

MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, NOVEMBER 5, 2019 – 4:00 PM

CALL TO ORDER – Mayor Boyles at 4:02 PM (*Special closed session ran concurrently with regular closed session*)

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): -4- matters

1. Christopher Jenkins, Workers Compensation Appeals Board Case No. ADJ11057426
2. Chris Amorino, Workers Compensation Appeals Board Case No. ADJ11229975
3. Christopher Thomason, Workers Compensation Appeals Board Case No. ADJ10523298
4. William Hatcher, Workers Compensation Appeals Board Case No. 10523298

## CONFERENCE WITH CITY'S LABOR NEGOTIATOR

1. Labor Group: Police Management Association (PMA)

Agency's Representative: Irma Moisa Rodriguez, City Manager, Scott Mitnick and Human Resources Director, David Serrano

Adjourned at 5:50 PM

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, NOVEMBER 5, 2019 - 6:00 P.M.

CALL TO ORDER – Mayor Boyles at 6:00 PM.

INVOCATION – Pastor Wes Harding, Bridge Church

PLEDGE OF ALLEGIANCE – Council Member Nicol

SPECIAL PRESENTATIONS:

- a) Fire Chief, Chris Donovan introduced El Segundo's new Fire Fighters, Frank Park and Jason Northgrave.
- b) Proclamation read by Council Member Nicol, proclaiming Spark of Love – Toy Drive from November 11, 2019 through December 20, 2019 and presented the proclamation to Chief Donovan.

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)

Jim Cook, resident, commented on item #B8  
Marc Rener, resident, commented on item #B8  
Kathy Benudiz, resident, commented on item #B8,  
Shannon Magid, resident, commented on item #B8  
Ryan Baldino, resident, commented on item #B8  
Dave Atkinson, resident, commented on item #B8  
Pat Boydston, resident, commented on item #B8  
Mary Courtney, resident, commented on item #B8  
Paula Cook, resident, commented on item #B8

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 Pimentel, SECONDED by Council Member Brann to pull items #B8 and #B11, 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 Special Joint Meeting Minutes of City Council and Economic Development Advisory Council (EDAC), Regular City Council Meeting Minutes of October 1, 2019, Special City Council Meeting Minutes of October 15, 2019 and Special City Council Meeting Minutes of October 15, 2019.
2. Approve Warrant Numbers 3028188 through 3028307 on Register No. 2a in the total amount of \$1,266,886.28 and Wire Transfers from 10/07/19 through 10/13/19 in the total amount of \$4,957,743.13 and Warrant Numbers 3028308 through 3028457 on Register No. 2b in the total amount of \$650,034.87 and Wire Transfers from 10/14/19 through 10//20/19 in the total amount of \$286,595.49. Ratified Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.
3. Accept as complete Water Main Improvements on Cedar Street and Walnut Avenue, Project No. PW18-10.  
(Fiscal Impact: \$622,175.07)
4. Award Standard Public Works Contract No. 5810 to CT&T Concrete Paving Inc., in a form approved by the City Attorney, for Construction of the Americans with Disabilities Act (ADA) Compliant City Parking Facilities located at City Hall, Police and Fire Stations, Library and Recreation Park. Project. No. PW 19-08 Improvement Project/Community Development Block Grant Project (CDBG Project 602064-18).  
(Fiscal Impact: \$109,788.00 in CDBG grant funds)
5. Adopt Resolution No. 5182 approving Plans and Specifications for Fiber Optic Vault Lid Replacement for seven locations in the City's downtown area, Project. Project No. PW19-08.  
(Fiscal Impact: TBD)
6. Adopt Resolution No. 5183 approving the Plans and Specifications for El Segundo Police Department (ESPD) Firing Range Remodel. Project No. PW 19-26.  
(Fiscal Impact: TBD)
7. Adopt Resolution No. 5184 approving final Vesting Parcel Map No. 74306 and authorize the Planning and Building Safety Director, City Engineer, City Treasurer and City Clerk to sign map for recordation.  
(Fiscal Impact: N/A)

