the Dept. of ABC.

III. ENVIRONMENTAL SETTING

1. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical, or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach and label photographs of the site and surrounding area. The site is in a highly urbanized area. Existing structures consist of a 3-story office /retail building with restaurant uses, a 4-level parking structure, a 16-screen multiplex theater, a decorative plaza which includes landscaping, a water feature, and a trellis with outdoor seating. Topography is flat and soils are stable. Landscaping consists of trees, shrubs, and flowering plants. There are no known cultural, historical or scenic aspects and animals do not currently inhabit the site. Please see attached photos of the site.

2. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach and label photographs of the site and surrounding area.

The surrounding properties consist of office, commercial, theater, restaurant, and retail uses. A 5-story office building occupied by a credit union and the Manhattan Marketplace Retail center are located to the south across Rosecrans. Beyond the credit union is the Marriott Hotel. Land uses to the east consist of medium scale office and parking. The ATSF railroad, vacant land, and the Plaza El Segundo Shopping Center lie to the north. The Applicant is not aware of any cultural, historical, or scenic aspects associated with surrounding properties.
IV. ENVIRONMENTAL IMPACTS

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. No Impact.

☐ Aesthetics ☐ Agricultural Resources ☐ Air Quality
☐ Biological Resources ☐ Cultural Resources ☐ Geology/Soils
☐ Hazards & Hazardous Materials ☐ Hydrology/Water Quality ☐ Land Use/Planning
☐ Mineral Resources ☐ Noise ☐ Population/Housing
☐ Public Services ☐ Recreation ☐ Transportation/Traffic
☐ Utilities/Service Systems ☐ Mandatory Findings of Significance

EVALUATION OF IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. The checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." You must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
   a. Earlier Analyses Used. Identify and state where they are available for review.
   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. **Supporting Information Sources.** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. **The explanation of each issue should identify:**

   a. the significance criteria or threshold, if any, used to evaluate each question; and
   b. the mitigation measure identified, if any, to reduce the impact to less than significance.

**ISSUES**

A brief written explanation is required for all of your responses to the following questions except those checked “No Impact.” Your responses must be keyed to the corresponding question (e.g. a response to the first question should begin with “I a” followed by your narrative response).
<table>
<thead>
<tr>
<th>Issues:</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. AESTHETICS. Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a). Have a substantial adverse effect on a scenic vista?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ x</td>
</tr>
<tr>
<td>b). Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ x</td>
</tr>
<tr>
<td>c). Substantially degrade the existing visual character or quality of the site and surroundings?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ x</td>
</tr>
<tr>
<td>d). Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ x</td>
</tr>
<tr>
<td>II. AGRICULTURAL RESOURCES. In determining whether Impacts to agricultural resources are significant environmental Effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared By the California Dept. of Conservation as an optional model To use in assessing impacts on agriculture and farmland. Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a). Convert Prime Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared Pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-Agricultural use?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ x</td>
</tr>
<tr>
<td>b). Conflict with existing zoning or agricultural use, or a Williamson Act contract?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ x</td>
</tr>
<tr>
<td>c). Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ x</td>
</tr>
<tr>
<td>III. AIR QUALITY. Where available, the significance criteria Established by the applicable air quality management or air Pollution control district may be relied upon to make the Following determinations. Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a). Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ x</td>
</tr>
<tr>
<td>b). Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ x</td>
</tr>
<tr>
<td>Issues:</td>
<td>Potentially Significant Impact</td>
<td>Less than Significant Impact With Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
<td>No Impact</td>
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<td>-----------------------------------------------------------------------</td>
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</tr>
<tr>
<td>c). Result in a cumulatively considerable net increase of any criteria pollutant for which the project region nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑️</td>
</tr>
<tr>
<td>d). Expose sensitive receptors to substantial pollutant concentrations?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑️</td>
</tr>
<tr>
<td>e). Create objectionable odors affecting a substantial number of people?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑️</td>
</tr>
</tbody>
</table>

