

MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MARCH 3, 2020 – 4:00 PM

CALL TO ORDER – Mayor Boyles at 5:15 PM – due to lack of quorum at 4:00 PM.

ROLL CALL

Mayor Boyles	-	Present
Mayor Pro Tem Pirsztuk	-	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:

DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957): -1- matters

1. Performance Review
City Attorney

Adjourned at 5:55 PM

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MARCH 3, 2020 - 6:00 P.M.

CALL TO ORDER – Mayor at 6:00 PM

INVOCATION – Mona Shilling, Deputy City Clerk II

PLEDGE OF ALLEGIANCE – Council Member Nicol

SPECIAL PRESENTATIONS: None

ROLL CALL

Mayor Boyles	-	Present
Mayor Pro Tem Pirsztuk	-	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)

Randy Collins, Emergency Manager Coordinator, gave an update on the Coronavirus and what the City is doing at this time to combat and educate residents on the virus.

John Koppleman, President of Del Aire Neighborhood Association, commented on the proposed Aviation Blvd. Greenbelt.

Blair Dominick, resident, commented on item #C8 and asked several questions of the Council regarding setting standards for housing.

Richard Weis, resident, commented on item #C11 and asked several questions regarding the power lines.

Jeff Schuh, resident, commented on item #C9, not in favor of Short-term Rentals.

CITY MANAGER COMMENTS – (Related to Public Communications)

City Manager Mitnick commented on the Aviation Greenbelt project and mentioned the City is working with all the players to make it happen. The questions regarding housing standards will be answered during the public hearing portion of the meeting.

(Moved up on the agenda due to time constraints)

E. COMMITTEES, COMMISSIONS AND BOARDS PRESENTATIONS:

13. Appointment to the Arts and Culture Advisory Committee.
(Fiscal Impact: None)

Mayor Boyles announced the appointment of Samantha Smith-Strassner to the Arts and Culture Advisory Committee to a partial term expiring June 30, 2020.

14. Update from the Information Systems Department and the Technology Committee about policy, processes, and accomplishments.
(Fiscal Impact: None)

Madelon Smith and Chad Hahn gave a presentation updating Council on the committee.

Council discussion

Council consensus to receive and file the presentation.

A. PROCEDURAL MOTIONS

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

MOTION by Mayor Pro Tem Pirsztuk, SECONDED by Council Member Pimentel to read all ordinances and resolutions on the agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

B. CONSENT CALENDAR

1. Approve Regular City Council Meeting Minutes of February 18, 2020.
2. Approve Warrant Numbers 3030017 through 3030147 on Register No. 10a and 9001324 through 9001326 in the total amount of \$542,194.90 and Wire Transfers from 2/10/20 through 2/16/20 in the total amount of \$2,780,057.70. Ratified Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.
3. Award a contract to Race Communications and authorize City Manager to execute a three-year (3) agreement no. 5800 as part of South Bay Cities Council of Government (SBCCOG) South Bay Fiber Network (SBFN) to provide Dedicated Internet Access.
(Fiscal Impact: \$33,000.00 per year (\$2750.00 per month) totaling \$99,000.00 over the three-year (3) agreement)
4. Waive irregularity in bid and award standard Public Works Contract No. 5801 to Meggitt Training Systems Inc. for construction of El Segundo Police Department Firing Range Remodel. Project No. PW 19-26.
(Fiscal Impact: \$245,000.00 and additional \$24,500.00 for construction related contingencies)
5. Adopt Resolution No. 5202 approving plans and specifications for Recreation Park Softball Bleachers Improvement Project. Project No. PW20-03.
(Fiscal Impact: \$147,500.00 included in the FY 19/20 budget)
6. Accept \$686,300 grant from the U.S. Department of Homeland Security, through Office of Grants and Training, under Fiscal Year 2018 State Homeland Security Grant Program (SHSGP); authorize City Manager to

sign an Agreement No. 5802 with County of Los Angeles as grant administrator; Authorize City Manager to sign an Amendment No. 5348E to Professional Services Agreement with Michael T. Little, dba Counter Risk, Inc., to increase the total amount by an additional \$220,000 and extend term of the agreement.
(Fiscal Impact: City to receive \$686,300.00 in grant funds)

7. Authorize staff to prepare an RFQ for housing development and management services entity to partner with City to develop strategic plan and provide affordable housing.
(Fiscal Impact: None)

MOTION by Council Member Nicol, SECONDED by Mayor Boyles approving Consent Agenda items 1, 2, 3, 4, 5, 6 and 7. MOTION PASSED BY UNANIMOUS VOICE VOTE.
4/0

C. PUBLIC HEARINGS

Council Member Nicol recused himself due to possible conflict of interest.

