

MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MAY 19, 2020 – 4:00 PM
This meeting was conducted virtually via Zoom conferencing

CALL TO ORDER – Virtually by Mayor Boyles at 4:01 PM

ROLL CALL

Mayor Boyles - Present via teleconferencing
Mayor Pro Tem Pimentel - Present via teleconferencing
Council Member Pirsztuk - Present via teleconferencing
Council Member Nicol - Present via teleconferencing
Council Member Giroux - Present via teleconferencing

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 (Government Code §54956.9(d)(1).

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

1. Significant Exposure to Litigation (Government Code §54956.9(d)(2))
2. Initiation of litigation (Government Code §54956.9(d)(4))

THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code § 54957(a))

Consultation with: City Manager Scott Mitnick, Fire Chief Chris Donovan, Police Chief Bill Whalen and City Attorney Mark Hensley

Adjourned at 5:55 PM

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MAY 19, 2020 - 6:00 P.M.
This meeting was conducted virtually via Zoom conferencing

CALL TO ORDER – Virtually by Mayor Boyles at 6:02 PM

INVOCATION – Tracy Weaver, City Clerk

PLEDGE OF ALLEGIANCE – Mayor Boyles

ROLL CALL

Mayor Boyles	-	Present via teleconferencing
Mayor Pro Tem Pimentel	-	Present via teleconferencing
Council Member Pirsztuk	-	Present via teleconferencing
Council Member Nicol	-	Present via teleconferencing
Council Member Giroux	-	Present via teleconferencing

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

Tracy Weaver, City Clerk, read email comments into the record received prior to the meeting due to Safer at Home restrictions.

Katie Hazelrigg, resident, asking Council’s consideration to open up local/small non-essential businesses with properly balanced precautions.

Nick Goffi, resident, commented on item #D9(d), in support of outdoor dining for local restaurants.

Suzanne MacKusick, resident, commented on item #D9(d), supporting the use of public right of ways for outdoor dining.

Rob Rubens, R6 Distillery owner, commented on item #D9(d), in support of outdoor dining for local restaurants and the use of public right of ways.

Neil Cadman, resident and Deluca Pasta owner, commented on item #D9(d), in favor of creatively crafting attempts to save local restaurants and downtown businesses, including retail.

Anonymous, El Segundo business owner, commented on item #D9(d), in support of outdoor dining, but not at the expense of the community’s health.

Zach Lyall and Riley Montz, Richmond Bar & Grill owners, asked several questions regarding item #D9(d) and offered to get involved and help the City move forward.

Kristian Krieger, Tavern on Main owner, commented on item #D9(d), in support of outdoor dining for local restaurants and the use of public right of ways.

Collin Komae, commented on item #D9(d), in support of outdoor dining, however, would like the City to consider temporarily closing down the right westbound lane for expanded pedestrian access.

Clark Hare, commented on item #D9(d), in support of outdoor dining for local restaurants.

Anne Conness, Sausal owner, commented on item #D9(d), in support of outdoor dining for local restaurants and the use of public right of ways.

Linda Marshall, LA Regional Census Center, reported updated information on the 2020 Census and stated El Segundo has 69.7% response rate. To complete the Census, go to www.2020census.gov or call 844-330-2020.

CITY MANAGER FOLLOW-UP COMMENTS – (Related to Public Communications)
None

SPECIAL PRESENTATIONS:

- a) Boy Scouts of America Troop 219 – Thank you video to all Essential Employees.

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Nicol, SECONDED by Council Member Pirsztuk to 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 City Council Meeting Minutes of May 5, 2020 and Special City Council Minutes of May 7, 2020.
2. Approve Warrant Numbers 3031124 through 3031194 on Register No. 15a in the total amount of \$191,923.01 and Wire Transfers from 4/27/20 through 5/03/20 in the total amount of \$355,716.49. Approve Warrant Numbers 3031195 through 3031289 on Register No. 15b in the total amount of \$436,225.71 and Wire Transfers from 5/04/20 through 5/10/20 in the total amount of \$925,530.57. Ratified Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.
3. Suspend enforcement of “upon request policy for single-use, plastic straws, stirrers and utensils” ordinance for 90 days due to COVID-19 pandemic and its impact on restaurants and food/beverage industry. (Fiscal Impact: None)
4. PULLED BY MAYOR PRO TEM PIMENTEL.
5. Authorize City Manager to pre-pay City’s unfunded annual liability to California Public Employees Retirement System (CalPERS) for CalPERS Fiscal Year (FY) 2020-21. (Fiscal Impact: Savings of \$367,875.00: \$91,969.00 in FY 2019-20 and \$275,906.00 in FY 2020-21)

6. Adopt Resolution No. 5211 approving continued participation in the Los Angeles Urban County Community Development Block Grant (CDBG) Program by Entering into a Three-Year (3) Cooperation Agreement No. 5914 with the County of Los Angeles and authorize the City Manager, or designee, to execute any and all documents necessary for participation in the LA Urban County CDBG Program.
(Fiscal Impact: Annually, the City receives approximately \$55,000.00 in federal Community Development Block Grant Funds from Los Angeles County)
7. Adopt and approve the Police Lieutenant Examination plan and authorize City Manager (Personnel Officer or designee) to make necessary changes to effectuate the Police Lieutenant Examination plan.
(Fiscal Impact: None)

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

PULLED ITEMS:

4. Approve a one-year renewal agreement with City of Redondo Beach, and in collaboration with cities of Manhattan Beach and Hermosa Beach, for operation of Beach Cities Transit (BCT) Line 109 for FY2020/2021.