IV. BIOLOGICAL RESOURCES. Would the project:

a). Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐                             | ☐                                                        | ☐                           | ☑️        |

b). Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐                             | ☐                                                        | ☐                           | ☑️        |

c). Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐                             | ☐                                                        | ☐                           | ☑️        |

d). Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐                             | ☐                                                        | ☐                           | ☑️        |

e). Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐                             | ☐                                                        | ☐                           | ☑️        |

f). Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat Conservation plan? | ☐                             | ☐                                                        | ☐                           | ☑️        |
<table>
<thead>
<tr>
<th>Issues:</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>V. CULTURAL RESOURCES. Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a). Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the Public Resources Code?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
<tr>
<td>b). Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the Public Resources Code?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
<tr>
<td>c). Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
<tr>
<td>d). Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
<tr>
<td>VI. GEOLOGY AND SOILS. Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a). Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i). Rupture of a known earthquake fault, as defined on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
<tr>
<td>ii). Strong seismic ground shaking?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
<tr>
<td>iii). Seismic-related ground failure, including liquefaction?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
<tr>
<td>iv). Landslides?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
<tr>
<td>b). Result in substantial soil erosion or the loss of topsoil?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
<tr>
<td>c). Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
<tr>
<td>d). Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
<tr>
<td>e). Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒ x</td>
</tr>
</tbody>
</table>
VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a). Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ X</td>
</tr>
<tr>
<td>b). Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ X</td>
</tr>
<tr>
<td>c). Emit hazardous emissions or handle or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ X</td>
</tr>
<tr>
<td>d). Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ X</td>
</tr>
<tr>
<td>e). For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people working in the project area?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ X</td>
</tr>
<tr>
<td>f). For a project within the vicinity of a private air strip, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ X</td>
</tr>
<tr>
<td>g). Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ X</td>
</tr>
<tr>
<td>h). Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ X</td>
</tr>
</tbody>
</table>

VIII. HYDROLOGY AND WATER QUALITY. Would the project:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a). Violate any water quality standards or waste discharge requirements?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ X</td>
</tr>
<tr>
<td>b). Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land use or planned uses for which permits have been granted?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ X</td>
</tr>
</tbody>
</table>
### Issues:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>c).</td>
<td>Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>d).</td>
<td>Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in flooding on- or off-site?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>e).</td>
<td>Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage system or provide substantial additional sources or polluted runoff?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>f).</td>
<td>Otherwise substantially degrade water quality?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>g).</td>
<td>Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>h).</td>
<td>Place within a 100-year flood hazard area structures which would impede or redirect flood water?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>i).</td>
<td>Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</td>
<td>[ ]</td>
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<td>j).</td>
<td>Inundation by seiche, tsunami, or mudflow?</td>
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### IX. LAND USE AND PLANNING. Would the project:

| a). | Physically divide an established community? | [ ] | [ ] | [ ] | ☒x |
| b). | Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | [ ] | [ ] | [ ] | ☒x |
| c). | Conflict with any applicable habitat conservation plan or natural community conservation plan? | [ ] | [ ] | [ ] | ☒x |

### X. MINERAL RESOURCES. Would the project:

| a). | Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | [ ] | [ ] | [ ] | ☒x |
**Issues:**

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<tr>
<td>b)</td>
<td>Result in the loss of availability of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
<td>☐</td>
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**XI. NOISE:** Would the project result in:

a). Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standard of other agencies?

b). Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

c). A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

d). A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

e). For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

f). For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**XII. POPULATION AND HOUSING:** Would the project:

a). Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

b). Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

c). Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?
XIII. PUBLIC SERVICES. Would the project:

a). Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

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<th>Service</th>
<th>Potentially Significant Impact</th>
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<tr>
<td>Fire protection?</td>
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<td>Police protection?</td>
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<td>Schools?</td>
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<tr>
<td>Parks?</td>
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<td>Other public facilities?</td>
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XIV. RECREATION. Would the project:

a). Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b). Does the project include recreation facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?

