

MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, NOVEMBER 19, 2019 – 4:00 PM

CALL TO ORDER – Mayor Boyles at 5:32 (Due to lack of quorum at 4:00 PM, Closed Session opened at 5:30 PM)

ROLL CALL

Mayor Boyles	-	Present
Mayor Pro Tem Pirsztuk	-	Present
Council Member Brann	-	Present
Council Member Pimentel	-	Present
Council Member Nicol	-	Present

PUBLIC COMMUNICATION – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) None

SPECIAL ORDER OF BUSINESS:

Mayor Boyles announced that Council would be meeting in closed session pursuant to the items listed on the Agenda.

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(d)(1): -1- matter

1. William Hatcher, Workers Compensation Appeals Board Case No. 10523298

Adjourned at 5:46 PM

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, NOVEMBER 19, 2019 - 6:00 P.M.

CALL TO ORDER at 6:00 PM

INVOCATION – Rev. Dina Ferguson - St. Michael Episcopal Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Pirsztuk

SPECIAL PRESENTATIONS

- a) Announcement by Meredith Petit, Recreation and Parks Director, inviting the community to the Annual Tree Lighting on December 5, 2019. The tree will be lit at 5:30 PM. Meredith also announced the new Recreation and Parks Activity magazine is now out and registration opens on Monday, November 25, 2019.
- b) Announcement by Sam Lee, Planning and Building Safety Director, congratulated Paul Samaras on receiving the Sol Smart Gold Level Award.

ROLL CALL

Mayor Boyles	-	Present
Mayor Pro Tem Pirsztuk	-	Present
Council Member Brann	-	Present
Council Member Pimentel	-	Present
Council Member Nicol	-	Present

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total)

Dr. Bill Watkins, resident, spoke regarding the Council's decision to approve Topgolf. Dr. Watkins stated the decision was made and many hours and effort went into the decision, therefore, whether you are for or against Topgolf, it must be recognized a decision was made and that decision should be upheld and thanked Council for their time.

CITY MANAGER COMMENTS – (Related to Public Communications)

A. APPROVAL OF AGENDA ORDER AND WAIVER OF FULL READING OF ORDINANCES AND RESOLUTIONS

This is the time for City Council to: a) make changes to the agenda; b) remove items from the consent calendar for individual consideration; or (c) rearrange the order of the agenda.

MOTION TO APPROVE AGENDA ORDER AND WAIVE FULL READING

MOTION by Council Member Brann, SECONDED by Mayor Pro Tem Pirsztuk to pull item #B6, approve the agenda order and read all ordinances and resolutions on the Agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

B. CONSENT CALENDAR

1. Approve Regular and Special City Council Meeting Minutes of November 5, 2019 and Special City Council Meeting Minutes of November 13, 2019.
2. Approve Warrant Numbers 3028458 through 3028808 and 9001151 through 9001155 on Register No. 3a in the total amount of \$658,179.47 and Wire Transfers from 10/14/19 through 11/03/19 in the total amount of \$1,025,266.45.
3. Amend Contract No. 5489A with Ocean Blue Environmental Services, Inc. to provide for additional work to install certified full capture devices on catch basins throughout the City as required by the Santa Monica Bay Nearshore and Offshore Debris Maximum Daily Limit.
(Fiscal Impact: \$62,300.00)
4. Accept as complete the Campus El Segundo Shade Structure Project for the soccer field complex located at the corner of Nast Street and Mariposa Avenue for No. PW 18-28.
(Fiscal Impact: \$130,967.72)
5. Approve Final Vesting Tract Map No. 77154 and Resolution No. 5188 for 37 office condominium units and 37 parking condominium units located at 722 North Nash Street, 2125 Campus Drive, and 701 Campus Square West. The applicant is: William Messori, on behalf of EVA Airways Corporation.
(Fiscal Impact: N/A)
6. Adopt Ordinance No. 1594 amending Title 15 of the El Segundo Municipal Code to establish a Public Art or In-Lieu Fee Requirement to be assessed on certain new development or modifications to existing development and a Cultural Development Fund (otherwise known as a "Percent for Arts" fee).
(Fiscal Impact: Approximately \$685,000.00 in public art and fee revenues per year)
7. Adopt Ordinance No. 1595 amending Title 11 of El Segundo Municipal Code related to customers' delinquent payments for City provided water services in accordance with new state law requirements.
(Fiscal Impact: N/A)
8. Adopt Resolution No. 5189 approving the Final Vesting Map for development of the 142-acre El Segundo South Campus Specific Plan (ESSCSP) located at 2000 to 2100 El Segundo Boulevard. The Vesting Tentative Map was approved on December 1, 2015. An Environmental Impact Report (EIR) was prepared for the ESSCSP (EA-905) pursuant to California Code of Regulations, Title 14, Section 15063 ("CEQA guidelines"), and certified by the City Council on

December 1, 2015. Per the EIR, any portion of the Project developed consistent with the conceptual site plan for the ESSCSP is exempt from further CEQA analysis unless an event specified in Public Resources Code §21166 occurs.
(Fiscal Impact: N/A)

MOTION by Council Member Brann, SECONDED by Council Member Pimentel to approve Consent Agenda items 1, 2, 3, 4, 5, 7 and 8. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

PULLED ITEMS:

Mayor Boyles left the dais due to a possible conflict of interest.

