

MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JUNE 2, 2020 – 4:00 PM
This meeting was conducted virtually via Zoom conferencing

CALL TO ORDER – Virtually by Mayor Boyles at 4:03 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)).

1. Kevin Smith v. City of El Segundo, WCAB Case No. ADJ9258793

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 6:05 PM

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JUNE 2, 2020 - 6:00 P.M.

This meeting was conducted virtually via Zoom conferencing

Adjourned/Continued to Wednesday, June 3 at 3:00 PM due to the ongoing civil unrest in L. A. County and consistent with the County of LA's Countywide Curfew and the El Segundo City Manager's Administrative Order No. 1 (2020-1).

CALL TO ORDER – Virtually by Mayor Boyles at 3:16 PM

INVOCATION – Tracy Weaver, City Clerk

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Pimentel

PUBLIC COMMUNICATION – (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. There were a few residents who spoke in the Council Chamber.

Cecil Brown, resident, commented on his family's experience and interaction with the El Segundo Police Department.

Neil Cadman, resident and DeLuca Pasta owner, commented on item #A1 of the Special agenda regarding the reopening of restaurants and retail operations. (Email comment)

Rob Croxall, resident and El Segundo Brewing Co and Slice & Pint owner, commented on item #A1 of the Special agenda regarding the reopening of restaurants and retail operations. (Email comment)

David Balian, Balian Architects, commented on reducing the width of compact spaces from 8'-6" to 7'-6" and to increase the maximum of compact spaces. (Email comment)

Natacha Lee, resident, commented on a video circulating in which a woman is seen removing flyers that encouraged raising funds for the BLM (Black Lives Matter) movement. Ms. Lee would like Council's support encouraging the ESUSD not to rehire said individual and does not wish to attend a school that supports racial intolerance.

Jessica Lee, resident, proud to be part of El Segundo, however, is saddened by the recent behavior she has witnessed recently, residents demonstrating racism and intolerance, this is unacceptable and Ms. Lee will not tolerate this behavior. Asked Council to promote equality and tolerance.

Paula Lee, resident, commented she is the mother of bi-racial children and that her children are treated differently because of the color of their skin. Her children were upset by what they saw, a community member removing flyers supporting the BLM (Black Lives Matter) movement. Ms. Lee asked Council to listen and condemn the actions of those who don't listen to someone who is different from them. The time is now to act, silence is complicity.

Sean Lee, resident, commented that he participated in the City's Civic Day last year, the assignment was ideas for renovating the Teen Center, but can't believe that was the focus, when there were police shootings and racial bias taking place. It's not an

accident that racism occurs over and over again. Mr. Lee stated he was heckled at least 2 times on his way to today's protest, and asked the Council to do more, what is being done now isn't enough.

Meredith Yinger, resident, stated if you are of white privilege, use that privilege to help others and uplift the voices of those who have been silenced for far too long. Ms. Yinger would like to see the City promote equality and justice and include diversity and inclusion training for all City employees, including the Police department. We need to set the standard as a City. Use our voice and power for good and rebuild the system.

CITY MANAGER FOLLOW-UP COMMENTS – (Related to Public Communications)

Council commented on the speaker's comments and promised to take their words and turn them into action. Thanked all those who spoke.

Mr. Mitnick commented on the business side of the public comments and will reach out to follow-up.

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

SPECIAL PRESENTATIONS:

- a) Bill Whalen, Police Chief – Civil Unrest Update – related to item #A2 on Special Agenda.
- b) Chris Donovan, Fire Chief – COVID-19 Update – related to item #A1 on Special Agenda.
- c) Barbara Voss, Deputy City Manager – COVID-19 Business Update - related to item #A1 on Special Agenda.

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 Giroux 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 19, 2020 and Special City Council Minutes of May 19, 2020.
2. Approve Warrant Numbers 3031290 through 3031400 on Register No. 16a in the total amount of \$372,396.85 and Wire Transfers from 5/11/20

through 5/17/20 in the total amount of \$2,179,277.60. Approve Warrant Numbers 3031401 through 3031485 on Register No. 16b in the total amount of \$552,995.23 and Wire Transfers from 5/18/20 through 5/24/20 in the total amount of \$823,682.30. Ratified Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

3. Reject all bids for construction of Roller Hockey Improvements Project. Project No. PW19-13.
(Fiscal Impact: \$151,000.00 - Included in adopted budget)
4. Award a standard Public Works Contract No. 5218 to Nata Construction, Inc. for Recreation Park Softball Field Bleacher Areas Improvement Project. Project No. PW 20-03.
(Fiscal Impact: \$121,938.00 - Included in adopted budget)
5. Adopt Resolution No. 5214 approving the vacation of two public service easements on property located at 212 Eucalyptus Drive.
(Fiscal Impact: None)
6. Adopt Resolution No. 5215 in support of City's application for a Local Early Action Planning (LEAP) Grant from State of California Department of Housing and Community Development, to be used for development of an R-4 zone with higher density than R-3, and to identify appropriate R-3 areas for up-zoning to contribute residential units toward City's effort to reach its housing goals.
(Fiscal Impact: \$65,000.00 to be received in grant funds)
7. Adopt Resolution No. 5216 authorizing destruction of identified records in accordance with provisions of Section 34090 of the Government code of the State of California.
(Fiscal Impact: \$1,200.00 – Included in adopted budget)

MOTION by Council Member Nicol, SECONDED by Council Member Pirsztuk, approving Consent Agenda items 1, 2, 3, 4, 5 (Mayor Boyles abstained from vote, due to conflict of interest 4/0), 6, and 7. MOTION PASSED BY UNANIMOUS VOICE VOTE.
5/0

*****Item #11 moved up on the agenda at the request of Council Member Giroux*****

11. Adopt resolution to establish Business License Tax Money-Back Guarantee Refund Program.
(Fiscal Impact: None)

Barbara Voss, Deputy City Manager, introduced and reported on the item.