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XV. TRANSPORTATION/TRAFFIC. Would the project:

a). Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?

b). Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

c). Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

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<td>d.</td>
<td>Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
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<td>e.</td>
<td>Result in inadequate emergency access?</td>
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<tr>
<td>f.</td>
<td>Result in inadequate parking capacity?</td>
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<td>g.</td>
<td>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?</td>
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### XVI. UTILITIES AND SERVICE SYSTEMS

**Would the project:**

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<tr>
<td>a.</td>
<td>Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
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<tr>
<td>b.</td>
<td>Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<td>c.</td>
<td>Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<td>d.</td>
<td>Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
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<td>e.</td>
<td>Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
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<tr>
<td>f.</td>
<td>Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
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<td>g.</td>
<td>Comply with federal, state, and local statutes and regulations related to solid waste?</td>
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</table>
XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a). Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

b). Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

c). Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
OWNER'S AFFIDAVIT

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

__________________________
Signature

__________________________
Date

Alex J. Rose, Senior Vice President

STATE OF CALIFORNIA, )
County of Los Angeles  )ss.

On this ______________day of ____________, 20___, before me, the undersigned Notary Public in and for said County and State, personally appeared ________________________, known to me to be the person whose name ________________________, subscribed to the within instrument, and acknowledged to me that he/she executed the same.

WITNESS my hand and official seal.

__________________________
Notary Public in and for said County and State

See attached.
AGENT AUTHORIZATION

Continental Development Corporation and
I hereby authorize Toni Reina to act for me/us in all matters relevant to this application. I understand that this person will be the exclusive contact on the project and will be sent all information and correspondence.

Owner's Signature:
Alex J. Rose, Senior Vice President

AGENT AFFIDAVIT

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

Toni Reina Signature 7-7-2011
Toni Reina, Planning Manager

STATE OF CALIFORNIA, )
County of Los Angeles )ss.

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

WITNESS my hand and official seal.

__________________________
Notary Public in and for said County and State

See attached.

City of El Segundo Initial Study Applicant Questionnaire 16 of 17
<table>
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<tr>
<th>Planning Staff to complete</th>
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<td>Date Received:</td>
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<td>Planner: (print name)</td>
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<td>Related Application Nos.</td>
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Legal Description

(2041 Rosecrans Avenue)

Parcel 2 of Parcel Map No. 7057, in the City of El Segundo, County of Los Angeles, State of California, as shown on map filed in Book 72, page 36 of Parcel Maps in the office of the County Recorder of said County of Los Angeles, State of California.

(831 - 871 S. Nash Street)

Parcel 1 together with that portion of Parcel 2 of Parcel Map No. 7057, in the City of El Segundo, County of Los Angeles, State of California, as shown on map filed in Book 72, page 36, of Parcel Maps in the office of the County Recorder of said County of Los Angeles, State of California.

APN #: 4138-015-027 & 4138-015-029
2041 Rosecrans – Suite 190 existing outdoor dining area.
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On July 7, 2011 before me, Ester M. Fungladda, Notary Public, personally appeared

Alex J. Rose
Toni Reina

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

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

WITNESS my hand and official seal.

Signature Ester M. Fungladda
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Environmental Checklist

Document Date: July 7, 2011 Number of Pages: 18 + Notary

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: 

☐ Individual
☐ Corporate Officer — Title(s): 
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other:

Signer Is Representing:


Signer's Name: 

☐ Individual
☐ Corporate Officer — Title(s): 
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other:

Signer Is Representing:


©2007 National Notary Association • 9333 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91311-2402 • www.NationalNotary.org Item #5967 Reorder: Call Toll-Free 1-500-676-8827
2041 Rosecrans valet area and Suite 190 entry and outdoor dining area.
2041 Rosecrans north elevation and outdoor plaza area.
July 21, 2011

Scott Cooper  
DPS Foodworks, LLC  
4718 Darien Street  
Torrance, CA 90503

RE: Environmental Assessment No. EA-929 and Administrative Use Permit (AUP) No. 11-07  
On-Site Sale and Consumption of Beer, Wine, and Distilled Spirits (Type 47 State of California Alcoholic Beverage Control License) in Conjunction with the Operation of a New Restaurant (Jackson's Food and Drink)  
Address: 2041 Rosecrans Avenue, Suite 190, El Segundo CA

Dear Mr. Cooper:

In accordance with El Segundo Municipal Code (“ESMC”) Chapter 15-22, the Planning Division reviewed your application for the above-referenced project and the Director of Planning and Building Safety Department APPROVED Environmental Assessment No. EA-929 and Administrative Use Permit No. 11-07 for the on-site sale and on-site consumption of beer and wine at 2041 Rosecrans Avenue, Suite 190. The following are the findings and facts in support of each finding for this decision:
FINDINGS AND FACTS IN SUPPORT OF FINDINGS:

Environmental Assessment No. EA-929

Finding 1

- The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities) and § 15311 as a Class 11 (Accessory Structures).

