



City of El Segundo

Planning & Building Safety Department

December 23, 2009

Elected Officials:

Kelly McDowell,
Mayor
Eric K. Busch,
Mayor Pro Tem
Carl Jacobson,
Council Member
Bill Fisher,
Council Member
Don Brann,
Council Member
Cindy Mortesen,
City Clerk
Ralph Lanphere,
City Treasurer

Appointed Officials:

Jack Wayt,
City Manager
Mark D. Hensley,
City Attorney

Department Directors:

Bill Crowe,
Assistant City Manager
Deborah Cullen,
Finance
Robert Hyland,
Human Resources
Kevin Smith,
Fire Chief
Debra Brighton,
Library Services
Greg Carpenter,
Planning and Building
Safety
David Cummings,
Police Chief
Dana Greenwood,
Public Works
Robert Cummings,
Recreation & Parks

www.elsegundo.org

Attn. Simon Eching
Division of Statewide Integrated Water Management
Water Use and Efficiency
Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

RE: City of El Segundo, Los Angeles County, Water Efficient
Landscape Ordinance

Dear Mr. Eching:

The City of El Segundo has prepared and adopted its own local Water Efficient Landscape Ordinance in compliance with the requirements of the Water Conservation in Landscaping Bill (AB 1881, Lair). The Ordinance prepared by the City is "at least as effective as" the DWR's "Model Water Efficient Landscape Ordinance." Should you have any questions regarding this letter or the City of El Segundo's locally adopted ordinance, please contact me at (310) 524-2340.

Sincerely,

Kimberly Christensen, AICP, Planning Manager
Planning and Building Safety Department

cc: Greg Carpenter, Director, PBS
Jack Wayt, City Manager
Sam Lee, Building Safety Manager/Building Official
Dana Greenwood, Public Works Director
Mark Hensley, City Attorney
Karl Berger, Assistant City Attorney

Encl: City of El Segundo Water Efficient Landscape Ordinance No. 1437

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LandscapingOrdinanceLettertoDWR2009.12.23.doc

350 Main Street, El Segundo, California 90245-3813
Phone (310) 524-2380 FAX (310) 322-4167

ORDINANCE NO. 1437

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE CHAPTER 10-2, ENTITLED "WATER CONSERVATION IN LANDSCAPING," IN ITS ENTIRETY IN ACCORDANCE WITH GOVERNMENT CODE § 65595(C).

The City Council does ordain as follows:

SECTION 1: Chapter 10-2 of the El Segundo Municipal Code ("ESMC"), entitled "Water Conservation in Landscaping," is amended in its entirety to read as follows:

"Chapter 2

WATER CONSERVATION IN LANDSCAPING

- 10-2-1: PURPOSE**
- 10-2-2: DEFINITIONS**
- 10-2-3: APPLICATION OF POLICIES**
- 10-2-4: SUBMITTAL REQUIREMENTS**
- 10-2-5: LANDSCAPING DESIGN REQUIREMENTS**
- 10-2-6: WATER FEATURES**
- 10-2-7: LANDSCAPE MAINTENANCE**
- 10-2-8: MODEL HOME LANDSCAPING**
- 10-2-9: VERIFICATION OF COMPLIANCE**
- 10-2-10: PENALTIES FOR VIOLATION AND ENFORCEMENT**

10-2-1: PURPOSE:

This Chapter is adopted in accordance with Government Code § 65595(c) for the purpose of complying with California law and promoting water conservation. This Chapter may be referred to as the "Water Conservation In Landscaping Standards." The Water Conservation In Landscaping Standards are intended to promote water conservation while allowing the maximum possible flexibility in designing healthy, attractive, and cost effective water efficient landscapes.

10-2-2: DEFINITIONS:

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter. Words and phrases not defined by this chapter have the meanings stated in the Water Conservation in Landscaping Act (Government Code §§ 65591, *et seq.*); regulations promulgating the Water Conservation in Landscaping Act; this Code; and any successor statutes or regulations.

BACKFLOW PREVENTION DEVICE: means a safety device used to prevent pollution or contamination of the potable water supply due to the reverse flow of water from the irrigation system.

