

MEETING MINUTES OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, FEBRUARY 1, 2022

CLOSED SESSION – Mayor Boyles called to order at 4:03 PM

ROLL CALL

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

*City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for purposes of conferring with City's Real Property Negotiator; and/or conferring with City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with City's Labor Negotiators as follows:*

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (GOV'T CODE §54956.9(D)(1): -6- MATTER(S)

1. Scott O'Connor (City Police Officer) v. City of El Segundo, United States District Court (Central District of California), Civil Case No. 2:20-CV-0311 DMG (PLAx).
2. Scott Martinez (City Fire Fighter) v. City of El Segundo, Los Angeles Superior Court Case No. 21ST CV10637.
3. James Tulette (City Fire Fighter) v. City of El Segundo, Los Angeles Superior Court, Case No. 205T, CV44025.
4. Shawn Bonfield (City Fire Department Battalion Chief) v. City of El Segundo, Los Angeles Superior Court Case no. 20ST CV48677.
5. William Hatcher (Retired El Segundo Fire Fighter v. City of El Segundo, Los Angeles Superior Court, Case No. 21ST CV37399.
6. Richard Towne (Retired El Segundo Fire Fighter) v. City of El Segundo, Los Angeles Superior Court, Case No. 21ST CV19113.

CONFERENCE WITH LEGAL COUNSEL – ANITICPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(d) (2) and (3):  
-1- matter.

PUBLIC EMPLOYMENT (GOV'T CODE §54957) – 1- MATTER(s)

Recessed at 5:30 PM

OPEN SESSION – Mayor Boyles called to order at 6:00 PM

ROLL CALL

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

INVOCATION – Pastor Chris Stewart, The Bridge Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Pimentel

SPECIAL PRESENTATIONS:

1. Fire Chief Deena Lee introduced our new Fire Marshall, Nicole Pesqueira.
2. Proclamation read by Mayor Boyles proclaiming February as Black History Month, Avery Smith DEI Chairperson received the proclamation.
3. COVID-19 update given by Scott Mitnick, City Manager.

Mayor Boyles wished the Community a Happy Lunar New Year on behalf of the City Council.

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

***In Chamber*** –

Andrew Jung, Attorney, commented on an incident that took place at the Plaza.

***Via Zoom*** –

Craig Cadwallader, Surfrider Foundation South Bay Chapter member, commented on the Environmental Committee name change to Public Works Committee and item #D11.

CITY MANAGER FOLLOW-UP COMMENTS:

- A. Read all Ordinances and Resolutions on the Agenda by Title Only.

MOTION by Council Member Giroux, 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:

4. Approve Regular and Special City Council Minutes of January 18, 2022.  
(Fiscal Impact: None)
5. PULLED BY MAYOR PRO TEM PIMENTEL
6. Authorize the City Manager to approve a second Amendment No. 6062B to Contract No. 6062 with Vincent Benjamin Group LLC for an additional \$170,000 to increase the total contract authority to \$469,950 for on-call temporary staffing services for use by all City departments.  
(Fiscal Impact: This contract will be funded in FY 2021-2022 from savings from budgeted vacant fulltime salary and benefit savings as well as professional services accounts in various departments.)
7. Adopt Resolution No. 5307 and Resolution No. 5310 correcting the City Contributions for CalPERS medical premiums for the following groups covered under the City of El Segundo Administrative Code, Title 1A Salaries and Conditions of Employment, Chapter 1A2 Management-Confidential Series.  
(Fiscal Impact: None. Sufficient funding for the proposed action is included in the Adopted FY 2021-2022 Citywide Budget)

MOTION by Council Member Nicol, SECONDED by Mayor Pro Tem Pimentel approving Consent Agenda items 4, 6, and 7. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

PULLED ITEMS:

5. Warrant Demand Register for December 27, 2021 through January 9, 2022.  
(Fiscal Impact: \$3,430,893.41 (\$823,873.45 in check warrants and \$2,607,019.96 in wire warrants)

MOTION by Mayor Pro Tem Pimentel, SECONDED by Council Member Giroux approving warrants demand register for December 27, 2021 through January 9, 2022, as corrected, numbers 13A, warrant numbers 3038824 through 3038906, and 9002324 through 90002359. Ratify Payroll and employee benefit Checks; Checks released early due to contracts or agreement; Emergency disbursements and/or adjustments; and, Wire transfers. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

