

MEETING MINUTES OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, APRIL 19, 2022

The 6:00 PM Open Session ran concurrently with the Special Meeting of April 19, 2022

CLOSED SESSION – Mayor Boyles called to order at 5:00 PM due to lack of quorum at 4:00 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)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code §54956.9(c): -1- matter.

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (GOV’T CODE §54957.6): -2- MATTER(S)

1. Employee Organizations: Fire Fighters Association and Police Officers Association

Agency Designated Representative: Irma Moisa Rodriguez, Interim City Manager, Darrell George, and Human Resources Director, Rebecca Redyk.

Adjourned at 5:55 PM

OPEN SESSION – Mayor Boyles called to order at 6:04 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 Rob McKenna, The Bridge Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Pimentel

SPECIAL PRESENTATIONS:

1. Council recognized the ESHS Girls' Soccer CIF Champions.
2. Police Chief Bermudez presented and Council recognized Police Officer Fix-Gonzalez of the Year and Nelson Merino Civilian of the Year.
3. Fire Chief Lee and Captain Leyman presented, and Council recognized the City's All-Hazard Incident Management Team.
4. Fire Chief Lee gave a presentation and update on the Fired-Up Girls' Camp held on March 26th and 27th 2022 sponsored by the El Segundo Fire Department.
5. Proclamation read by Council Member Nicol proclaiming April 30, 2022 as the 30th Annual Big 5 Run for Education. Committee Chair Ellen Faustine-Barnett accepted the Proclamation.
6. Proclamation read by Council Member Giroux proclaiming April 2022 as National Donate Life Month. Dave Hollon, Kidney + Pancreas recipient and OneLegacy Ambassador accepted the Proclamation.
7. Proclamation read by Council Member Pirsztuk proclaiming April 22, 2022 as Earth Day. ESHS AP Biology and Medical Interventions teacher, Tiffany Masionet and ESHS students Lori Thomas and Paris Sanchez-Mendez accepted the Proclamation.

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

Mary Jane Crafton, resident, commented on tennis courts being used for Pickleball.

Tracey Miller-Zarneke, resident, invited all to visit Farmer's market this week in celebration of Earth Day 2022.

Jonatan Cvetko, non-resident, commented on item #D22.

Kail Ewell, resident, commented on item #D22.

Jack Baker, resident, commented on item #D22.

Don Braunecker commented on item #D22.

Sergio Boerica, resident, commented on tennis courts being used for Pickleball.

Nick Liebeskind, resident, commented on item #D22.

Sheena Parks, resident, commented on scoreboard for Little League at Brett Field and commented on item #D22.

Liz Garnholz, resident, commented on item #B15, #D22, and 2nd Public Comments portion of the meeting.

Vicki Foy, non-resident, commented on the broken Aquatics Center pool heater.

Michelle Keldorf, resident, commented on item #D22.

Ryan Baldino, resident, commented on item #D22.

Michael Long, non-resident, commented on item #D22.

Kellie Guiga, resident, commented on the lack of Recreation and Parks Youth Drama Programs.

CITY MANAGER FOLLOW-UP COMMENTS:

Darrell George, Interim City Manager, gave an update on the Aquatics Center heater. Mark Hensley, City Attorney commented on item #17 and the removal of the 2nd Public Comments portion of the meeting. Arcia Hester, Recreation and Parks Superintendent commented on the Youth Drama Program regarding the insurance requirements and expressed a hope that the program would be back within the month.

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

MOTION by Council Member Giroux, SECONDED by Council Member Nicol to read all ordinances and resolutions on the agenda by title only. MOTION PASSED BY UNANIMOUS VOTE. 5/0

B. CONSENT:

8. Approve Special and Regular City Council Meeting minutes of March 15, 2022 and Special City Council Meeting Minutes of April 7, 2022.
(Fiscal Impact: None)

9. Approve warrants demand register for February 28, 2022 through April 3, 2022, numbers 17B, 18A, 18B, 18C and 19A: warrant numbers 3039691 through 3040213 and, 9002407 through 9002478. Ratify Payroll and employee benefit Checks; Checks released early due to contracts or agreement; Emergency disbursements and/or adjustments; and, Wire transfers.
(Fiscal Impact: \$7,817,490.55 (\$3,075,951.19 in check warrants and \$4,741,539.36 in wire warrants))