Facts in Support of Finding 1

1. The applicant proposes to sell beer and wine for on-site consumption at a new restaurant replacing an existing restaurant. The existing restaurant currently has 1,336 square feet of non-dining area, 482 square feet of indoor dining area, and 461 square feet of outdoor dining area. The proposed project includes an addition of 78 square feet of indoor dining area and 527 square feet of outdoor dining area for a total of 560 square feet of indoor dining area and 988 square feet of outdoor dining area. The property is in an urbanized area where it has adequate access and all public services and facilities are available. The site is currently developed as the Beach Cities Plaza, with 83,000 square feet of office, retail, and restaurant uses, and a 65,000 square-foot theater complex. The site is in an area that is not environmentally sensitive and has no value as habitat for endangered, rare, or threatened species. Therefore, the project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality.

Administrative Use Permit 11-07

Finding 1

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

Facts in Support of Finding 1

1. The applicant proposes to provide on-site sale and consumption of beer and wine in a new restaurant that is replacing an existing restaurant. The restaurant will be located in an existing building at 2041 Rosecrans Avenue in the Beach Cities Plaza Precise Plan. The restaurant will have approximately 1,818 square feet of interior space and 988 square feet of outdoor dining space. The restaurant will contain 43 seats in the indoor dining area, including 11 seats in the bar area, and 56 seats in the outdoor dining area for a total of 99 seats. The
outdoor dining area is proposed along the north and east sides of the building with direct access from the restaurant interior.

2. The minimum number of required parking spaces for the restaurant and patio is 23 parking stalls which will be provided on-site.

3. The General Plan Land Use designation for the site is Urban Mixed-Use South. The site is Beach Cities Plaza Precise Plan. Restaurants are permitted in the Beach Cities Plaza Precise Plan and on-site sale and consumption of alcohol is permitted with the approval of an Administrative Use Permit.

4. The surrounding land uses include: commercial retail, restaurant, office, and movie theater uses. These uses are permitted in the Beach Cities Plaza Precise Plan. The proposed restaurant will be similar and compatible with the surrounding uses.

5. The restaurant must obtain a State of California Alcohol and Beverage Contrcl (ABC) license for on-site sale and consumption of alcohol (Type 47).

6. On July 28, 2011, the El Segundo Planning Commission is scheduled to Receive and File the Administrative Use Permit request.

Finding 2

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

Facts in Support of Finding 2

1. The General Plan Land Use designation for the site is Urban Mixed-Use South.

2. The site is located in the Beach Cities Plaza Precise Plan. Restaurants are a permitted use in the Precise Plan. The proposed use (on-site sale and consumption of beer, wine, and distilled spirits at a new restaurant) requires an Administrative Use Permit in accordance with ESMC § 15-5F-4(C).

3. The purpose of the Beach Cities Plaza Precise Plan is to provide for a more efficient use of land and a better community environment by utilizing more imaginative and innovative planning concepts than are possible under conventional zoning. The precise plan was established to provide specific land uses, and density and intensity limitations on this property. The proposed use is consistent with this purpose of the zone in that restaurants are permitted uses and outdoor dining uses are permitted with approval of an Administrative Use Permit (AUP) in the Precise Plan.
4. The proposed use is consistent with the Land Use Element in that the Urban Mixed-Use South Land Use Category is intended to permit a mixture of office, research and development, retail, and hotel uses.

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

6. The proposed use is consistent with Land Use Element Objective LU4-1 in that it promotes the development of high quality retail facilities in proximity to major employment centers.