8. Amend 540 East Imperial Avenue Specific Plan, Second Amendment No. 5200C to Development Agreement No. DA 16-01 and an amended condition of approval to allow developer DR Horton CA2, Inc. to pay a fee of \$5.3 million dollars to City of El Segundo for affordable housing purposes in lieu of affordable housing requirement. (Applicant: DR Horton CA2, Inc.)
(Fiscal Impact: \$5,300,000.00 in-lieu fees to the City for affordable housing purposes)

[An Addendum to Environmental Impact Report (EIR) for development project was certified by City Council on September 28, 2016. The requested revision to affordable housing requirement does not introduce new significant environmental effects or substantially increase severity of environmental impacts that previously were identified and analyzed in certified EIR Addendum. Additionally, project does not include changed circumstances or new information, which were not known at the time EIR was certified, that would require preparation of a subsequent environmental analysis pursuant to CEQA Guidelines.]

Mayor Boyles stated this was the time and place to conduct a Public Hearing regarding amending 540 East Imperial Avenue Specific Plan, Second Amendment No. to Development Agreement No. DA 16-01 and an amended condition of approval to allow developer DR Horton CA2, Inc. to pay a fee of \$5.3 million dollars to City of El Segundo for affordable housing purposes in lieu of affordable housing requirement.

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

Gregg McClain, Planning Manager, gave a presentation and answered questions on the item.

David King, Asst. City Attorney, reported on the item and answered Council's questions.

Kathe Head, Managing Principal, Keyser Marston Associates, Inc., answered Council's questions.

Scott Mitnick, City Manager, commented and answered Council questions.

Public Comments:

Marianne Adriatico, Vice President Division Council for D. R. Horton Southern California, commented on the ongoing project with the City and agrees with staff's recommendation.

Jamin Griffiths, resident, would like to see the City remain economically diverse and would like to see a well thought out plan for the funds before accepting the funds.

Lisa Varela, resident, not in favor of the in-lieu fees and would like to see the homes available go to those who would qualify for the moderate affordable units.

Alex Heck, resident, has concerns about accepting the in-lieu fees and isn't in favor of accepting the fees and wants Council to hold DR Horton accountable.

Nancy Cobb, resident, in favor of accepting the eight (8) moderate units and not the in-lieu fees.

Trevor Jones, non-resident, feels the professionals should be heard and Council should accept the in-lieu fees.

Jay Hoeschler, resident, commented rentals will be the way to achieve the City's RHNA (Regional Housing Needs Assessment) numbers.

MOTION by Mayor Pro Tem Pirsztuk, SECONDED by Council Member Pimentel to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 3/0

Council Discussion

Council Member Pimentel noted the following: Significantly disappointed that the moderate housing concept that was on the table seventy-two (72) hours prior is not an option at this time. Tremendous miscarriage of the way this item should have been handled.

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

ORDINANCE NO. 1615

AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE 540 EAST IMPERIAL AVENUE SPECIFIC PLAN AND A SECOND AMENDMENT TO DEVELOPMENT AGREEMENT NO. 16-01, TO ALLOW THE DEVELOPER D.R. HORTON CA2, INC. TO PAY A FEE TO THE CITY IN LIEU OF THE AFFORDABLE

HOUSING REQUIREMENT, AND AUTHORIZING THE CITY MANAGER TO SIGN A SETTLEMENT AGREEMENT.

Mayor Pro Tem Pirsztuk introduced the item. The second reading and possible adoption of the Ordinance is scheduled for the regular City Council meeting of March 17, 2020.