10. Waive second reading and adopt Ordinance No. 1635 adopting the Pacific Coast Commons Specific Plan (SP 19-01), approving Zone Change (ZC 19-01), Zone Text Amendment (ZTA 19-08), and Development Agreement (DA 19-02).
(Fiscal Impact: A Fiscal Impact Analysis was conducted to determine the impact of the proposed project on the City budget through a comparison of anticipated annual City revenues (taxes, service charges, etc.) versus the anticipated annual City costs for services (police, fire, recreation, etc.). The Fiscal Impact Analysis estimates the proposed mixed-use project will yield a net negative impact on the City's budget of \$127,631 annually. For contextual purposes, residential developments generally have a negative direct fiscal impact on cities compared to commercial developments. However, mixed-use multi-family residential uses result in an overall positive economic impact by creating complimentary, revenue-generating uses along commercial corridors, a stronger local customer base, and expanded overall service demands for local businesses)

11. Waive second reading and adopt Ordinance No. 1636 amending the Smoky Hollow Specific Plan (Specific Plan Amendment No. 21-02) to allow for increased building heights within a designated subarea of the Smoky Hollow Specific Plan Area, subject to approval of a Tier II Community Benefits Plan.
(Fiscal Impact: There are no direct fiscal impacts associated with this Smoky Hollow Specific Plan Amendment. A Community Benefits Analysis Reports

(prepared by Kosmont Companies, a financial consultant) for both sites show that the Project is expected to generate economic and community benefits in excess of the Project's value. The reports indicate that the Project will provide certain fiscal and economic benefits, such as: contributions to the General Fund including an increase in annual taxes, an increase in annual retail sales, and an increase in annual sales and business license fees)

12. Waive the first reading and introduce Ordinance No. 1637 approving an El Segundo Police Department military equipment use policy in accordance with California Assembly Bill 481 and schedule the second reading of the ordinance at the next regular City Council meeting on May 3, 2022
(Fiscal Impact: None)
13. Accept the City Hall Window Replacement Project by A.J. Fistes Corporation as complete and authorize the City Clerk to file a Notice of Completion in the County Recorder's office.
(Fiscal Impact: \$594,662.31)
14. Authorize City Manager to execute an amendment to Agreement No. 6129A with California Consulting, Inc., in the amount of \$30,000 for professional grant writing consulting services for the City of El Segundo.
(Fiscal Impact: Included in FY 2021/22 Budget)
15. Reject LA Design Group's bid as nonresponsive and authorize the City Manager to execute a standard Public Works Construction Contract No. 6340 with Gentry General Engineering, Inc. for \$200,010.61 for the construction of new sidewalks along the south sides of 400 block of West Mariposa Avenue and 300 block of West Pine Avenue and authorize an additional \$20,000 as contingency funds for potential unforeseen conditions. Project No. PW 21-07
(Fiscal Impact: \$254,620.61 - Measure M funds)
16. Approve and authorize Mayor, City Manager, and City Attorney to sign Automatic Fire Department Aid Agreement No. 6341 with the City of Los Angeles.
(Fiscal Impact: None)
17. Approve Resolution No. 5325 to continue the City's utilization of relaxed teleconferencing requirements under the Brown Act.
(Fiscal Impact: None)

MOTION by Council Member Pirsztuk **SECONDED** by Council Member Giroux approving Consent Agenda items 8, 9, 10, 11 (Boyles & Pimentel recused from the vote, passed 3/0 – Pirsztuk Nicol, Giroux), 12, 13, 14, 15, 16, and 17. MOTION PASSED BY UNANIMOUS VOTE. 5/0

SPECIAL ORDERS OF BUSINESS – SPECIAL ITEM FROM THE SPECIAL MEETING RUNNING CONCURRENTLY. SEE SPECIAL MINUTES OF APRIL 19, 2022 FOR ACTION TAKEN.

E. COMMITTEES, COMMISSIONS AND BOARDS: *(Item E23 moved forward on Agenda)*

23. Arts and Culture Advisory Committee Report
(Fiscal Impact: The expected fund balance for 2022-2023 is \$800,000. The ACC's recommendations for Fiscal Year 2022-2023 total \$326,000. The Cultural Development Fund currently has a balance of \$299,105 in unallocated funding)

Arts and Culture Committee Members Natalie Strong gave a presentation and answered Council's questions.

Council discussion

Council consensus to receive and file the presentation.

MOTION by Council Member Nicol, SECONDED by Council Member Giroux approve recommendations for the Cultural Development Fund initiatives for FY 2022-23. MOTION PASSED BY UNANIMOUS VOTE. 5/0

Recessed at 8:08 PM

Reconvened at 8:22 PM

D. STAFF PRESENTATIONS:

18. Conversion of the Finance Manager Classification from Civil Service to At-Will Status, Adoption of Revised Classification Specification and Examination Plan, and Modification of Salary Range
(Fiscal Impact: Sufficient funding for the current fiscal year is available in the adopted budget. The fiscal impact, if any, of the proposed salary range adjustment will depend on the actual salary of the replacement Finance Manager, which will not be known until after the recruitment is concluded in two to three months)

Rebecca Redyk, Human Resource Director reported the item.