7. The proposed use is consistent with Land Use Element Objective LU4-4 in that it adds to the mixture of uses, which has the potential to maximize economic benefit, reduce traffic impacts and encourage a pedestrian environment.

8. The surrounding land uses include: commercial retail, restaurant, office, a movie theater, and industrial uses. The proposed restaurant will be compatible with the surrounding uses.

Finding 3

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

Facts in Support of Finding 3

1. The restaurant will be located inside an existing commercial building and will be constructed in accordance with all applicable codes and regulations. New construction is proposed as part of the current request for the alcohol license, but will be limited to a 78-square-foot building addition, interior remodeling, and an expansion of the outdoor dining patio. Sufficient parking will be provided on-site and on a neighboring parcel in compliance with ESMC Chapter 15-15.

2. The surrounding land uses include commercial retail, restaurant, office, a movie theater and industrial uses. The proposed restaurant and on-site consumption of beer and wine is a permitted use within the Beach Cities Plaza Precise Plan.

3. The new restaurant will include a 560 square-foot indoor dining area and a 988 square-foot outdoor dining patio.

4. The restaurant dining hours of operation are limited to: 7:00 a.m. to 11:00 p.m. Mondays through Thursdays, 7:00 a.m. to 1:00 a.m. on Fridays, 10:00 a.m. to 1:00 a.m. on Saturdays, and 10:00 a.m. to 10:00 p.m. on Sundays. The outdoor
dining patio would be open the same hours as the restaurant. No live entertainment is proposed and the restaurant will be required to meet the noise and vibration requirements of ESMC § 7-2-1. The proposed hours are similar to other businesses in the immediate vicinity. Therefore, the proposed restaurant, including the outdoor dining area will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

**Finding 4**

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

**Facts in Support of Finding 4**

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

2. The proposed hours of operation and alcohol sales are limited to: 7:00 a.m. to 11:00 p.m. Mondays through Thursdays, 7:00 a.m. to 1:00 a.m. on Fridays, 10:00 a.m. to 1:00 a.m. on Saturdays, and 10:00 a.m. to 10:00 p.m. on Sundays. These hours also apply to the outdoor patio. The proposed restaurant is located in a predominantly commercial area that is not adjacent to any residential uses, which will minimize noise impacts on sensitive uses.

3. The proposed restaurant will provide adequate parking on-site and on a neighboring parcel. In addition, the restaurant is located on the street level within an existing office complex and adjacent to a movie theater, which will make it accessible by pedestrians on site and limit the vehicular traffic to and from the site.

4. In addition to complying with the requirements of the City of El Segundo and the State of California Department of Alcoholic Beverage Control the restaurant is subject to County Health Department regulations that address and monitor impacts of fumes and odors.

**Finding 5**

- The State Department of Alcoholic Beverage Control has issued or will issue a license to sell alcohol to the applicant.
Facts in Support of Finding 5

1. The applicant must obtain a license from the State of California Department of Alcoholic Beverage Control (Type No. 47).

DIRECTOR OF PLANNING AND BUILDING SAFETY DEPARTMENT ACTION

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

1. The restaurant dining hours of operation are limited to: 7:00 a.m. to 11:00 p.m. Mondays through Thursdays, 7:00 a.m. to 1:00 a.m. on Fridays, 10:00 a.m. to 1:00 a.m. on Saturdays, and 10:00 a.m. to 10:00 p.m. on Sundays. The outdoor patio would be open the same hours as the restaurant. Food service must be available in the indoor dining area and the outdoor patio during the dining hours. Any change to the hours of operation or the hours that alcohol may be served is subject to review and approval by the Director of Planning and Building Safety.

2. The seating within the restaurant is limited to 43 indoor dining seats, including 11 bar seats, and the outdoor patio must not exceed 56 seats. The restaurant may contain a combined total of 99 seats.

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

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

5. The applicant must obtain and maintain all licenses required by the Alcoholic Beverage Control Act (Business & Professions Code §§ 23300 et seq.). The applicant must obtain and maintain a Type 47 license.