Council discussion

MOTION by Mayor Pro Tem Pimentel, SECONDED by Council Member Pirsztuk approving Agreement No. 5913. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. PUBLIC HEARINGS –

8. Continue public hearing of an ordinance adding a new Chapter 9 to Title 9 of El Segundo Municipal Code to establish comprehensive regulations, standards, and permit requirements for installation of wireless communication facilities in public right-of-way and related Environmental Assessment (EA-1189), and a resolution adopting regulations for small wireless facilities in public rights-of-way to June 2, 2020 regular City Council meeting.
(Fiscal Impact: None)

(Ordinance and resolution are not a “project” within the meaning of Section 15378 of the California Environmental Quality Act (CEQA) Guidelines, because they have no potential for resulting in physical change to the environment, directly or indirectly).

Mayor Boyles stated this is the time and place to continue the public hearing to June 2, 2020.

D. STAFF PRESENTATIONS

- 9. Ratify Revised COVID-19 Local Emergency Administrative Order No. 2 related to closure of City facilities and parks, including the re-opening of The Lakes at El Segundo Golf Course and certain other facilities; Adopt Resolution for new greens and driving range fees for The Lakes at El Segundo Golf Course; Receive COVID-19 Local Emergency Update Report; and direct staff to research expanding downtown dining/business encroachment opportunities onto public right-of-way (sidewalks, streets, alleys, etc.).
 (Fiscal Impact: The revised order increases greens and driving fees for the use of The Lakes at El Segundo Golf Course to recover the City’s General Fund subsidies of operating the facility)
*****There are four (4) recommendations associated with this item*****

Scott Mitnick, City Manager, introduced the item and reported on the Revised COVID-19 Local Emergency Administrative Order No. 2 and the resolution for new greens and driving range fees for The Lakes at El Segundo Golf Course.

Action for Recommendation 1: (Ratify Admin. Order No. 2)
MOTION by Mayor Boyles, SECONDED by Council Member Giroux to ratify the Revised COVID-19 Administrative Order No. 2. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Action for Recommendation 2: (Approve resolution adopting new fees for The Lakes at El Segundo Golf Course)

RESOLUTION NO. 5212

A RESOLUTION ADOPTING NEW RATES AND FEES FOR THE LAKES AT EL SEGUNDO GOLF COURSE

MOTION by Council Member Giroux, SECONDED by Council Member Pirsztuk approving Resolution No. 5212. . MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Discussion/Action for Recommendation 3: (COVID – 19 Local Emergency Update Reports)

- Chris Donovan, Fire Chief – COVID-19 update
- Meredith Petit, Recreation and Parks Director – Recreation and Parks Services update, including The Lakes at El Segundo Golf Course
- Melissa McCollum, Library Director - Library Services Update
- Barbara Voss, Deputy City Manager – Economic Recovery Update/Efforts

Council asked questions/commented during each update.

Discussion/Action for Recommendation 4: (research/criteria needed to assist all businesses throughout El Segundo)

Council Discussion

Scott Mitnick, City Manager, Barbara Voss, Deputy City Manager and Mark Hensley, City Attorney answered Council questions during discussion.

Council consensus directing staff to proceed with the following action items:

- Clear all hurdles for businesses; staff reach out/solicit local businesses to identify needs, request plans/granular data on what is needed to re-open when given the go-ahead, give staff the ability to accommodate reasonable plans/needs of businesses to re-open.
- Write letter to Supervisor Hahn requesting variance assistance from Governor Newsom to move into Phase 3 earlier than the both the State and County Orders require for her District.
- Metrics/Measure number of businesses that aren't open that can be with an emphasis on helping them open.
- Metric/Measure how quickly businesses open up after allowed, by category.
- Expand letter writing, to include local, state and federal legislators, encouraging support to allow operational flexibility for El Segundo businesses.
- Make sure the City Manager has the authority needed to make decisions necessary to accomplish the objectives set forth by Council.

Council Member Nicol was placed in the Zoom Waiting Room due to a possible conflict of interest on item #10.

