

MEETING MINUTES OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MARCH 21, 2023

CLOSED SESSION – Mayor Boyles called to order at 4:45 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 Giroux	-	Present
Council Member Baldino	-	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): -2- MATTER(S)

1. *In re National Prescription Opiate Litigation*, United States District Court (Northern District of Ohio) Case No. 1:17-MD-2804 (includes Teva, Allergan, Walmart, Walgreens, and CVS settlements)
2. Shawn Bonfield (Retired Firefighter) v. City of El Segundo (Workers' Compensation Claim), Claim No. 20-147567

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

Government Tort Claim by Keith Puckett

Initiation of litigation pursuant to Government Code §54956.9(c): -3- matter.

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (GOV'T CODE §54957.6): -7- MATTER(S)

1. Employee Organizations: Police Officers' Association (POA), Fire Fighters' Association (FFA), Supervisory Professional Employee Association (SPEA), Professional Support Services Employee Association (PSSEA), City Employees' Association (CEA), Police Managers' Association (PMA), and Management Confidential.

Representative: City Manager, Darrell George, Human Resources Director, Rebecca Redyk, Laura Droltz Kalty, and Alex Volberding.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (GOV'T CODE §54956.8): -
1- MATTER(S)

- 1. Wyle Park - Corner of Franklin Avenue and Maryland Street, El Segundo CA 90245 (Assessor Parcel Numbers: 4135-027-023, 006,007, 008, 009, 010, 011, 032, 033, 034, 035, 036, 025, 024)

Real Property Negotiators: Darrell George, City Manager and Mark Hensley, City Attorney

Owner: Wyle Laboratories

Adjourned at 5:55 PM

OPEN SESSION – Mayor Boyles called to order at 6:05 PM

ROLL CALL

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

INVOCATION – Rabbi Dovid Lisbon, Jewish Community Center

PLEDGE OF ALLEGIANCE – Council Member Baldino

SPECIAL PRESENTATIONS:

- 1. AutoPulse Resuscitation Recognition presented by Fire Captain Tony Del Castillo to several members of the Fire Department for their life saving interventions.

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

Natalie Carey, resident, commented on books in The Children’s Library she feels are inappropriate for the Children’s Library.

John Pickhaver, resident, commented on item #H14, the possible formation of a Public Safety Task Force.

Monica Davis, resident, works with groups working on the Blue Butterfly habitat. Suggested the Hyperion Plant remove ice plants and plant native plants that support the endangered Blue Butterfly and also commented on the state of the Plunge.

CITY MANAGER FOLLOW-UP COMMENTS:

Aly Mancini, Recreation, Parks and Library Director spoke regarding how books are chosen for the Children's Library.

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 VOTE. 5/0

B. CONSENT:

2. Approve Regular City Council meeting minutes of March 7, 2023, and Special City Council meeting of March 14, 2023
(Fiscal Impact: None)
3. Approve warrants demand register for February 20, 2023 through March 5, 2023, numbers 16B and 17A: warrant numbers 3044480 through 3044676, and 9002829 through 9002830. The wire transfers for the dates January 30, 2023 through February 5, 2023 that were not included for the 3/7/2023 City Council meeting, are included for this 3/21/2023 meeting. Ratify Payroll and employee benefit Checks; Checks released early due to contracts or agreement; Emergency disbursements and/or adjustments; and, Wire transfers.
(Fiscal Impact: \$2,013,867.02 (\$1,330,151.45 in check warrants and \$683,714.57 in wire warrants))
4. PULLED BY COUNCIL MEMBER BALDINO
5. Authorize the City Manager to approve a second amendment #6441B to Contract No. 6441 with the Centre for 2022-23 to \$100,000 and the total payable compensation to \$130,000 for city-wide training workshops.
(Fiscal Impact: Included in the FY 2022-23 Budget)
6. Approve the Side Letter Agreement #5811A between the City of El Segundo and the El Segundo Police Managers' Association and adopt Resolution No. 5399 approving the side Letter Agreement between the City of El Segundo and the El Segundo Police Managers' Association.
(Fiscal Impact: None)
7. Adopt Resolution No. 5400 appointing Carol Pirsztuk, City Council Member, as an alternative representative to the Independent Cities Risk Management Authority Governing Board, and maintain Joseph Lillio, Chief Financial Officer, as the primary representative and Hank Lu, Risk Manager, as the substitute alternate representative.
(Fiscal Impact: None)

8. Declare the City vehicles identified in the staff report as surplus property and authorize the Purchasing Agent to sell surplus vehicles at public auction.
(Fiscal Impact: \$5,000 included in the FY2022-23 Budget)
9. PULLED BY COUNCIL MEMBER BALDINO

MOTION by Council Member Baldino, SECONDED by Council Member Giroux, approving Consent items 2, 3, 5, 6, 7, and 8. MOTION PASSED BY UNANIMOUS VOTE. 5/0

PULLED ITEMS:

4. 2022 General Plan and Housing Element Annual Progress Reports
(Fiscal Impact: None)

Council Member Baldino thanked staff for their diligence in completing and submitting the 2022 General Plan and Housing Element Annual Progress Report.

MOTION by Council Member Baldino, SECONDED by Mayor Pro Tem Pimentel to receive and file the 2022 General Plan and Housing Element Annual Progress Reports. MOTION PASSED BY UNANIMOUS VOTE. 5/0

9. Purchase of One New Fully Electric Shuttle Bus and Disposition of Surplus Vehicles through Auction
(Fiscal Impact: \$159,263.80 adopted FY2022-23 Budget utilizing Prop A)

Council Baldino raised a question regarding the Beach Shuttle, Dial-A-Ride and Downtown Lunch Time Shuttle.