8. PULLED BY COUNCIL MEMBER BRANN
9. Approve a Memorandum of Understanding (MOU) (Labor Agreement) agreement no. 5811 between the City of El Segundo and the El Segundo Police Management Association (PMA), adopt Resolution No. 5185 approving the MOU, and adopt Resolution No. 5186 approving and authorizing changes to the City's medical premium to CalPERS for each year of the MOU.  
(Fiscal Impact: \$129,826.00 for FY 2019-20; \$127,184.00 for FY 2020-21; \$160,016.00 for FY 2021-22; and \$142,942.00 in FY 2022-23)
10. Approve an amendment to part time employees' rate schedule, ratify interim compliance measure, SB 3 state minimum wage requirement, and adopt Resolution No. 5187 approving the amendment to part time employees' rate schedule for calendar year 2020.  
(Fiscal Impact: N/A)
11. PULLED BY MAYOR PRO TEM PIRSZTUK

MOTION by Council Member Pimentel, SECONDED by Council Member Brann to approve Consent Agenda items 1, 2, 3, 4, 5, 6, 7, 9, and 10. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

#### PULLED ITEMS:

8. Waive second reading and adopt an Ordinance approving The Lakes Specific Plan for Topgolf driving range project (400 S. Pacific Coast Highway, El Segundo, California).  
(Fiscal Impact: See staff report)

#### Council Discussion

MOTION by Council Member Nicol, SECONDED by Mayor Boyles to approve Ordinance No. 1952. MOTION PASSED BY VOICE VOTE. 4/1 YES: Boyles Nicol Pimentel Pirsztuk NO: Brann

11. Adopt and approve job classification specifications, title changes and exam plans for: 1) Communications & Legislative Affairs Manager and Media Supervisor in the City Manager's office; 2) Business Services Manager and Accounting Technician in the Finance Department and 3) Technical Service Analyst in the Information Technology Department.

#### Council Discussion

MOTION by Mayor Pro Tem Pirsztuk, SECONDED by Mayor Boyles to adopt and approve job classifications specifications, title changes and exam plans for Communications & Legislative Affairs Manager and Media Supervisor in the City Manager's office, Business Services Manager and Accounting Technician in the

Finance Department and Technical Service Analyst in the Information Technology Department. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mayor Boyles recused himself due to possible conflict of interest.

### C. PUBLIC HEARINGS

12. Conduct a Public hearing regarding 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 new development, modification to existing development and a Cultural Development Fund (otherwise known as a "Percent for Arts" fee).

Mayor Pro Tem Pirsztuk stated this was the time and place to conduct a public hearing regarding 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 new development, modification to existing development and a Cultural Development Fund (otherwise known as a "Percent for Arts" fee).

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.

Melissa McCollum, Library Director and Michael Kreski, Arts and Culture Advisory Committee member, gave a presentation and answered Council's questions on the item.

#### Public Comment:

Brian Sweeney, Manhattan Beach resident and El Segundo business owner, in favor of the proposed ordinance.

Marsha Hansen, CEO, El Segundo Chamber of Commerce, stated the Chamber of the Commerce Government Affairs Committee, is not in favor of the proposed ordinance.

Joanna (last name unknown), resident, in favor of the proposed ordinance.

Julie (last name unknown), in favor of the proposed ordinance.

Marc Rener, resident, not in favor of the proposed ordinance.

Pat Boydston, resident, not in favor of the proposed ordinance.

Kathy Benudiz, not in favor of the proposed ordinance.

Jay Hoeschler, resident and Planning Commission member, in favor of the proposed ordinance.

Mike Rotolo, resident & El Segundo business owner, in favor of the proposed ordinance.

Mark Knight, resident and Arts and Culture Advisory Committee member, in favor of the proposed ordinance.

Tara Aesquivel, Executive Director of the American Youth Symphony (an El Segundo business), in favor of the proposed ordinance.

Brett Moore, resident, in favor of the proposed ordinance.

MOTION by Council Member Brann, SECONDED by Council Member Pimentel to close the public hearing. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 4/0

Council Discussion

David King, Assistant City Attorney, read by title only:

ORDINANCE NO. 1594

AN ORDINANCE AMENDING TITLE 15 (ZONING REGULATIONS) OF THE EI SEGUNDO MUNICIPAL CODE ESTABLISHING A PUBLIC ART OR IN-LIEU FEE REQUIREMENT AND A CULTURAL DEVELOPMENT FUND.

Council Member Nicol introduced the Ordinance. Second reading and potential adoption of the Ordinance is scheduled for the regular City Council meeting on November 19, 2019.