Council Discussion

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 5218

A RESOLUTION OF THE EL SEGUNDO CITY COUNCIL ESTABLISHING THE
BUSINESS LICENSE TAX MONEY-BACK GUARANTEE REFUND PROGRAM

MOTION by Council Member Pirsztuk, SECONDED by Mayor Pro Tem Pimentel approving Resolution No. 5218. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. PUBLIC HEARINGS –

8. Continue public hearing and possible adoption of an ordinance amending El Segundo Municipal Code creating a pilot program to allow and regulate Short-Term Rentals in City's residential zoning districts through a Short-Term Rental Permit process to regular City Council meeting of June 16, 2020.
(Fiscal Impact: None)

(The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Class 1 (Existing Facilities) (14 Cal. Code Regs. § 15301), because it involves creating a regulatory process for the permitting and licensing of existing private uses and results in a negligible expansion of uses beyond what already exists in the residential zoning districts.)

Mayor Boyles stated this is the time and place to continue the public hearing to June 16, 2020.

9. Conduct a Public hearing regarding introduction 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 the installation of wireless communication facilities in the public right-of-way and related Environmental Assessment (EA-1189), and adopt a Resolution adopting regulations for small wireless facilities in public rights-of-way.
(Fiscal Impact: None)

(The 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 was the time and place to conduct a Public Hearing regarding introduction 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 the installation of wireless communication facilities in the public right-of-way and related Environmental Assessment (EA-1189), and adopt a Resolution adopting regulations for small wireless facilities in public rights-of-way.

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.

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

Public Comments:

MOTION by Council Member Nicol, SECONDED by Mayor Boyles to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Council Discussion

Mayor Pro Tem Pimentel requested, as installation begins, he would like the locations captured and reported on the City's website.

RESOLUTION NO. 5217

A RESOLUTION OF THE CITY OF EL SEGUNDO ADOPTING REGULATIONS AND STANDARDS FOR SMALL WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY.

MOTION by Mayor Boyles, SECONDED by Council Member Giroux approving Resolution No. 5217. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1618

AN ORDINANCE OF THE CITY OF EL SEGUNDO ADDING A NEW CHAPTER 9 ENTITLED "WIRELESS COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY" TO TITLE 9 OF THE EL SEGUNDO MUNICIPAL CODE TO ESTABLISH COMPREHENSIVE REGULATIONS, STANDARDS, AND PERMIT REQUIREMENTS FOR THE INSTALLATION OF WIRELESS COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY.

Mayor Boyles introduced the item. The second reading and possible adoption of Ordinance No. 1618 is scheduled for the regular City Council meeting of June 16, 2020.

Mark Hensley, City Attorney, read by title only:

D. STAFF PRESENTATIONS

10. Presentation of Investment Portfolio Report for March 2020.
(Fiscal Impact: None)

Matthew Robinson, City Treasurer and Dino Marsocci, Deputy City Treasurer II presented the Investment Portfolio Report.

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 – See Staff Presentations
- H. REPORTS – COUNCILMEMBERS –

Council Member Giroux – Commented on the death of George Floyd and the affect it has had on society and all over the world and his hope for a better El Segundo. Committed to working with the Police Department to make sure every officer is committed to justice and equality. Focus on the handling the problems, creating solutions and healing our community.

Council Member Nicol – Stated it is a privilege to represent our town when it comes to policy making and that privilege comes with a responsibility. Mr. Nicol is listening and understands actions will speak volumes. To the youth, march on and stay safe and positive. Will make the effort to erase racism in our small town.

Council Member Pirsztuk – Thanked the youth for their engagement, however, keep negativity out of the equation and reach out to her if you have comments or questions.

Mayor Pro Tem Pimentel – Echoed Council’s sentiments and commented we are better served to a degree if we can take into context other people’s decision making and thanked everyone for their comments.

Mayor Boyles – Stated he is committed to listening more and time will tell. Committed to changing the culture of the town. Committed to forming a task force as a forum for all to be heard and in a safe environment. Believes in the Council, staff and City that we will be better and help shape our Community.

*****Mayor’s item #11 was moved to after Consent calendar per Council Member Giroux*****

- I. REPORTS – CITY ATTORNEY – Clarified curfew is set for 9:00 PM this evening.
- J. REPORTS/FOLLOW-UP – CITY MANAGER – Will follow-up with all who spoke today. Mentioned diversity is one of this organizations greatest strengths. Committed to working with the ESUSD to begin the dialogue of change, diversity and inclusion. Next Council meeting is June 16, 2020.

MEMORIAL – Closed with a moment of silence for George Floyd.
ADJOURNED at 6:01 PM

Tracy Weaver
Tracy Weaver, City Clerk