

MEETING MINUTES OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, OCTOBER 18, 2022

CLOSED SESSION – Mayor Boyles called to order at 4:00 PM.

ROLL CALL

Mayor Boyles - Present
Mayor Pro Tem Pimentel - Present @ 4:06 PM
Council Member Pirsztuk - Present via teleconferencing
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.

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

Breck Slover (Retired Fire Fighter) v. City of El Segundo, Workers Compensation Appeals Board Case No. ADJ12808178

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

PUBLIC EMPLOYMENT (GOV'T CODE §54957) -2- MATTER(S)

City Manager and City Attorney
Performance Evaluations

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (GOV'T CODE §54957.6): -4- MATTER(S)

Employee Organizations: Fire Fighters' Association (FFA), Police Officers' Association (POA), Supervisory Professional Employee Association (SPEA), and Professional Support Services Employee Association (PSSEA).

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

Recessed at 5:50 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 via teleconferencing
- Council Member Nicol - Present
- Council Member Giroux - Present

INVOCATION – Pastor Rob McKenna, The Bridge

PLEDGE OF ALLEGIANCE – Council Member Giroux

SPECIAL PRESENTATIONS:

1. Commendation read by Mayor Pro Tem Pimentel, recognizing Kite, a Gilead Company on the Five-Year Anniversary of FDA Approval to Produce Cell Therapies to Cure Cancer. Mitra Cruz and Joseph Roth accepted the Commendation on behalf of Kite.
 2. Deena Lee, Fire Chief introduced and Council recognized Nicole Pesqueira, Fire Marshal for Graduating from All American Leadership Academy.
 3. Darrell George, City Manager introduced Jose Calderon, the City’s new Information Technology Services Director.
- A. Read all Ordinances and Resolutions on the Agenda by Title Only.

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

C. PUBLIC HEARINGS: *(Item #10C moved forward on the agenda)*

10. Public Hearing on the Bargaining Impasse Between the City of El Segundo and the El Segundo Firefighters’ Association Regarding the Potential Impacts of the Brownout (Temporary Suspension) of Engine Number 32
(Fiscal Impact: After the public hearing, should the City Council implement the City’s Last, Best, and Final Offer ("LBFO"), cost savings are estimated to be \$600,000 over a six-month period for the Brownout of Engine Number 32)

Mayor Boyles stated this was time and place for a Public Hearing regarding the bargaining impasse between the City of El Segundo and the El Segundo Firefighters’ Association regarding the potential impacts of the brownout (temporary suspension) of Engine Number 32.

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.

John Bakhit, City's Labor Attorney with the law office of aa/lrr gave a presentation.

Geoffrey Gerny, Firefighters' Association President gave a presentation.

Public Input:

Michelle Keldorf, resident, not in favor of browning out Engine No. 32.

Samantha Lee, resident, not in favor of browning out Engine No. 32.

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

Council Discussion

Deena Lee, Fire Chief answered Council's questions.

Mark Hensley, City Attorney read by title only:

RESOLUTION NO. 5370

A RESOLUTION AUTHORIZING IMPLEMENTATION OF THE TERMS OF THE CITY'S LAST, BEST, AND FINAL OFFER TO THE EL SEGUNDO FIREFIGHTERS' ASSOCIATION, IAFF, LOCAL 3682 (ESFA), PURSUANT TO GOVERNMENT CODE SECTION 3505, ET SEQ.

MOTION by Council Member Giroux, SECONDED by Council Member Pirsztuk approving Resolution No. 5370. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

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

Barbara Briney, resident, commented on Measure BT and is not in favor.

Geoffrey Gerny, resident, commented on browning out Engine No. 32.

CITY MANAGER FOLLOW-UP COMMENTS:

Darrell George gave an update on Hyperion Water Reclamation Plant and Richmond Street Outdoor Dining and Mark Hensley, City Attorney answered Council's questions.

Mayor Boyles and Council Member Nicol left the dais during the discussion of Richmond Street Outdoor dining update due to conflicts of interest and returned after the discussion ended.

B. CONSENT:

4. Approve regular City Council meeting minutes of October 4, 2022.
(Fiscal Impact: None)

5. Approve warrants demand register for September 19, 2022 through October 2, 2022, number 6B and 7A, warrant numbers 3042548 through 3042705, and 9002664. Ratify Payroll and employee benefit Checks; Checks released early due to contracts or agreement; Emergency disbursements and/or adjustments; and, Wire transfers.
(Fiscal Impact: \$1,738,849.01 (\$963,029.67 in check warrants and \$775,819.34 in wire warrants))
6. Approve an amendment to Agreement No. 6379 with Dennis Grubb and Associates, LLC to increase the total contract amount from \$50,000 to \$150,000 for fire prevention plan check services and authorize the City Manager to execute amended Agreement No. 6379B.
(Fiscal Impact: \$150,000 included in FY 22-23 Budget)
7. Accept construction of Sidewalk Project at 400 W. Mariposa Avenue and 300 W. Pine Amendment by Gentry General Engineering as complete and authorize the City Clerk's office to file a Notice of Completion with the County Recorder's Office. Project No. PW 21-07.
(Fiscal Impact: \$206,496.86 Measure M local return fund)
8. Waive second reading and adopt Ordinance No. 1640 adding Chapter 13-33 to the El Segundo Municipal Code.
(Fiscal Impact: The proposed Ordinance would enable the City's cost recovery for excessive fire false alarm calls. The El Segundo Fire Department ("ESFD") will present a fee resolution on October 18, 2022 (or as soon thereafter as may be considered) to the City Council to modify an existing false alarm fee that ESFD included with the recently adopted Master Fee Schedule. The adopted fee allowed the City to collect ESFD costs after three false alarms, but the proposed amendment will conform with the Ordinance to allow City cost recovery after the first two false alarms)
9. Adopted Resolution No. 5369 to continue the City's utilization of relaxed teleconferencing requirements under the Brown Act.
(Fiscal Impact: None)