Council Discussion

MOTION by Council Member Giroux, SECONDED by Council Member Pirsztuk approving the conversion of the Finance Manager classification from Civil Service to at-will status and adopting the revised classification specification and examination plan for the Finance Manager position. MOTION PASSED BY UNANIMOUS VOTE. 5/0

Mark Hensley, City Attorney, read the resolution by title only;

RESOLUTION NO. 5326

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL
SEGUNDO, CALIFORNIA MODIFYING THE BASIC MONTHLY SALARY
RANGE FOR A FULL-TIME JOB CLASSIFICATION

MOTION by Council Member Pirsztuk, SECONDED by Council Member Giroux adopting Resolution No. 5326. MOTION PASSED BY UNANIMOUS VOTE. 5/0

19. FY 2021-2022 Mid-Year Citywide Budget Report and Recommended Adjustments

(Fiscal Impact: The proposed General Fund, Golf Fund, and General Liability Fund Budget adjustments are necessary to ensure FY 2021-2022 ends with a balanced budget on June 30, 2022, as well as ensure City Council strategic goals are implemented. The total fiscal impact to the General Fund is an increase in appropriations of \$1,038,000 and an increase to General Fund revenues in the amount of \$404,465, an increase in the General Liability Fund (Fund 602) appropriations of \$100,000, an increase to the Golf Fund (Fund 503) appropriations of \$22,000 and an increase in the Solid Waste Fund (Fund 505) revenue of \$420,000.

Joe Lillio, Chief Financial Officer gave a presentation and answered Council's questions.

Council Discussion

Council consensus to receive and file the presentation.

MOTION by Council Member Pirsztuk, SECONDED by Council Member Nicol amending FY 2021-2022 General Fund Revenues from \$74,802,700 to \$75,207,165 and Appropriations from \$77,651,553 to \$78,689,553, amending FY 2021-2022 Golf Fund Appropriations from \$10,000 to \$32,000), amending FY 2021-2022 General Liability Fund Appropriations from \$3,094,306 to \$3,194,306, and amending FY 2021-2022 Solid Waste Fund Revenue from \$0 to \$420,000. MOTION PASSED BY UNANIMOUS VOTE. 5/0

20. Agreement with United Pickleball Management, LLC to Conduct a Pickleball Tournament on City Facilities.

(Fiscal Impact: Fees collected for rental of the pickleball and tennis courts during the same time period in previous years have been approximately \$4,500. The value of the sponsorship package and repair and resurfacing of the tennis courts is estimated at \$41,000, for a net benefit of approximately \$36,500)

Arecia Hester, Recreation and Parks Superintendent reported on the item.

Council Discussion

MOTION by Council Member Giroux, SECONDED by Council Member Pirsztuk approving Agreement No. 6342 with United Pickleball Management, LLC. MOTION PASSED BY UNANIMOUS VOTE. 5/0

Mayor Boyles excused himself from the dais due to possible conflict of interest.

21. Request from El Segundo Kiwanis Club to Host and Operate a "Beer Garden" at a Chili Cookoff at Recreation Park
(Fiscal Impact: Refund of \$324 for canceling youth programs that run from 9:00 AM – 1:00 PM for approximately 20 youth participants)

John Jones, Interim Community Services Director reported on the item.

Council discussion

MOTION by Council Member Giroux, SECONDED by Council Member Nicol approving the El Segundo Kiwanis Club request to host and operate a "Beer Garden" at a Chili Cookoff at Recreation Park. MOTION FAILED. 2/2 YES: Nicol Giroux NO: Pimentel Pirsztuk

MOTION by Council Member Pirsztuk, SECONDED by Council Member Nicol approving the El Segundo Kiwanis Club request to host and operate a "Beer Garden" at a Chili Cookoff at Library Park. MOTION PASSED BY UNANIMOUS VOTE. 4/0

Mayor Boyles returned to the dais.

22. Resolution Certifying Sufficiency of Commercial Cannabis Voter Initiative Petition and City Council Direction on Voter Initiative Ordinance, Potential City Cannabis Tax Measure, City Non-Initiative Regulatory Ordinance, and Competing City Regulatory Initiative.
(Fiscal Impact: The cost of reviewing 1660 signatures by the Los Angeles County Registrar-Recorder/County Clerk ("County") per City Council direction was \$4885.20. The signature presentation of the citizen initiative ordinance to the City's voters at the November 8, 2022 General Municipal Election comprises approximately \$2,513 of the total estimate from Los Angeles County. This cost will be included in the election portion of the FY 2022-2023 budget. Additional costs would be incurred for adding City initiative measures for a commercial cannabis regulatory initiative or a commercial cannabis tax initiative and for associated due diligence and initiative or ordinance preparation work, including environmental review)

Mark Hensley, City Attorney reported on the item.