CERTIFICATE OF COMPLETION: means the document that certifies that the landscape design plan, irrigation scheduling parameters and landscape project has been installed per the approved Landscape Documentation Package. An irrigation audit report must also be included to obtain the final certificate of completion for the project.

CERTIFIED IRRIGATION DESIGNER: means a person certified to design irrigation systems by an accredited academic institution a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.

CHECK VALVE: or "anti-drain valve" means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

CLIMATE ZONE: Plant species as described in the Sunset Western Climate Zone System for the City of El Segundo (Zone No. 24).

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

DRIP IRRIGATION: means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

ECOLOGICAL RESTORATION PROJECT: means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

EMITTER: means a drip irrigation emission device that delivers water slowly from the system to the soil.

ETo: means Reference Evapotranspiration which is the approximation of water loss expressed in inches per year from a field of 4-to-7-inch-tall cool season grass that is not water stressed.

FLOW RATE: means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

"Guidelines" or the "City of El Segundo Land Development Provisions for Landscaping and the Guidelines for Implementation of Water Efficient Landscape" means regulations separately adopted by City Council resolution, and incorporated by reference into this chapter, providing specific regulations for water conservation.

HARDSCAPES: means any durable material (pervious and non-pervious).

HYDROZONE: means a portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.

INFILTRATION RATE: means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).

INVASIVE PLANT SPECIES: means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. "Noxious weeds" means any weed designated by the Weed Control Regulations in the Weed Control Act and identified on a Regional District noxious weed control list. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.

IRRIGATION AUDIT: means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.

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

LANDSCAPE ARCHITECT: means a person who holds a license to practice landscape architecture in the state of California Business and Professions Code, Section 5615.

LANDSCAPE AREA: means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or

non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

LANDSCAPE DOCUMENTATION PACKAGE: means the documents required to be provided to the City for review and approval of landscape design projects, as described in the Implementation procedures of this Water Conservation In Landscaping Standards.

LANDSCAPE PROJECT: means total area of landscape in a project as defined in "landscape area" for the purposes of this Chapter, meeting requirements of this Water Efficient Chapter.

LATERAL LINE: means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

LOCAL WATER PURVEYOR: means any entity, including a public agency, city, county, or private water company that provides retail water service.

LOW VOLUME IRRIGATION: means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

MODEL HOME: means a facility used exclusively for the promotion and sale of homes similar to the model.

MULCH: means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

NEW CONSTRUCTION: means, for the purposes of this chapter, a new building with a landscape or other new landscape such as a park, playground, or greenbelt without an associated building.

OVERSPRAY: means the irrigation water which is delivered beyond the target area.

PERMIT: means an authorizing document issued by local agencies for new construction or rehabilitated landscape.

PERVIOUS: means any surface or material that allows the passage of water through the material and into the underlying soil.

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

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

PRECIPITATION RATE: means the rate of application of water measured in inches per hour.

RAIN SENSOR: or "rain sensing shutoff device" means a component which automatically suspends an irrigation event when it rains.

RECYCLED WATER: "reclaimed water", or "treated sewage effluent water" means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.

REHABILITATED LANDSCAPE: Any landscaping project greater or equal to 2,500 square feet that requires a permit, plan check, or design review, and the planting area in which fifty percent (50%) of existing landscape materials are replaced or modified within any twelve (12) month period. Examples include a change of plants or ground cover, and grading modifications within any twelve (12) month period.

RUNOFF: means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

SOIL TEXTURE: means the classification of soil based on its percentage of sand, silt, and clay.

SPECIAL LANDSCAPE AREA: (SLA) means an area of the landscape dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.

SPRINKLER HEAD: means a device which delivers water through a nozzle.

TURF: Means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, perennial ryegrass, Red fescue, and tall fescue are cool grasses. (Minimize cool season turf).

Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grass.

VALVE: means a device used to control the flow of water in the irrigation system.

WATER BUDGET CALCULATION: means the Maximum annual Applied Water Allowance calculated using this formula:

$$\text{MAWA} = (\text{Eto}) (0.62) [0.7 \times \text{LA} + 0.3 \times \text{SLA}]$$

MAWA = Maximum Applied Water Allowance (maximum gallons per year available for the project).