Council Discussion

MOTION by Council Member Baldino, SECONDED by Mayor Pro Tem Pimentel authorizing Authorize the City Manager to execute an agreement to purchase one Lightning ZEV4™ Zero Emission Class 4 Shuttle Bus through a cooperative procurement exemption, declare the city vehicles identified in the staff report as surplus property and authorize the Purchasing Agent to sell surplus vehicles at auction. MOTION PASSED BY UNANIMOUS VOTE. 5/0

C. PUBLIC HEARINGS: None

D. STAFF PRESENTATIONS:

10. Topgolf Sublease Assignment and Leaseback, Lease Memorandum First Amendment, and Lease Agreement Second Amendment
(Fiscal Impact: None)

Mark Hensley, City Attorney reported on the item.

Council Discussion

MOTION by Council Member Giroux, SECONDED by Council Member Baldino approving the proposed assignment of Topgolf USA El Segundo, LLC's sublease to 42 Real Estate, LLC, and corresponding leaseback of the interest from 42 Real Estate, LLC to Topgolf USA El Segundo, LLC subject to, and contingent upon the execution of Acknowledgment of Lease Terms and Guarantor Acknowledgment of Guaranty. MOTION PASSED BY UNANIMOUS VOTE. 5/0

MOTION by Council Member Giroux, SECONDED by Council Member Pirsztuk authorizing the Mayor to execute the Second Amendment to the Due Diligence and Recreation Ground Lease Agreement between the City and Centercal LLC, together with the corresponding First Amendment to Memorandum of Lease, so long as the sublease occurs by May 1, 2023 and the documents are in a form substantially similar to the drafts attached with the staff report and approved by the City Attorney. MOTION PASSED BY UNANIMOUS VOTE. 5/0

11. Replace the Budgeted Management Analyst Position in the City Manager's Office with a Special Projects Administrator; Establish an Accountant (part-time) Classification; and Revise the Job Title for the Fire Equipment Mechanic Classification
(Fiscal Impact: Included in FY2022-23 Budget)

Rebecca Redyk, Human Resources Director reported on the item.

Council Discussion

MOTION by Council Member Pirsztuk, SECONDED by Council Member Giroux approve establishment of the Special Projects Administrator (Full-time) and accountant (Part-time), and related classification specifications, approve the examination plan for the Special Projects Administrator classification and approve a revision of the Fire Equipment Mechanic job title to Senior Equipment Mechanic. MOTION PASSED BY UNANIMOUS VOTE. 5/0

Mark Hensley, City Attorney, read by title only;

RESOLUTION NO. 5401

A RESOLUTION ESTABLISHING BASIC SALARY RANGES FOR FULL TIME AND PART TIME JOB CLASSICATIONS

MOTION by Council Member Giroux, SECONDED by Mayor Pro Tem Pimentel adopting Resolution No. 5401. MOTION PASSED BY UNANIMOUS VOTE. 5/0

12. Reasonable Accommodation Policy for Brown Act Meetings and Procedural Direction for Teleconferencing under California Assembly Bill 2449
(Fiscal Impact: None)

Tracy Weaver, City Clerk reported on the item.

Council Discussion

Mark Hensley, City Attorney, read by title only;

RESOLUTION NO. 5402

A RESOLUTION ADOPTING AN AMERICANS WITH DISABILITIES ACT REASONABLE ACCOMODATIONS REQUEST POLICY PURSUANT TO AB 2449; DIRECTING STAFF TO UPDATE MEETING AGENDA TEMPLATES; AND REQUIRING CITY COMMITTEES, COMMISSIONS AND BOARDS TO USE TRADITIONAL TELECONFERENCING PROCEDURES

MOTION by Mayor Pro Tem Pimentel, SECONDED by Council Member Giroux adopting Resolution No. 5402. MOTION PASSED BY UNANIMOUS VOTE. 5/0

- E. COMMITTEES, COMISSIONS AND BOARDS PRESENTATIONS: None
- F. REPORTS – CITY CLERK – No report
- G. REPORTS – CITY TREASURER – Not present
- H. REPORTS – COUNCIL MEMBERS

Council Member Baldino – Commented on attending his first Civic Day with the ESUSD High School students.

Council Member Giroux – No report

Council Member Pirsztuk – Commented on attending Civic Day with ESUSD High School students and thanked Mr. Gast for continuing the program.

Mayor Pro Tem Pimentel – No report

Mayor Boyles – Attended Northrop’s Quarterly dinner and attended Troop 219’s Court of Honor on Saturday night.

- 13. Sister City Program Update
(Fiscal Impact: None)

Council Discussion

Council consensus to receive and file the report.

The item will be brought back later for further discussion and a more comprehensive staff report.

14. Discussion of Possibly Establishing a Public Safety Task Force
(Fiscal Impact: None)

Mayor Boyles would like to establish a task force to explore new technologies and innovations regarding policing.

Mark Hensley, City Attorney reported on the use of force issue and suggested more time is needed to address this issue.

Council Discussion

MOTION by Council Member Baldino, SECONDED by Council Member Pirsztuk approving the formation of a Public Safety Task Force with the following members; City Manager, IT Director, Police Chief, Fire Chief, Mayor Pro Tem, and the Mayor. MOTION PASSED BY UNANIMOUS VOTE. 5/0

- I. REPORTS – CITY ATTORNEY – No report
- J. REPORTS/FOLLOW-UP – CITY MANAGER – Gave a brief Hyperion Water Reclamation Plant update.

MEMORIALS – None

Adjourned at 7:37 PM



Tracy Weaver, City Clerk