MOTION by Council Member Giroux, SECONDED by Mayor Pro Tem Pimentel approving Consent Agenda items 4, 5, 6, 7, 8 and 9. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. PUBLIC HEARINGS:

10. *Moved forward on the agenda after Special Presentations*
11. Resolution Amending a Regulatory Fee to Recover City Costs for Excessive False Alarm Responses
(Fiscal Impact: The current adopted fee allowed the City to collect ESFD costs after three false alarms, but the proposed amendment will conform with the

Ordinance to allow City cost recovery after the first two false alarms. City staff anticipates the Ordinance will cause most alarm system owners to be more responsible in maintaining their systems in proper working order, requiring a lower number of responses. Pursuant to California Constitution article XIII C, § 1(e)(3), the fees authorized through the Ordinance do not constitute a “tax” as they concern City regulation enforcement and investigation performance associated with a regulatory program)

Mayor Boyles stated this was time and place for a Public Hearing regarding a resolution amending a regulatory fee to recover city costs for excessive false alarm responses.

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.

Mark Hensley, City Attorney reported and answered Council’s questions on the item.

Public Input: None

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

Council Discussion

Mark Hensley, City Attorney read by title only:

RESOLUTION NO. 5371

A RESOLUTION AMENDING A REGULATORY FEE TO RECOVER CITY COSTS INCURRED FOR CERTAIN REGULATORY EL SEGUNDO FIRE DEPARTMENT REPONSES.

MOTION by Council Member Giroux, SECONDED by Council Member Nicol approving Resolution No. 5370. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

D. STAFF PRESENTATIONS:

12. Urho Saari Swim Stadium (“The Plunge”) Project
(Fiscal Impact: Budgeted Amount: \$2,500,000 plus \$2,500,710 (Chevron Contribution - \$500,000, L.A. Chargers Headquarters Agreement - \$2,000,000, \$710 - Interest), for a total of \$5,000,710. Current Balance: \$4,152,672 (\$848,038 has been encumbered for design). Additional Appropriation: None
Account Number(s): 01-400-8186-8236 (Plunge Rehabilitation 2020) & 702-233-5101-5418 (Trust Fund for Plunge Rehab Reserve). Approximately \$10.7M is expected to be available for this project in FY 2025-2026 as follows: \$4,152,672 - Current balance, \$4,500,000 - City General Fund Budget (\$1,500,000 per year for three years - FY 2023-2024 through FY 2025-2026). \$1,000,000 - L.A. Chargers Headquarters (Ordinance #1631) - \$2,000,000 has been paid to date and is included in the current balance above. \$1,000,000 - Provided by ESUSD

(Agreement 5586), Estimated Operation & Maintenance (including personnel and utilities): \$200,000 per year))

Elias Sassoon, Public Works Director made a correction to the estimated operation and maintenance cost, the staff report stated \$200,000 and Mr. Sassoon corrected the cost to \$400,000.

Elias Sassoon, Public Works Director, Thomas Moore, Michael Wahl and Javi Kanani with Arcadia IBI Group, gave a presentation.

Council Discussion

Council consensus directing staff to make revisions/modifications to the conceptual design in order to lower the overall cost and budget of “The Plunge” project and report back at the first Council meeting in December.

13. FY 2021-2022 Year-End Financial Report
(Fiscal Impact: None)

Joseph Lillio, Chief Financial Officer gave a presentation.

Council Discussion

Council consensus to receive and file the report.

14. Extension of License Agreements with El Segundo Youth Sports Organizations
(Fiscal Impact: Total annual revenue from the license agreements is estimated to be \$24,000, which has been included in the adopted 22-23 budget)

Aly Mancini, Recreation, Parks and Library Director

Council Discussion

MOTION by Council Member Nicol, SECONDED by Council Member Giroux authorizing the City Manager to extend License Agreement No's. 4814D, 4815D, 4816D, 4817D, 4818D, 4819D, 4821D with each El Segundo Youth Sports Organization identified in the Youth Sports Council Athletic Field/Facility Use and Allocation Policy for the remainder of FY 22-23. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

E. COMMITTEES, COMISSIONS AND BOARDS PRESENTATIONS: None

F. REPORTS – CITY CLERK – Announced the last City Council Candidate forum will be held tomorrow night, October 19th hosted by the El Segundo Women's Club at 6:00 PM. Ballot Box is now open and the Teen Center Vote Center will open Saturday, November 5th and will be open from 10:00 am – 7:00 pm through November 7th and Election Day, November 8th will be open from 7:00 am – 8:00 pm.

G. REPORTS – CITY TREASURER – Not present

H. REPORTS – COUNCIL MEMBERS

Council Member Giroux –

Council Member Nicol – No report

Council Member Pirsztuk – Left the meeting at 8:34 PM

Mayor Pro Tem Pimentel – Attended the Transportation meeting for Southern California Association of Governments, no report for ICRMA and will attend the Sanitation District meeting on October 19, 2022.

Mayor Boyles –. Wished his Mom and Carol Pirsztuk Happy Birthday!

I. REPORTS – CITY ATTORNEY – Mentioned the legislation report is still in progress and will be brought to Council in late November or early December.

J. REPORTS/FOLLOW-UP – CITY MANAGER – Mentioned The League of California Cities representative, Jeff Kiernan, has offered to attend a Council Meeting and answer Council's questions if they would like.

MEMORIALS – None

Adjourned at 9:20 PM



Tracy Weaver, City Clerk