Eto = Reference Evapotranspiration (33.0 inches per year for the City of El Segundo).

0.7 = ET Adjustment Factor (as designated by the state of California).

LA = Landscape Area (square feet, including SLA)

0.62 = Conversion Factor (inches to gallons)

SLA = Special Landscape Area (square feet)

0.3 = The additional ET Adjustment Factor for the Special Landscape Area

WATER FEATURE: means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

10-2-3: APPLICATION OF POLICIES:

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

B. Nonapplicability: This chapter is not applicable to:

1. Cemeteries.

2. Registered historical sites.
 3. Ecological restoration projects that do not require a permanent irrigation system.
 4. Mined-land reclamation projects that do not require a permanent irrigation system.
 5. Any project with a landscaped area less than two thousand five hundred (2,500) square feet, unless the Director of Recreation and Parks determines that substantial compliance with the purpose of this Chapter requires that a landscape plan be submitted.
 6. Any project or planting area that utilizes one hundred percent (100%) reclaimed water.
- C. Exemptions. The City Manager, or designee, may authorize exemptions to any of the design and improvement standards in this Chapter. Such exemptions may be granted if the City Manager, or designee, finds that the proposed design or improvement is in substantial compliance with the purpose and intent of this Chapter.

10-2-4: SUBMITTAL REQUIREMENTS:

Applicants must submit the following:

- A. A *Landscape Documentation Package* for review and approval.
- B. The *Landscape Documentation Package* must include a certification by an appropriately licensed professional stating that the landscape design and water use calculations were prepared by or under the supervision of the licensed professional and are certified to comply with the Water Conservation in Landscaping Act.
- C. The *Landscape Documentation Package* must be prepared in accordance with the Guidelines and this chapter. Such plans must be submitted and approved before the City issues building permits to comply with this Chapter.
- D. Landscaping must be designed to be irrigated at not more than 0.7 of the reference evapotranspiration (ET_o) and cannot exceed the MAWA.
- E. Before the City issues a building permit, a landscape plan

application must be submitted and reviewed in accordance with this Chapter. Applications for landscape plan approval must be filed by the owner of the affected property or his agent, or by a public entity to which the provisions of the Chapter apply, on forms furnished by the Director of Planning and Building Safety.

- F. No landscape plan application can be approved unless the Director of Planning and Building Safety finds that the plan compliments the design of the project, is consistent with the provisions of this Chapter; compatible with adjacent existing or future public landscaped areas, and with the elevations and appearances with existing structures located upon lots within the immediate vicinity of the lot which is the subject of such application.

10-2-5: LANDSCAPING DESIGN REQUIREMENTS:

- A. Landscape Documentation Plan: Each landscape plan must include the following elements including, without limitation, the following:
1. Landscaping Design Plan: The planting plan must identify location, spacing, numbers, container sizes of all plant materials including common and botanical names, drawn on project base sheets in a clear and legible fashion in accordance with the policies established to implement the provisions of this Chapter.
 2. Where possible, landscaping should be installed in the fall, in order to establish plant materials when they will benefit most from winter rains.
 3. Selection of water conserving plants and turf species for the El Segundo Climate Zone (based on the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate).
 4. Recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure (e.g., buildings sidewalks, and power lines).
 5. Selection of plants based on disease and pest resistance.

6. Lawns are limited to not more than 25% of the landscape area, and may not be used in areas less than 5 feet wide.
 7. Turf is discouraged on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).
 8. Turf or grass must be a water-conserving species;
 9. The planting of high water use plants is limited to non-turf landscape area. The remaining landscape must be planted with low and moderate water use plant materials;
 10. Plants having similar water requirements should be grouped together in distinct hydrozones.
 11. Consider the solar orientation for plant placement to maximize summer shade and winter solar gain.
- B. **Irrigation System Design Criteria:** The irrigation plan must identify all components of the irrigation system drawn on project base sheets in a clear and legible fashion in accordance with the policies established to implement the provisions of this Chapter. The following Design Irrigation Elements must be included:
1. Irrigation systems must utilize recycled water if such lines are readily available adjacent to the site.
 2. Irrigation system must identify potable or recycled water supply sources for meter.
 3. A dedicated water meter is required on all landscapes over 5,000 square feet.
 4. All irrigation systems must be designed to avoid runoff, overspray, low-head drainage, and other similar conditions where water flows off-site or on to paved areas.
 5. Spray irrigation shall be separated from paved surfaces by landscape treatment that is not spray irrigated.
 6. Spray irrigation shall not be used in medians and other narrow planting areas (five feet or less). Narrow areas

less than eight feet wide must be irrigated with subsurface or low volume irrigation.