10. Adopt a resolution approving Plans and Specifications for the Acacia Park Playground and Site Improvement Project, authorize staff to advertise the project for construction bids and related budget amendments. (Project No. PW 20-06)

(Fiscal Impact: Estimated total cost of project is \$900,000.00. \$300,000 was included in the adopted FY 2019-20 General Fund Budget. Total project budget includes \$50,000 for design and \$850,000 for construction as follows: \$300,000 in Account 301-400-8202-8223 (CIP Fund), 200,000 in Account 503-400-8204-8223 (Wastewater Fund), \$200,000 in Account 125 (State Grant Prop. 68) (State Grants) and \$150,000 in Account 301-400-8152-8212 (CIP Fund)

******There are two (2) recommendations associated with this item******

Scott Mitnick, City Manager, introduced and reported on the item.

Council Discussion

Joe Lillio, Finance Director, answered Council questions.

Action for Recommendation 1: (Approve resolution adopting Plans & Specifications for Acacia Park Construction)

RESOLUTION NO. 5213

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF ACACIA PARK PLYGROUND AND SITE IMPROVEMENT PROJECT, PW 20-06. PURSUANT TO GOVERNMENT CODE § 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT

MOTION by Mayor Pro Tem Pimentel, SECONDED by Council Member Pirsztuk adopting Resolution No. 5213. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

Action for Recommendation 2: (amend FY 2019-20 General Fund Appropriations)

MOTION by Mayor Pro Tem Pimentel, SECONDED by Council Member Pirsztuk amending FY 2019-20 General Fund Budget Appropriations by \$300,000.00 from \$74,895,883.00 and the Equipment Replacement Fund Revenue Estimates by \$300,000.00 from #2,089,441.00 to \$1,789,441.00. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

Council Member Nicol re-entered Zoom meeting.

11. Receive and file the Comprehensive Annual Financial Report (CAFR) for fiscal year ending September 30, 2019.

Scott Mitnick, City Manager, introduced the item.

Joe Lillio, Finance Director, introduced Mr. Patel, audit partner, White, Nelson, Diehl, Evans (WNDE) LLP.

Mr. Patel, presented the Comprehensive Annual Financial Report (CAFR)

Council Discussion

Council consensus to receive and file the report

- E. COMMITTEES, COMMISSIONS AND BOARDS PRESENTATIONS – None
- F. REPORTS – CITY CLERK – No report
- G. REPORTS – CITY TREASURER – Not present
- H. REPORTS – COUNCILMEMBERS –

Council Member Giroux – Commented on the term “Non-Essential Business” and feels all businesses are essential and the term isn’t ours.

Council Member Nicol – Important to let the Community know that as elected officials it is our responsibility to manage and look at all sides of the pandemic and find the middle ground so that no one feels alienated or feels the decisions are reckless. We need to come out of the pandemic as a closer Community, not a divided Community

Council Member Pirsztuk – We are all in the same storm, but not the same boat. Now that more people are getting out, please drive safely, reminded everyone if you see something that needs attention, please let someone know, thanked all volunteers who have contributed in some way to the Community during the pandemic and congratulations to all college graduates, including her daughter, who graduated from Purdue University.

Mayor Pro Tem Pimentel – Reminded all to be personally responsible during these times and it will help in the incremental steps to re-opening. Be responsible in hand washing, hand sanitizing and wearing masks. During this we missed out on an opportunity commemorating National Peace Officer Memorial Day and it is important to reflect on this.

Mayor Boyles – Read a letter received by Sari Brann, Friends of the Library, regarding the Spanish Flu pandemic. Encouraged the community to visit the Friends of the Library once the library is re-opened. Reminded residents to please dispose of masks and gloves correctly. Mentioned the uptick in graffiti.

12. Approve and implement Council Members to various intergovernmental agencies, local agencies and subcommittees.

MOTION by Council Member Nicol, SECONDED by Council Member Pirsztuk approving Council assignments. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

13. Approve proposed Business License Tax Money Back Guarantee Refund Program.

Scott Mitnick, City Manager, introduced the item.

Mark Hensley, City Attorney and Joe Lillio, Finance Director answered Council questions.

Council Discussion

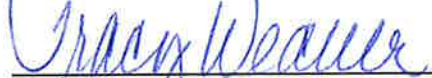
Council consensus directing staff to research and draft a resolution proposing a Business License Tax Money Back Guarantee Refund Program.

- I. REPORTS – CITY ATTORNEY – No report

- J. REPORTS/FOLLOW-UP – CITY MANAGER – Next Council meeting is June 2, 2020; which will include a public hearing regarding Wireless Cell sites. Moving the Short-Term rental item to November 3, 2020. Flags flew half-staff on National Peace Officer Day, commented on El Segundo's COVID-19 numbers and feels our efforts are paying off and feels we will come out of the pandemic stronger.

MEMORIAL – Closed in Memory of El Segundo's Fallen Police Officers.

ADJOURNMENT at 8:58 PM



Tracy Weaver, City Clerk