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

7. The Planning and Building Safety Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may be cause to schedule a hearing before the Planning Commission regarding the status of the administrative use permit.
8. The applicant must comply with all regulations of the Alcoholic Beverage Control Act and the regulations promulgated by the Alcoholic Beverage Control Board including, without limitation, the regulations set forth in 4 Cal. Code of Regs. §§ 55, et seq.

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

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

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

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

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

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

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

c. The ABC-licensed proprietors must have confirmed with the Planning and Building Safety Department within fifteen (15) days of the Director's decision, or by final project approval, that a date certain has been scheduled within the local ABC Office to complete the LEAD course.
d. Within thirty (30) days of taking said course, the employee, or responsible employer must deliver each required certificate showing completion to the Police Department.

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

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

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

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

18. The building and any outdoor seating must comply with the applicable requirements of the 2010 California Building and Fire Code, and the 2009 International Fire Code, as adopted by the ESMC, and with El Segundo Fire Department Regulations, including disabled access compliance.

19. The applicant must provide the following conditions for the fire feature:

a. A barrier must be provided around the fire feature to prevent accidental access into the fire feature.

b. The distance between the fire feature and combustible material and furnishings must meet the fire feature's listing and manufacturer's requirements.

c. If the fire feature's protective barrier exceeds ambient temperatures, all exit paths and occupant seating must be a minimum 36 inches from the fire feature.

20. Before the City issues a building permit for the project, the applicant must submit plans for review and approval that address the El Segundo Police Department's requirements for security cameras and a safe.

21. Approval of Environmental Assessment No. 929 and Administrative Use Permit No. 11-07 is contingent upon, and will be effective 30 days after, approval of Environmental Assessment No. 921 and Precise Plan Amendment No. 11-01.

22. The Applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees),
injuries, or liability, arising from the City's approval of Environmental Assessment No. 929 or Administrative Use Permit No. 11-07. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of EA-929 or AUP 11-07, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.

PLANNING COMMISSION

This determination is scheduled to be received and filed by the Planning Commission at its July 28, 2011 meeting. Please be advised that this does not conclude the review process. The City Council will determine whether or not to protest the issuance of the ABC License (Type 47) at its meeting on August 16, 2011.

Should you have any questions, please contact Paul Samaras, Principal Planner, at (310) 524-2312.

Sincerely,

[Signature]

Greg Carpenter, Director
Department of Planning and Building Safety
AGENDA DESCRIPTION:
Consideration and possible action to delegate the authority to assign unrestricted/undesignated general fund balance at year-end for financial reporting purposes to the Director of Finance. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
Approve the delegation of authority to the Director of Finance to assign unrestricted/undesignated general fund balance at year-end.

ATTACHED SUPPORTING DOCUMENTS:
Government Accounting Standard Board Statement No. 54 (GASB 54)

FISCAL IMPACT: N/A

- Amount Budgeted: $0
- Additional Appropriation: N/A
- Account Number(s): N/A

ORIGINATED BY: Trang Nguyen, Accounting Manager
REVIEWED BY: Deborah Cullen, Director of Finance
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:
In March of 2009, Government Accounting Standard Board (GASB) issued Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions, to address issues related to how fund balances are reported. Governments are required to implement GASB 54 no later than the end of the first fiscal year beginning after June 15, 2010. The City of El Segundo needs to implement this reporting standard by September 30, 2011.

This new reporting standard does not change the current process in which the City maintains and reports balances. Rather it creates new categories for reporting these balances and requires Council to delegate authority for reporting.

In previous years, the City’s fund balances have been reported under three categories:

1. Reserved – amounts set aside for encumbrances, receivables, inventories and prepaids.
2. Designated – amounts set aside for specific purposes.
3. Unreserved/undesignated – amounts that are available for any purpose.

With the new GASB 54 pronouncement, the reporting of various fund balances is required to be divided into the following five categories:
1. Nonspendable fund balance - amounts that are not in a spendable form such as inventory, prepaid and accounts receivable.
2. Restricted fund balance – amounts constrained to specific purposes by higher authority such as Federal and State Grants.
3. Committed fund balance – amounts constrained to specific purposes by the City.
4. Assigned fund balance – amounts for a specific purpose such as designation for City Hall Improvements and Police, Library and Fire.
5. Unassigned fund balance – amounts that are available for any purpose.