6. Adopt an Ordinance amending Title 15 of the El Segundo Municipal Code to establish a Public Art or In-Lieu Fee Requirement to be assessed on certain new development or modifications to existing development and a Cultural Development Fund (otherwise known as a "Percent for Arts" fee).
(Fiscal Impact: Approximately \$685,000.00 in public art and fee revenues per year)

Melissa McCollum, Library Director, answered Council questions and gave clarity to the item.

Council Discussion

MOTION by Council Member Nicol, SECONDED by Mayor Pro Tem Pirsztuk to approve Ordinance No. 1594. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

Mayor Boyles returned to the dais.

C. PUBLIC HEARINGS

9. Conduct a public hearing regarding Zone Text Amendment creating a pilot program to allow and regulate Short-Term Rentals in the City's residential zoning districts through a Short-term Rental Permit process. The proposed ordinance is exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.), because it can be seen with certainty that there is no possibility that the proposed ordinance will have a significant effect on the environment.
(Fiscal Impact: Potential revenue of \$37,000.00 from permits and business licenses; and \$125,000.00 from Transient Occupancy Taxes (TOT)).

Mayor Boyles stated this was the time and place to conduct a public hearing regarding Zone Text Amendment creating a pilot program to allow and regulate Short-Term Rentals in the City's residential zoning districts through a Short-term Rental Permit process.

City Clerk Weaver stated that proper notice had been given in a timely manner and that written communication had been received in the City Clerk's office.

Sam Lee, Planning and Building Safety Director, Gregg McClain, Planning Manager and Eduardo Schonbon, AICP, Principal Planner gave a presentation and answered Council questions.

Public Comment:

Duane Kelley, resident and STR host, asked for clarifications on several of the requirements and rules. Gregg McClain, Planning Manager answered Mr. Kelley's questions.

Carrie Becks, resident and STR host, in favor of STR's.

Patricia Konecny, resident and STR host, asked Council to approve STR's.

Gino (last name unknown), resident, not in favor of STR's.

Marici (last name unknown), resident, asked if her HOA banned STR's, would El Segundo help enforce the ban by denying a permit.

Jay Hoeschler, resident and Planning Commissioner, in favor of the Ordinance.

Bob Roddy, resident and host, in favor STR's, but stated the rules are too much.

Gary Schmunk, resident, not in favor of STR's.

Jeff Schuh, resident, not in favor of STR's.

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

Council Discussion

Public hearing closed, however, Council consensus is to continue the first reading to the regular City Council meeting of December 3, 2019.

Council consensus to incorporate, or delete the following items from the proposed Ordinance; delete R3 and R4 properties, create a clearly defined success criteria with public sentiment, not limit one booking per night and possibly, if renting out two rooms, two permits would be required (owner required to be present for multiple bookings).

Recessed at 8:39 PM

Returned at 8:51 PM

10. Conduct a public hearing, waive second reading and adopt 2019 California Building Code, (Vol. I and II) with amendments, 2019 California Residential Code with amendments, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Energy Code, 2018 International Property Maintenance Code, 2018 International Swimming Pool and Spa Code, 2019 California Fire Code with amendments, 2019 California Existing Building Code, 2019 California Green Building Standards Code, Earthquake Hazard Reduction in Existing Buildings, and 2018 Uniform Solar Energy and Hydronics Code.

(Fiscal Impact: N/A)

Mayor Boyles stated this was the time and place to conduct a public hearing regarding adopting 2019 California Building Code, (Vol. I and II) with amendments, 2019 California Residential Code with amendments, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Energy Code, 2018 International Property Maintenance Code, 2018 International Swimming Pool and Spa Code, 2019 California Fire Code with amendments, 2019 California Existing Building Code, 2019 California Green Building Standards Code, Earthquake Hazard Reduction in Existing Buildings, and 2018 Uniform Solar Energy and Hydronics Code.

City Clerk Weaver stated that proper notice had been given in a timely manner and that no written communication had been received in the City Clerk's office.

Sam Lee, Planning and Building Safety Director, reported on the item.

Public Comment: None

MOTION by Council Member Nicol, SECONDED by Pimentel to close the public hearing. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

Council Discussion

MOTION by Council Member Nicol, SECONDED by Council Member Pimentel to waive the second reading and approve Ordinance Nos. 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607 and 1608. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

11. Conduct a public hearing to accept the proposed project and budget for the 2020-2021 Community Development Block Grant (CDBG) Program Year.
(Fiscal Impact: \$114,395.00)

Mayor Boyles stated this was the time and place to conduct a public hearing regarding the proposed project and budget for the 2020-2021 Community Development Block Grant (CDBG) Program Year.