E. COMMITTEES, COMMISSIONS AND BOARDS: *(Moved forward on agenda)*

13. Diversity, Equity, and Inclusion Committee Public Safety Report  
(Fiscal Impact: There will be direct and indirect fiscal impacts to the City's General Fund, including staff time and possibly funds for additional training and employee engagement activities. These costs will likely be absorbed via the current FY 2021-2022 General Fund Budget and future FY 2022-2023 General Fund Budget. If there are greater financial needs, staff will return to City Council for separate budget appropriation authority)

Avery Smith, DEI Chairperson gave a presentation.

Council Discussion

Council consensus to receive and file the presentation.

MOTION by Council Member Pirsztuk, SECONDED by Council Member Giroux directing staff to work with the DEI Committee to implement recommended activities. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

D. STAFF PRESENTATIONS: *(Item #D11 moved forward on agenda)*

11. Ordinance Amending Chapter 6 of Title 5 of the El Segundo Municipal Code Regarding the Regulation and Prohibition of Smoking in Designated Areas  
(Fiscal Impact: There will be additional enforcement cost associated for Police Department. This indirect cost of staff time will be absorbed via City's adopted FY 2022-2023 Annual Budget)

Elias Sassoon, Public Works Director and Tracey Miller-Zarneke, Environmental Committee Chairperson reported on the item.

Council Discussion

Council consensus to not move forward and introduce the Ordinance.

C. PUBLIC HEARING:

8. Resolution Establishing Cost-Recovery Fees Related to the Certified Unified Program Agency Single System and Refinery Emergency Notification System Implementation

Mayor Boyles announced the Public Hearing is continued to the February 15, 2022 regular City Council Meeting.

9. Ordinance Amending El Segundo Municipal Code Titles 14 and 15 to Comply with State Law (SB9) to Allow for Increased Residential Density in the R-1 Single Family Residential Zone  
(Fiscal Impact: None)

Mayor Boyles stated this was the time and place for a public hearing waving the first reading and introducing an Ordinance amending ESMC Title 14 (Subdivision Regulations) to include subdivision standards for General Urban Lot Splits; and Title 15 adding new Section 15-4G – Two Unit Residential Developments and Urban Lot Splits in Single-Family Residential (R1) Zones, in accordance with the provisions of Senate Bill No. 9.

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.

Michael Allen, Eduardo Schonborn, and consultants John Kaliski, Ameer Bhat and Amanda Lee gave a presentation and answered Council's questions.

Public Input: None

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

Council discussion

Council requested staff make various changes to the ordinance and bring the Ordinance back at the next regular City Council meeting.

The Public Hearing will continue to the February 15, 2022 regular City Council meeting.

Recessed at 8:19 PM

Reconvened at 8:30 PM

#### 10. Adoption of 2021-2029 Housing Element – 6<sup>th</sup> Cycle

Mayor Boyles stated this was the time and place for a public hearing adopting a resolution approving a Negative Declaration and the final draft 2021-2029 Housing Element (Environmental Assessment No. EA 1271 and General Plan Amendment No. GPA 19-04).

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.

Michael Allen, Eduardo Schonborn, Paul Samaras and consultants Veronica Tam, Jamie Power, Alex Russell, and Rick Schroeder gave a presentation and answered Council's questions.

Public Input:

Rafael Pimentel, Southwest Region Carpenters Union Rep, asked that the projects include skilled and trade workforce.

MOTION by Council Member Giroux, SECONDED by Mayor Pro Tem Pimentel to close the hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Council discussion

Mark Hensley, City Attorney, read the Resolution by title only.

RESOLUTION NO. 5308

A RESOLUTION OF THE CITY COUNCIL APPROVING ENVIRONMENTAL ASSESSMENT NO. EA-1271 AND ADOPT GENERAL PLAN AMENDMENT NO. 19-04 (2021-2029 HOUSING ELEMENT), AMENDING THE HOUSING ELEMENT OF THE EL SEGUNDO GENERAL PLAN.