To continue maintaining and reporting balances for these accounts on the Comprehensive Annual Financial Report, the Director of Finance needs to have formal authority from Council to assign fund balances. This delegation of authority does not change the current practice employed by the City, but rather formalize the process to meet the requirement set forth by GASB 54.
GASB Statement Brings Greater Clarity and Consistency to Fund Balance Reporting

Fund balance refers to the difference between assets and liabilities in the governmental funds balance sheet. This information is one of the most widely used elements of state and local government financial statements.

Of central importance to the credit reviews performed by municipal bond analysts, fund balance information also is used by taxpayer associations, research organizations, oversight bodies, state, county and local legislators and their staffs, and reporters. Financial statement users examine fund balance information to identify the available liquid resources that can be used to repay long-term debt, reduce property taxes, add new governmental programs, expand existing ones, or enhance the financial position of the government.

The Governmental Accounting Standards Board (GASB) has found that, despite its popularity and usefulness, the value of fund balance information is significantly diminished by misunderstandings regarding the messages it conveys and inconsistency in governments' financial reporting practices.

In order to enhance how fund balance information is reported and improve its decision-usefulness, in March 2009 the GASB issued Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions.

How Will Fund Balance Be Reported?

This Statement is designed to improve financial reporting by establishing fund balance classifications that are easier to understand and apply. In essence, it establishes a hierarchy based largely on the extent to which a government is bound to observe spending constraints that govern how it can use amounts reported in the governmental funds balance sheet.

Statement 54 establishes the following classifications depicting the relative strength of the constraints that control how specific amounts can be spent:
• **Nonspendable** fund balance includes amounts that are not in a spendable form (inventory, for example) or are required to be maintained intact (the principal of an endowment fund, for example).

• **Restricted** fund balance includes amounts that can be spent only for the specific purposes stipulated by external resource providers (for example, grant providers), constitutionally, or through enabling legislation (that is, legislation that creates a new revenue source and restricts its use). Effectively, restrictions may be changed or lifted only with the consent of resource providers.

• **Committed** fund balance includes amounts that can be used only for the specific purposes determined by a formal action of the government's highest level of decision-making authority. Commitments may be changed or lifted only by the government taking the same formal action that imposed the constraint originally.

• **Assigned** fund balance comprises amounts intended to be used by the government for specific purposes. Intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.

• **Unassigned** fund balance is the residual classification for the general fund and includes all amounts not contained in the other classifications. Unassigned amounts are technically available for any purpose. If another governmental fund has a fund balance deficit, then it will be reported as a negative amount in the unassigned classification in that fund. Positive unassigned amounts will be reported only in the general fund.

**How Have the Fund Type Definitions Been Clarified?**

The Statement also is designed to improve the usefulness of fund balance information by clarifying certain parts of the definitions of governmental fund types that have led to confusion and adversely affected the interpretation of fund balance information. It makes clear, for example, that special revenue funds are created only to report a revenue source (or sources) that is restricted or committed to a specified purpose, and that the revenue source should constitute a substantial portion of the resources reported in the fund.

The basic definition of the debt service fund type remains essentially unchanged. However, the terminology in the definition of the capital project fund type has been clarified to focus on the broader, more consistently understood notion of capital outlays, and to better capture the breadth of capital activities in today's environment.
"Rainy-Day" Funds

The GASB's research indicates that information about amounts set aside for emergencies is very important to financial statement users. Because of the importance associated with these balances, Statement 54 clarifies how rainy-day amounts can be reported by treating stabilization arrangements as a specified purpose. Consequently, amounts constrained to stabilization will be reported as restricted or committed fund balance in the general fund if they meet the other criteria for those classifications. However, stabilization is regarded as a specified purpose only if the circumstances or conditions that signal the need for stabilization (a) are identified in sufficient detail and (b) are not expected to occur routinely. Governments are required to disclose in the notes key information about their stabilization arrangements, including the authority by which they were established, provisions for additions to the stabilization amount, and circumstances under which those amounts may be spent.