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

RESOLUTION NO. 5203

A RESOLUTION OF THE EL SEGUNDO CITY COUNCIL APPROVING AN AMENDMENT TO ENVIRONMENTAL ASSESSMENT NO. 1154 AND A MODIFICATION TO CONDITION OF APPROVAL NO. 15 TO ALLOW THE DEVELOPER D.R. HORTON CA2, INC. TO PAY A FEE TO THE CITY FOR AFFORDABLE HOUSING REQUIREMENT, AND AUTHORIZING THE CITY MANAGER TO TERMINATE THE AFFORDABLE HOUSING AGREEMENT WITH THE DEVELOPER.

MOTION by Mayor Pro Tem Pirsztuk, SECONDED by Mayor Boyles approving Resolution No. 5203. MOTION PASSED BY UNANIMOUS VOICE VOTE. 3/0

Council Member Nicol returned to the dais.

Council Member Pimentel recused himself due to possible conflict of interest.

9. Continued public hearing and introduction of revised Ordinance No. 1614 for Zone Text Amendment creating a one-year pilot program to allow and regulate Short-Term Rentals in the City's residential zoning districts through a Short-Term Rental Permit process.
(Fiscal Impact: Potential revenue of \$37,000.00 from permits and business licenses and \$125,000.00 from Transient Occupancy Taxes (TOT))

[The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Class 6 (Information Collection) (14 Cal. Code Regs. § 15306), because it involves creating a regulatory process for a use in the Residential zoning districts for a limited time.]

Mayor Boyles stated this was the time and place to continue a public hearing introducing revised Ordinance No. 1614 for Zone Text Amendment creating a one-year pilot program to allow and regulate Short-Term Rentals in the City's residential zoning districts through a Short-Term Rental Permit process.

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

Gregg McClain, Planning Manager, gave a presentation and answered questions on the item.

Sam Lee, Planning, Building and Safety Director, answered Council's questions. MOTION by Mayor Pro Tem Pirsztuk, SECONDED by Council Member Pimentel to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 3/0

Council Discussion

Council consensus to continue the public hearing to the regular City Council meeting of March 17, 2020.

Recessed at 8:40 PM

Reconvened at 8:50 PM

Council Member Pimentel returned to the dais.

Mayor Boyles recused himself due a conflict of interest for both items #10 and #11.

10. Adopt a Resolution approving proposed Community Benefits Plan (CBP 19-01) to permit exceptions to height, floor area ratio and rear setback standards pursuant to Smoky Hollow Specific Plan and Environmental Assessment (EA-1254) related to construction of a new 14,119 square-foot office building at 212 Eucalyptus Street in Smoky Hollow-West (SH-W) district.
(Fiscal Impact: \$14,214.00 contribution to Smoky Hollow Public Infrastructure Fund)

[The project is categorically exempt from environmental review pursuant to California Code of Regulations, Title 14 ("CEQA guidelines") Section 15332 as a Class 32 exemption (Infill Development)]

Mayor Pro Tem Pirsztuk stated this was the time and place to conduct a Public Hearing regarding adopting a Resolution approving proposed Community Benefits Plan (CBP 19-01) to permit exceptions to height, floor area ratio and rear setback standards pursuant to Smoky Hollow Specific Plan and Environmental Assessment (EA-1254) related to construction of a new 14,119 square-foot office building at 212 Eucalyptus Street in Smoky Hollow-West (SH-W) district.

Deputy City Clerk Shilling 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, Building and Safety Director and Paul Samaras, Principal Planner, gave a presentation and answered questions on the item.

Public Comments:

David Balian, Balian Architects, commented on the project.

Council Discussion

MOTION by Council Member Nicol, SECONDED by Council Member Pimentel to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 3/0

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

RESOLUTION NO.5204

A RESOLUTION APPROVING COMMUNITY BENEFIT PLAN NO. 19-01 AND ENVIRONMENTAL ASSESSMENT NO. EA-1254 FOR DEVELOPMENT OF A 14,119 SQUARE-FOOT OFFICE BUILDING AT 212 EUCALYPTUS DRIVE.