City Clerk Weaver stated that proper notice had been given in a timely manner and that written communication had been received in the City Clerk's office.

Tina Gall, CDBG Consultant, reported on the item.

Public Comment: None

MOTION by Council Member Brann, SECONDED by Council Member Pimentel close the public hearing. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

MOTION by Council Member Brann, SECONDED by Council Member Nicol to approve the 2020-2021 CDBG project and budget, authorize the City Manager to execute all contracts, in a form approved by the City Attorney, with the Los Angeles County Development Authority (LACDA). MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

D. STAFF PRESENTATIONS

12. Quarterly Treasury presentation of Investment Portfolio Report.
(Fiscal Impact: N/A)

Crista Binder, City Treasurer and Dino Marsocci, Deputy City Treasurer II gave a presentation.

E. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

- F. REPORTS – CITY CLERK - Reminded the Community to attend the 2nd Town Hall meeting tomorrow night, Wednesday, November 20th regarding LA County's new VSAP (Voting System for All People) at the Joslyn Center at 6:00 PM.

13. Council action to place a ballot measure on the March 3, 2020 election that would, if passed, convert the elected City Treasurer position to an appointed position at such time when the term of the person elected in March 2020 ends in March 2024 or otherwise becomes vacant.
(Fiscal impact: \$127,000 estimated in the staff report calling the election 11-05-19)

Council Discussion

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 5190

A RESOLUTION ADDING A PROPOSITION TO THE BALLOT FOR THE PREVIOUSLY CALLED MARCH 3, 2020 ELECTION PURSUANT TO GOVERNMENT CODE §§ 36508-36510.

MOTION by Council Member Nicol, SECONDED by Mayor Boyles to approve Resolution No. 5190, Proposition T. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

ORDINANCE NO. 1606

PROPOSITION AMENDING TITLE 1 (ADMINISTRATION AND PERSONNEL) OF THE EL SEGUNDO MUNICIPAL CODE TO CONVERT THE ELECTIVE OFFICE OF CITY TREASURER TO AN APPOINTIVE OFFICE.

MOTION by Mayor Boyles, SECONDED by Mayor Pro Tem Pirsztuk to approve Ordinance No.1606. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

RESOLUTION NO. 5192

A RESOLUTION ESTABLISHING REQUIREMENTS FOR BALLOT ARGUMENTS FILED WITH THE CITY CLERK TO BE INCLUDED WITH VOTER INFORMATION FOR A REGULAR MUNICIPAL ELECTION ON MARCH 3, 2020.

MOTION by Mayor Boyles, SECONDED by Mayor Pro Tem Pirsztuk to approve Resolution No. 5192. Authorize Mayor Boyles, Mayor Pro Tem Pirsztuk, Council Member Nicol, Council Member Pimentel and City Treasurer Binder to author argument in favor of Proposition T. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

RESOLUTION NO. 5191

A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE PROPOSITION REGARDING CONVERTING THE CITY TREASURER TO AN APPOINTED POSITION

MOTION by Mayor Boyles, SECONDED by Mayor Pro Tem Pirsztuk TO APPROVE Resolution No. 5191. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

G. REPORTS – CITY TREASURER – report earlier in the evening

H. REPORTS – COUNCILMEMBERS

Councilmember Pimentel – Passed

Councilmember Nicol – Mentioned that as an elected Council Member he has had a weight bestowed upon him and understands that sometimes the votes he cast will be favorable and sometimes the votes will not be favorable. Mr. Nicol stated he is available by phone and email to discuss any decisions he has made. However, he takes issue with those who confront him in public when he is with his family, please be respectful of the time he shares with his family and friends.

Councilmember Brann – Asked staff to research an appointed City Clerk versus an elected City Clerk.

Mayor Pro Tem Pirsztuk – Thanked the Arts and Culture Committee for all the work that was done on “Percent for Arts” fee project, thanked the Chamber of Commerce for a well done “Salute to the Military” event, attended the recent Mattel mixer and attended the Motor Trend Awards.

Mayor Boyles – Attended the Motor Trend Awards, attended the first ad hoc Finance committee meeting of the Council of Governments, attended the SBCOG meeting; a letter was approved to send to Metro regarding the Park Place project and U16 Girl's AYSO soccer team made it to Sectionals! Congratulations!

- I. REPORTS – CITY ATTORNEY – Passed
- J. REPORTS/FOLLOW-UP – CITY MANAGER – Announced the last few weeks have been great weeks for El Segundo, especially the Park Place funding, Imperial Highway median was cleaned up, thank you to Ken Berkman, Public Works Director, for his part in getting this cleaned up, mentioned the Council is working well together and team building has begun with Council and department heads. Reminded the community, the next City Council meeting will be December 3, 2019.

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) None

ADJOURNMENT at 9:27 PM


Tracy Weaver, City Clerk