Recessed at 8:08 PM

Reconvened at 8:18 PM

Mayor Boyles returned to the dais.

D. STAFF PRESENTATIONS

13. First reading and introduction of the ordinance 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.

Julianna Demers, Business Services Manager, reported and answered Council's questions on the item.

Council Discussion

David King, Assistant City Attorney, read by title only:

ORDINANCE NO. 1595

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE TITLE 11, CHAPTER 1 TO MODIFY WATER SERVICE DISCONNECTION PROCEDURES IN ACCORDANCE WITH STATE LAW.

Council Member Brann introduced the Ordinance. Second reading and potential adoption of the Ordinance is scheduled for the regular City Council meeting on November 19, 2019.

14. Waive first reading and introduce ordinances 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.

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.

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

*This item is to be introduced first and the second reading is the Public Hearing. This is a state law requirement.*

Council Discussion

David King, Assistant City Attorney, read by title only: *(all thirteen (13) Ordinances were read in succession and introduced together versus individually)*

ORDINANCE NO. 1596

AN ORDINANCE ADOPTING THE CALIFORNIA BUILDING CODE, 2019 EDITION ("CBC") AND AMENDING THE CBC BASED UPON LOCAL CLIMATIC, TOPOGRAPHICAL, AND GEOLOGICAL CONDITIONS; AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH CHANGES.

ORDINANCE NO. 1597

AN ORDINANCE ADOPTING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION ("CRC") AND AMENDING THE CRC BASED UPON LOCAL CLIMATIC, TOPOGRAPHICAL, AND GEOLOGICAL CONDITIONS; AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH CHANGES.

ORDINANCE NO. 1598

AN ORDINANCE ADOPTING THE 2019 EDITION OF THE CALIFORNIA ELECTRICAL CODE ("CEC") AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH ADOPTION



ORDINANCE NO. 1599

AN ORDINANCE ADOPTING THE 2019 EDITION OF THE CALIFORNIA MECHANICAL CODE ("CMC") WITH AMENDMENTS AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH ADOPTION.

ORDINANCE NO. 1600

AN ORDINANCE ADOPTING THE 2019 EDITION OF THE CALIFORNIA PLUMBING CODE ("CPC") WITH AMENDMENTS AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH ADOPTION.

ORDINANCE NO. 1601

AN ORDINANCE ADOPTING THE 2019 EDITION OF THE CALIFORNIA ENERGY CODE ("CEC") AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH ADOPTION.

ORDINANCE NO. 1602

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE ("IPMC") WITH AMENDMENTS AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH ADOPTION.

ORDINANCE NO. 1603

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE ("ISPSC") AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH ADOPTION.

ORDINANCE NO. 1604

AN ORDINANCE ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA FIRE CODE, CHAPTERS 1, DIVISION 2, 3, and 4, AND SECTIONS 503, 510.2, 807.2, 1103.2 AND APPENDIX O OF THE INTERNATIONAL FIRE CODE, 2018 EDITION, AND AMENDING THESE CODES THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY.

ORDINANCE NO. 1605

AN ORDINANCE ADOPTING THE 2019 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE ("CEBC") WITH AMENDMENTS AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH ADOPTION.

ORDINANCE NO. 1606

AN ORDINANCE ADOPTING THE 2019 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE (“CGBSC”, “CALGreen”) WITH AMENDMENTS AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH ADOPTION

ORDINANCE NO. 1607

AN ORDINANCE ADOPTING APPENDIX V (VOLUNTARY SEISMIC RETROFIT); VOLUNTARY PRESCRIPTIVE PROVISIONS FOR SEISMIC STRENGTHENING OF CRIPPLE WALLS AND SILL PLATE ANCHORAGE OF LIGHT, WOOD-FRAME RESIDENTIAL BUILDINGS; VOLUNTARY EARTHQUAKE RISK REDUCTION IN WOOD-FRAME RESIDENTIAL BUILDINGS WITH SOFT, WEAK OR OPEN FRONT WALLS; AND VOLUNTARY EARTHQUAKE HAZARD REDUCTION IN EXISTING CONCRETE BUILDINGS; AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH ADOPTION

ORDINANCE NO. 1608

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE UNIFORM SOLAR ENERGY AND HYDRONICS CODE (“USEHC”) AND AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REFLECT SUCH ADOPTION.