MOTION by Council Member Pimentel, SECONDED by Council Member Nicol approving Resolution No. 5204. MOTION PASSED BY UNANIMOUS VOICE VOTE. 3/0

11. Adopt a Resolution approving proposed Community Benefits Plan (CBP 18-01) and Environmental Assessment (EA-1233) to allow construction of a 60,000 square-foot addition that exceeds maximum permitted building height in Smoky Hollow Specific Plan area at 140 Oregon Street.
(Fiscal Impact: None)

[The project is categorically exempt from environmental review pursuant to California Code of Regulations, Title 14 ("CEQA guidelines") Section 15332 as a Class 32 exemption (Infill Development)]

Mayor Pro Tem Pirsztuk stated this was the time and place to conduct a Public Hearing regarding adopting a Resolution approving proposed Community Benefits Plan (CBP 18-01) and Environmental Assessment (EA-1233) to allow construction of a 60,000 square-foot addition that exceeds maximum permitted building height in Smoky Hollow Specific Plan area at 140 Oregon Street.

Deputy City Clerk Shilling 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.

Paul Samaras, Principal Planner, gave a presentation and answered questions on the item.

Public Comments:

Mark Telesz, owner and developer, Smoky Hollow Industries, LLC, commented on the project.

David Balian, Balian Architects, commented on the project.

MOTION by Council Member Pimentel, SECONDED by Council Member Nicol to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 3/0

Council Discussion

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

RESOLUTION NO. 5205

A RESOLUTION APPROVING COMMUNITY BENEFIT PLAN NO. 18-01 AND ENVIRONMENTAL ASSESSMENT NO. EA-1233 TO ALLOW THE CONSTRUCTION OF AN ADDITION THAT EXCEEDS THE PERMITTED BUILDING HEIGHT IN THE SMOKY HOLLOE SPECIFIC PLAN AREA, AND LOCATED AT 140 OREGON STREET.

MOTION by Council Member Nicol, SECONDED by Council Member Pimentel approving Resolution No. 5205. MOTION PASSED BY UNANIMOUS VOICE VOTE. 3/0

Mayor Boyles returned to the dais.

D. STAFF PRESENTATIONS

12. Waive first reading and introduce an Ordinance authorizing an amendment no. 537KK to a contract between City Council and Board of Administration of California Public Employees' Retirement System (CalPERS), adopt a Resolution of Intention to approve an amendment to a contract between the Board of Administration of CalPERS and City Council to provide Section 20516 (Employee Sharing Additional cost) of 1% for classic local miscellaneous members in unrepresented Management-Confidential Group and 3% for classic local safety members in unrepresented Management-Confidential Group and approve staff to administer required Employee Election.
(Fiscal Impact: None)

David Serrano, Human Resources Director, reported on the item.

Council Discussion

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

ORDINANCE NO. 1616

AN ORDINANCE OF THE CITY OF EL SEGUNDO AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF EL SEGUNDO AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

Mayor Boyles introduced the item. The second reading and possible adoption of the Ordinance is scheduled for the regular City Council meeting of April 21, 2020.

RESOLUTION NO. 5206

TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF
ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND
THE CITY COUNCIL CITY OF EL SEGUNDO

MOTION by Council Member Nicol, SECONDED by Mayor Boyles approving Resolution
No. 5206. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

E. COMMITTEES, COMMISSIONS AND BOARDS PRESENTATIONS:
Items #13 and #14 moved to before Consent Agenda items.

F. REPORTS – CITY CLERK – Passed

G. REPORTS – CITY TREASURER – Not present

H. REPORTS – COUNCILMEMBERS

Councilmember Pimentel – Passed

Councilmember Nicol – Thanked everyone who got out and voted today.

Mayor Pro Tem Pirsztuk – Congratulated the candidates on their win and
thanked the community for allowing her to serve another four (4) years.

Mayor Boyles – Commented on Chef Hannes requesting the sidewalk in front of
his restaurant be fixed and complimented Meredith Petit, Recreation and Parks
Director and her staff on getting the sidewalk taken care of quickly and stated he
is looking forward to serving another four (4) years.

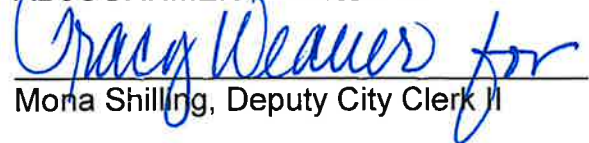
I. REPORTS – CITY ATTORNEY – Passed, but did congratulate the candidates!

J. REPORTS/FOLLOW-UP – CITY MANAGER – Commented on upcoming agenda
items.

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

MEMORIAL – None

ADJOURNMENT at 9:52 PM


Mona Shilling, Deputy City Clerk II