Council discussion

Mark Hensley, City Attorney read by title only;

RESOLUTION NO. 5314

A RESOLUTION OF THE CITY COUNCIL OF CITY OF EL
SEGUNDO CONFIRMING THE CITY CLERK'S CERTIFICATION
OF THE SUFFICIENCY OF PETITION SIGNATURES FOR THE

VOTER INITIATIVE ENTITLED “AN INITIATIVE AMENDING THE EL SEGUNDO MUNICIPAL CODE TO REPEAL THE CURRENT PROHIBITION ON COMMERCIAL CANNABIS ACTIVITIES AND INSTEAD AUTHORIZE COMMERCIAL CANNABIS RETAILING IN SPECIFIED ZONES WITHIN THE CITY SUBJECT TO A REGULATORY PERMITTING PROCESS.”

MOTION by Council Member Nicol, SECONDED by Council Member Giroux approving Resolution No. 5314. MOTION PASSED BY UNANIMOUS VOTE. 5/0

MOTION by Council Member Giroux, SECONDED by Mayor Boyles to submit the initiative ordinance, without alteration, to the voters and direct the City Clerk to present the initiative ordinance as a ballot measure with the calling of the regular general municipal election to be held on November 8, 2022. MOTION PASSED BY UNANIMOUS VOTE. 5/0

MOTION by Mayor Pro Tem Pimentel, SECONDED by Mayor Boyles directing staff to begin the process of a city-initiated commercial cannabis tax initiative. MOTION PASSED BY UNANIMOUS VOTE. 5/0

MOTION by Council Member Boyles, SECONDED by Council Member Giroux directing staff to pursue a City commercial cannabis regulatory initiative to compete with the voter initiative. MOTION PASSED BY A VOTE. 4/1 YES: Boyles Pirsztuk Nicol Giroux NO: Pimentel

Potential items Council would like to see on a City generated initiative:

- No fronting in major thorough fairs.
- Business to operate east of Pacific Coast Highway
- Businesses to operate in Commercial or light industrial areas, not in retail areas.
- Require the business to occupy a minimum of 5000 sq. feet.
- Possibly add the cultivation aspect, must cultivate own product.
- Unlimited licenses

E. COMMITTEES, COMISSIONS AND BOARDS PRESENTATIONS:

23. *Moved forward on the agenda*

24. Appointments to the Diversity, Equity, and Inclusion Committee

Mayor Boyles announced the following were appointed to the Diversity, Equity, and Inclusion Committee (DEI); Joseph (Michael) Lipsey – Full term ending October. 31, 2025

Rebecca Yussman – Full term ending October 31, 2025 and Genesis Jackson – Partial term ending October 31, 2023

F. REPORTS – CITY CLERK – No report

G. REPORTS – CITY TREASURER – Not present

H. REPORTS – COUNCIL MEMBERS

Council Member Giroux – No report

Council Member Nicol – Reminded residents the El Segundo Citizen’s Hyperion Forum will meet Thursday, April 21st at 6:00 PM via Zoom, please pre-register for the meeting. Thanked the Council for their continued ability to work together even when at times members have opposing views.

Council Member Pirsztuk – Thanked the Recreation and Parks staff for a successful Easter Egg Hunt at the Park on Saturday. Mentioned the homelessness is growing along Dockweiler Beach, this beach is not in our jurisdiction, but would like our City to point those with concerns in the right direction of who they should contact to express their concerns.

Mayor Pro Tem Pimentel – Mentioned he will be attending a Transportation meeting in May with a vote to determine the Green Line routing and attended a meeting with the L. A. City Attorney General, Mr. Gascon.

Mayor Boyles – Apologized for the Aquatics Center failed pool heater and lack of communication regarding the situation, attended the Mayor’s Good Friday Breakfast on Friday, April 15 and mentioned the Housing Trust Fund will most likely come to fruition.

I. REPORTS – CITY ATTORNEY – No report

J. REPORTS/FOLLOW-UP – CITY MANAGER – Will attend the South Bay City Manager’s Association Meeting tomorrow and the Housing Trust Fund item will be discussed, spoke with Gary Jones, Director of Beaches and Harbors and had a lengthy conversation regarding the growing homeless encampments on Dockweiler Beach.

MEMORIALS – None

Adjourned at 10:12 PM



Tracy Weaver, City Clerk