MOTION by Council Member Pirsztuk, SECONDED by Council Member Nicol adopting Resolution No. 5308 MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

D. STAFF PRESENTATIONS:

11. Moved forward on agenda

Mayor Pro Tem Pimentel left the dais/meeting.

12. Alternate Use Concept for the Urho Saari Swim Stadium – “The Plunge” (Fiscal Impact: Minimal indirect staff costs associated with preparing this staff report. If City Council directs staff to do additional research, there may be additional indirect and direct costs)

Barbara Voss introduced the item, Eric Bohor, Left Point Development, LLC gave a presentation.

Council Discussion

Council consensus to receive and file the presentation.

Council directed staff to look at alternate sites in El Segundo for the proposed EpicSurf surfing facility.

E. COMMITTEES, COMMISSIONS AND BOARDS:

13. *Moved forward to after Consent items.*

F. REPORTS – CITY CLERK –

14. Resolution Updating City’s Conflict of Interest Code

Tracy Weaver, City Clerk and Gigi Hanna, Interim City Deputy Clerk II reported on the item.

Council Discussion

Mark Hensley, City Attorney read by title only;

RESOLUTION NO. 5309

A RESOLUTION ADOPTING THE 2022 CONFLICT OF INTEREST CODE FOR THE CITY OF EL SEGUNDO IN ACCORDANCE WITH THE POLITICAL REFORM ACT.

MOTION by Council Member Nicol, SECONDED by Council Member Giroux adopting Resolution No. 5309. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0

15. Ordinance Requiring E-Filing of Statement of Economic Interests and Campaign Finance Forms

Tracy Weaver, City Clerk and Gigi Hanna, Interim City Deputy Clerk II reported on the item.

Council Discussion

Mark Hensley, City Attorney read by title only;

ORDINANCE NO. 1632

AN ORDINANCE ADDING NEW CHAPTER 12 TO TITLE 1 OF THE EL SEGUNDO CITY CODE TO MANDATE ELECTRONIC AND PAPERLESS FILING OF FAIR POLITICAL PRACTICES COMMISSION CAMPAIGN DISCLOSURE STATEMENTS AND STATEMENTS OF ECONOMIC INTEREST.

Council Member Nicol introduced the Ordinance. Second reading and possible adoption scheduled for the February 15, 2022 regular City Council meeting.

G. REPORTS – CITY TREASURER – Not present

H. REPORTS – COUNCIL MEMBERS

Council Member Giroux – No report

Council Member Nicol – Mentioned AYSO All-Stars are in full swing and wished all the team's good luck.

Council Member Pirsztuk – Thanked all those for their time who volunteer on the City's Commissions, Committees and Boards.

Mayor Pro Tem Pimentel – No report

Mayor Boyles – Attended the South Bay Council of Governments Board of Directors meeting, mentioned the Annual General Assembly will be March 21 –

24, 2022 in Carson City at the Carson Community Center, mentioned the program Home Share South Bay, a program where homes are shared with Seniors, for more information go to [www.silvernest.com](http://www.silvernest.com) and met with Congressman Ted Lieu.

- I. REPORTS – CITY ATTORNEY – No report
- J. REPORTS/FOLLOW-UP – CITY MANAGER – Mentioned the next City Council meeting will be February 15, 2022.

MEMORIALS – Kelly Burner, Dorothy Doukakis and Jack Wayt

Council returned to Closed Session – Open session and Closed session were continued to Wednesday, February 2, 2022 at 6:00 PM

Mayor Boyles opened the continued open and closed sessions at 6:40 PM.

ROLL CALL

Mayor Boyles	-	Present
Mayor Pro Tem Pimentel	-	Via Teleconference
Council Member Pirsztuk	-	Present
Council Member Nicol	-	Present
Council Member Giroux	-	Present

Council returned to Open Session and made the following announcement;

Scott Mitnick’s City Manager contract was terminated with a vote of 3/2. YES: Boyles Pirsztuk Nicol NO: Pimentel Giroux

Joe Lillio, Chief Financial Officer, was appointed Interim City Manager with a unanimous vote. 5/0

Open Session and Closed Session adjourned on Wednesday, February 2, 2022 at 7:50 PM.

  
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Tracy Weaver, City Clerk