Council Member Pirsztuk introduced the all thirteen (13) Ordinances. Second reading and potential adoption of the Ordinance is scheduled for the regular City Council meeting on November 19, 2019.

D. REPORTS – CITY CLERK

15. Adopt 3 resolutions; calling for the General Municipal Election, requesting Los Angeles County services and adopting regulations for candidates statements for the March 3, 2020 General Municipal Election.

Tracy Weaver, City Clerk, introduced the item and stated for the record clerical revisions were made to Resolution No 5180. Council received the revised Resolution prior to the meeting.

Council Discussion

David King, Assistant City Attorney, read by title only:

RESOLUTION NO. 5180

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE

HELD ON MARCH 3, 2020, WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THAT DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE.

MOTION by Mayor Boyles, SECONDED by Council Member Nicol approving Resolution No. 5180. MOTION by Mayor Pro Tem Pirsztuk, SECONDED by Council Member Nicol to close the public hearing. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

#### RESOLUTION NO. 5179

A RESOLUTION CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 3, 2020, WITH THE CONSOLIDATED PRIMARY ELECTION, FOR THE ELECTION OF THREE MEMBERS OF THE CITY COUNCIL, CITY CLERK AND CITY TREASURER PURSUANT TO ELECTIONS CODE § 1301.

MOTION by Council Member Nicol, SECONDED by Mayor Boyles approving Resolution No. 5179. MOTION by Mayor Pro Tem Pirsztuk, SECONDED by Council Member Nicol to close the public hearing. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

#### RESOLUTION NO. 5181

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, MARCH 3, 2020.

MOTION by Mayor Boyles, SECONDED by Council Member Nicol approving Resolution No. 5181. MOTION by Mayor Pro Tem Pirsztuk, SECONDED by Council Member Nicol to close the public hearing. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

Tracy Weaver, City Clerk, announced the nomination period will open Tuesday, November 12, 2019 and close December 6, 2019. Extended until December 11, 2019 if an incumbent does not file.

Announced the first VSAP town hall meeting was held last night, November 4, 2019 in Council Chamber and the next meeting will be held on Wednesday, November 20, 2019 at 6:00 PM in the Joslyn Center at the Recreation Park.

#### E. REPORTS – CITY TREASURER

16. Proposed Ballot Measure for the March 3, 2020 General Municipal Election to convert the elected office of the City Treasurer to an appointed position.

Crista Binder, City Treasurer, gave a presentation and answered Council's questions on the item.

#### Council Discussion

MOTION by Council Member Nicol, SECONDED by Mayor Pirsztuk to place a ballot measure on the March 3, 2020 election converting the elected office of the City Treasurer to an appointed position. MOTION PASSED BY A UNANAMOUS VOICE VOTE. 5/0

F. REPORTS – COUNCILMEMBERS

Councilmember Pimentel – Passed

Councilmember Nicol – Invited the Community to attend the Park Vista Sr. Housing Board meetings, these meetings are public and held quarterly. The meetings are announced in the El Segundo Herald. Mr. Nicol also invited the public to attend the Hyperion Council meetings, held quarterly in the Friends of the Library room at the El Segundo Public Library.

Councilmember Brann – Reminded the Community he would not be running for a second Council term, as stated when he took office in 2016 and stated due to a new law (SB126 – when enacted, does not allow a person to hold two positions simultaneously on a board or council, that are subject to the Brown Act). Dr. Brann is President and founder of the Da Vinci schools and sits on the board. The bill takes effect January 1, 2020. Therefore, he will be stepping down as a Council Member, and his last meeting will be December 17, 2019.

Mayor Pro Tem Pirsztuk – Thanked staff for a wonderful Halloween Frolic and is glad our community can offer a safe place to celebrate.

Mayor Boyles – Passed

G. REPORTS – CITY ATTORNEY – Passed

H. REPORTS/FOLLOW-UP – CITY MANAGER – Introduced Anjello Sotelo, City Manager’s office new Executive Assistant. Announced City Hall will be closed on Monday, November 11, 2019 and announced a few upcoming items that will come across the dais; Percent for Arts fee (2<sup>nd</sup> reading), Building Code Updates (Public Hearing), Short Term Rentals (Public Hearing) and a discussion on Single Use Plastic Ban within the City.

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

ADJOURNMENT at 9:00 PM

  
Tracy Weaver, City Clerk