Some governments create stabilization-like arrangements by establishing formal minimum fund balance policies. Because users are interested in information about those minimum fund balance policies and how governments comply with them, governments are required to explain their minimum fund balance policies, if they have them, in notes to the financial statements.

What Other Note Disclosures Will Be Required?

Under Statement 54, governments will disclose their accounting policies that indicate the order in which restricted, committed, assigned, and unassigned amounts are spent, in circumstances when an expenditure is made for a purpose for which amounts are available in multiple fund balance classifications. For example, a town may have a state grant for public safety activities (restricted), proceeds from a portion of its own property tax that the town council voted could only be used for public safety (committed), and general revenues available for public safety spending (unassigned). The disclosure would identify the order in which the town will spend those resources. Governments already are required to make similar disclosures regarding restricted and unrestricted net assets.

In addition, governments are required to describe the processes through which they commit and assign fund balance amounts. Governments also are required to disclose the purpose for each major special revenue fund—identifying which specific revenues and other resources are authorized to be reported in each.

How Did the GASB Incorporate Constituent Feedback?

During the project that led to Statement 54, the GASB went through two rounds of public comment, beginning with an Invitation to Comment that was issued in October 2006. The input received from constituents in response to that due process document guided the development of changes that the GASB proposed in an Exposure Draft in April 2008.
Though the final standards retain the basic reporting requirements presented in the Exposure Draft, the GASB did make a number of changes based on public feedback and further study that are worth highlighting. With respect to fund balance classifications, the GASB significantly changed its proposal for reporting negative balances (see the earlier definition of unassigned fund balance). The GASB decided that deficits created as a result of overspending for a specific purpose should first reduce amounts assigned to other purposes within the fund. After eliminating those funds, a negative residual balance should be reported as negative unassigned fund balance.

The GASB decided to eliminate the heading *spendable* because constituents were concerned it might incorrectly be inferred that anything not classified as *nonspurable* could be considered spendable for any purpose. Also, the GASB agreed with constituents that the *limited* classification did not sufficiently convey the substance of the classification and determined that the term *committed* would be a better term.

The GASB also clarified how a government should report when it does not have an accounting policy guiding the order in which amounts from various fund balance classifications are spent. For such governments, the Statement establishes a default policy that should be applied, in which restricted amounts are used first, followed by committed, assigned, and unassigned amounts in that order, for purposes of reporting fund balance.

Finally, as mentioned previously, the GASB clarified terminology in the definition of the capital projects fund type largely in response to feedback received from respondents to the Exposure Draft.

**When Do the Standards Take Effect?**

Governments are required to implement Statement 54 for fiscal years first ending June 30, 2011. Fund balance reclassifications should be applied retroactively by restating fund balance for all prior periods presented in the financial statements. Changes to the fund balance information presented for prior years in the statistical section are not required, although retroactive application is encouraged. Early implementation of Statement 54 is encouraged.
AGENDA DESCRIPTION:

Consideration and possible action to approve Final Tract Map No. 71261, a six (6) lots residential subdivision located at 710 Sycamore Avenue. (No Fiscal Impact)

RECOMMENDED COUNCIL ACTION:

1. Approve and accept Final Tract Map No. 71261.
2. Authorize the appropriate City Official to sign and record said Map.
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT:

Amount Requested: $  
Additional Appropriation:  
Account Number(s):  

ORIGINATED BY: Maryam M. Jonas, Principal Engineer  
REVIEWED BY: Stephanie Katsouleas, Public Works Director  
APPROVED BY: Doug Willmore, City Manager

BACKGROUND AND DISCUSSION:

On, July 22, 2010, the Planning Commission held a public hearing on the proposed subdivision and subsequently approved Vesting Tract Map No. 71261 and Resolution No. 2678 approving Environmental Assessment No. 807

The Final Tract Map conforms to the Tentative Map and has been reviewed and approved by the Los Angeles County Department of Public Works. City staff has determined that Final Tract Map 71261 is in substantial conformance with the General Plan and applicable zoning and building ordinances

The Final Tract Map is now ready for approval by the City Council. After approval, it will be recorded in the County Recorder Office.