7. Plants that require different amounts of water or plants that are located in separate hydrozones must be irrigated by a separate irrigation circuit.
8. Irrigation equipment should include a time controller that includes multiple programming capability, rain sensing devices, anti drain check valves, pressure regulation where PSI exceeds 80, and matched precipitation spray heads on each spray irrigation valve.
9. Weather-based or other sensor based self-adjusting irrigation controllers must be provided.
10. Rain sensors must be installed for each irrigation controller.
11. Automatic sprinkler timer must be programmed to water in the early morning or late hours during the day.
12. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers and turf.
13. The estimated water use calculations for the project must be identified. The water use calculations must be certified by the landscape professional that it meets the Water Conservation in Landscaping Act requirements and bear the signature of the landscape professional as required by Business and Professions Code § 5615.

C. The following Soil management report or specifications must be included:

1. Soil conditioning notes should be included. The soil notes may include a description of: soil texture, water holding capacity, infiltration rate, PH, total soluble salts, sodium, percentage of organic material, and implementation of recommended amendments to the soil. The recommended amendments for the soil must be appropriate for the plants selected.
2. A minimum two (2) inch layer of mulch must be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting ground covers, or direct seeding applications where mulch is contraindicated.

One and one-half inches of mulch is acceptable for areas of ground cover planted from flats.

3. Stabilizing mulching products must be used on slopes.
4. A grading design plan must be included if significant changes are proposed for the project. The grading plan must be prepared to minimize soil erosion, runoff, and water waste. The grading plan must show storm water retention improvements, if applicable. The grading and drainage patterns must show that the landscape irrigation and normal rainfall remains within the property and does not drain to non-permeable hardscape surface finishes. The grading plan must be certified stating that the project complies with the chapter for the efficient use of water in the grading design plan and must bear the signature of a licensed professional as authorized by State law.

10-2-6: WATER FEATURES:

Decorative water features such as pools, ponds, and waterfalls used in landscaped areas must incorporate recycling of water, and must use recycled water where it is feasible, cost effective, and meets health standards.

10-2-7: LANDSCAPE MAINTENANCE:

The property owner must permanently and continuously maintain landscaping and irrigation in a neat, clean and healthy condition, including removal of litter, proper pruning, mowing of lawns, weeds, fertilizing, and watering; and replacement of diseased and/or dead plants and malfunctioning or missing irrigation system components.

The water purveyor will monitor the annual water use at each project site and may require that corrections be made if water consumption substantially exceeds the average yearly water use for landscaping areas.

10-2-8: MODEL HOME LANDSCAPING:

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

- A. Signs identifying elements of the water-conserving landscape and irrigation system design placed around the model.
- B. Literature describing water conserving landscapes to be available to individuals touring the model.

10-2-9: VERIFICATION OF COMPLIANCE:

- A. Landscape Certificate of Completion.** Upon completion of the installation of the landscaping, the landscape architect, irrigation designer, contractor, or owner must certify that the landscape complies with all policies of this Chapter. A Certificate of Completion must be obtained from the City. City staff must verify through the inspection process that all equipment, sprinklers and plant species installed conform to the approved Landscape Documentation Package plans for the project. Certification must be accomplished by completion of a landscape certificate on a form approved by the Planning and Building Safety Director. Additionally, a certified landscape auditor must perform a landscape irrigation audit to obtain final certificate of occupancy. The landscape irrigation audit and landscape certificate for the landscape and irrigation system must be reviewed and approved by the Building Official before final certificate of occupancy is issued. Failure to submit a complete and accurate landscape certificate will delay final approval of the project and/or discontinue water service.
- B. The following items must be submitted for review to request a Certificate of Compliance:**
- 1. Certificate of plant installation.**
 - 2. Final soils information.**
 - 3. Irrigation scheduling parameters.**
 - 4. Irrigation Audit Report.**
 - 5. Maintenance schedules.**
- C. The verification of compliance of the landscape installation with approved plans must be obtained through the certificate of completion in conjunction with a Certificate of Occupancy.**
- D. The certificate of completion must be accompanied by an irrigation audit that contains the following:**
- 1. Operation pressure of the irrigation system.**
 - 2. Distribution uniformity of overhead irrigation.**
 - 3. Precipitation rate of overhead irrigation**

4. Report of any overspray or broken irrigation equipment
- E. Irrigation schedule including:
1. Plant establishment irrigation schedule.
 2. Regular irrigation schedule by month including: plant type, root depth, soil type, slope factor, shade factor, irrigation interval (days per week), irrigation day, gallons per minute for each valve, precipitation rate, distribution uniformity and monthly estimated water use calculations.
- F. An irrigation maintenance schedule timeline must be attached to the certificate of completion that includes:
1. Routine inspections, adjustment and repairs to the irrigation system, aerating and dethatching turf areas, replenishing mulch, fertilizing, pruning and weeding.
 2. A final inspection must be performed by City staff to verify compliance. The final building permit approval will not be complete until the landscape inspection is approved.
 3. A certified landscape auditor must perform a landscape irrigation audit to obtain Certificate of Occupancy.
 4. Irrigation of all landscaped areas must be conducted in a manner conforming to the rules and requirements, and will be subject to penalties and incentives for water conservation and water waste prevention as determined and implemented by the local water purveyor and the City.

10-2-10: PENALTIES FOR VIOLATION AND ENFORCEMENT:

- A. It is unlawful for any person to violate, to cause, or to maintain a violation of this Chapter.
- B. It is unlawful to any person to remove or cause removal of water-conserving irrigation valves or equipment contrary to the provisions of this Chapter."

SECTION 2: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION.
This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA

regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures to permit operation of existing facilities; minor temporary use of land; ensure maintenance, restoration and protection of the environment; and regulate normal operations of facilities for public gatherings. This Ordinance, therefore, is categorically exempt from further CEQA review under Cal. Code Regs. Title 14, §§ 15301, 15304(e), 15308, and 15323.

SECTION 3: PUBLIC NOTIFICATION. The City Manager, or designee, is directed to provide public notification regarding the regulations set forth in this ordinance through any reasonable means including, without limitation, newspaper publications, flyers contained within the City's utility bills, and advertising on the City's cable channel.

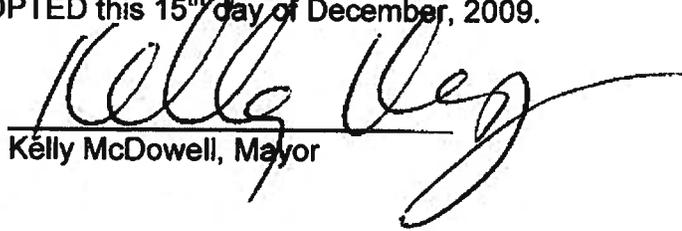
SECTION 4: SAVINGS CLAUSE. Repeal of any provision of the ESMC or any other regulation by this Ordinance does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any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

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

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

SECTION 7: The City Clerk must certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen calendar (15) days of the adoption and post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code § 36993, for the City of El Segundo.

PASSED AND ADOPTED this 15th day of December, 2009.


Kelly McDowell, 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. 1437 was duly introduced by said City Council at a regular meeting held on the 1st day of December, 2009, 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 15th day of December, 2009, and the same was so passed and adopted by the following vote:

AYES: **McDowell, Busch, Brann, Fisher, Jacobson**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

Cathy Donnann
Cindy Mortesen, City Clerk

APPROVED AS TO FORM:

~~Mark D. Hensley, City Attorney~~

By:

Karl H. Berger
Karl H. Berger, Assistant City Attorney