

MEETING MINUTES OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MAY 2, 2023
Meeting ran concurrently with regular Closed Session meeting

CLOSED SESSION – Mayor Boyles called to order at 4:45 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 (Government Code §54956.9(d)(1): -9- 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 (Retired City Fire Fighter) v. City of El Segundo, Los Angeles Superior Court Case No. 21ST CV10637.
3. James Tulette (Retired City Fire Fighter) v. City of El Segundo, Los Angeles Superior Court, Case No. 205T, CV44025.
4. Shawn Bonfield Retired (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.
7. Rebecca Smith (Former Non-Sworn Police Department Employee) v. City of El Segundo - Binding Arbitration Personnel Case.
8. Amy McDaniels (Non-Sworn Police Department Employee) v. City of El Segundo - Binding Arbitration Personnel Case.

9. Brent Beardmore (City Police Officer) v. City of El Segundo, Los Angeles Superior Court Case No. 22STCV25047.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Threats of Significant exposure/- to litigation pursuant to (Government Code §54956.9(d) (2) or (d)(3)): -1- matter(s).

INITIATION OF LITIGATION PURSUANT to (Government Code §54956.9(d)(4)): -1- matter(s).

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Government Code §54957.6): -1- MATTER(S)

1. Employee Organizations: Fire Fighters’ Association (FFA)

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

Adjourned 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
Council Member Giroux	-	Present
Council Member Baldino	-	Present

INVOCATION – Tracy Weaver, City Clerk

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Pimentel

SPECIAL PRESENTATIONS:

1. Proclamation read by Mayor Pro Tem Pimentel proclaiming April 30, - May 6, 2023 as Professional Municipal Clerks Week. Tracy Weaver, City Clerk and Patricia Harada, Records Technician received the proclamation.
2. Proclamation read by Council Member Pirsztuk proclaiming April 2023 as National Older American’s Month. Nancy Jacobson, El Segundo’s Older American of the Year received the proclamation.

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

Jim Boulgarides, resident, commented on the Special item regarding the City's hiring of the Fire Department's interim Fire Chief.

Brian Sweeney, commented on support for ESMoA, Old Town Music Hall and the Automobile Driving Museum.

James Moll & Angie Hougen, commented on support for Old Town Music Hall.

Chris Hougen, on behalf of Richard Croxell, commented on support of the Automobile Driving Museum.

CITY MANAGER FOLLOW-UP COMMENTS:

Darrell George, City Manager gave an update on the Hyperion Water Reclamation Plant.

Commented on the hiring of Robert Espinoza as the interim Fire Chief.

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 A UNANIMOUS VOTE. 5/0

B. CONSENT:

3. Approve City Council Special Meeting minutes (Budget Study Session) of April 17, 2023, Special City Council Meeting minutes (Closed Session) and Regular City Council Meeting minutes of April 18, 2023.
(Fiscal Impact: None)

4. Approve warrants demand register for April 3, 2023 through April 16, 2023, numbers 19B, and 20A: warrant numbers 3045073 through 3045241, and 9002866 through 9002894. Ratify Payroll and employee benefit Checks; Checks released early due to contracts or agreement; Emergency disbursements and/or adjustments; and, Wire transfers.
(Fiscal Impact: \$3,710,788.45 (\$983,869.57 in check warrants and \$2,726,918.88 in wire warrants))

5. Approve the appropriation of \$24,383.13 to Special Revenue account No. 124-400-3202-3770, 2020 State Homeland Security Grant Fund for the purchase of equipment and authorize the Department Head to purchase the equipment with L.N. Curtis for \$24,383.13.
(Fiscal Impact: \$24,383.13 in 2020 State Homeland Security Grant Program (SHSGP) equipment funding)

6. Approve the proposed two-month extension for the 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, the attached Acknowledgment of Lease Terms and Guarantor Acknowledgment of Guaranty and authorize the Mayor to execute (i) the Second Amendment to the Due

Diligence and Recreation Ground Lease Agreement between the City of El Segundo and Centercal LLC, (ii) the corresponding First Amendment to Memorandum of Lease, and (iii) the Estoppel Certificate and Consent, all conditioned on the assignment of the sublease occurring on or before June 30, 2023. The documents must be in a form substantially similar to the drafts attached to the Council Agenda Report and approved by the City Attorney.
(Fiscal Impact: None)

MOTION by Council Member Pirsztuk, SECONDED by Council Member Giroux, approving Consent items 3, 4, 5, and 6. MOTION PASSED BY A UNANIMOUS VOTE.
5/0

PULLED ITEMS:

C. PUBLIC HEARINGS: None

D. STAFF PRESENTATIONS:
(Special Meeting item #1 was reported and voted on before the regular meeting items)

7. Update from the El Segundo Economic Development Advisory Committee
(Fiscal Impact: None)

Barbara Voss, Deputy City Manager introduced the item.

ESEDAC Leadership Team; Eric Chan, President, Al Keahi, Vice President & Treasurer, Daniel Martin, Secretary and Carol Hamilton, Loreal gave a presentation.

Council Discussion

Council consensus to receive and file the update.

(CCB items moved forward on the agenda)

E. COMMITTEES, COMISSIONS AND BOARDS PRESENTATIONS:

12. Diversity, Equity, and Inclusion Committee – Community at Large 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 community engagement activities, if approved. If there are greater financial needs, staff will return to City Council for separate budget appropriation requests)

Christibelle Villena, DEI Committee Chairperson, Genesis Jackson, Vice Chairperson and Avery Smith, member gave a presentation.

Council discussion

Council consensus to receive and file the presentation.

Council thanked the Committee and mentioned they would digest all the information and proceed from there.

11. Arts and Culture Committee Report and Funding for Fiscal Year 2023-24
(Fiscal Impact: \$316,000.00)

Council Member Baldino stated he met with John McCullough, Artwalk Coordinator on April 21, 2023 and met with on May 1, 2023 Brian and Eva Sweeney, ESMoA founders.

Aly Mancini, Recreation, Parks, and Library Director and Sam Lee, Cultural Arts Coordinator gave a presentation.

Council discussion

MOTION by Mayor Boyles, SECONDED by Council Member Baldino approving funding in the amount of \$316,000.00 for Cultural Development Fund Initiatives for FY2023-24. MOTION PASSED BY A VOTE. 3/2 Yes: BOYLES, PIMENTEL, BALDINO No: PIRSZTUK GIROUX

MOTION by Mayor Pro Tem Pimentel, SECONDED by Mayor Boyles directing the City Manager and staff to research funding resources for three (3) businesses needing assistance; ESMoA, Old Town Music Hall and Automobile Driving Museum. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

8. Temporary Appointment of CalPERS Retiree David Cain Pursuant to Government Code Sections 8522.56 and 2122(h)
(Fiscal Impact: None)

Rebecca Redyk, Human Resources Director reported on the item.

Council Discussion

Mark Hensley, City Attorney read by title only:

RESOLUTION NO. 5410

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO APPOINTING DAVID CAIN AS INTERIM CHIEF FINANCIAL OFFICER IN CONFORMANCE WITH CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND STATE LAW REQUIREMENTS.

MOTION by Council Member Pirsztuk, SECONDED by Council Member Baldino adopting Resolution No. 5410. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

MOTION by Council Member Giroux, SECONDED by Mayor Pro Tem Pimentel approving Employment Agreement No. 6650 with David Cain for the interim appointment to the position of Chief Financial Officer. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

- 9. Memorandum of Understanding Agreement No. 6651 Between the City of El Segundo and the Police Officers' Association and Amendment to the City Contributions for CalPERS Medical Premiums (Fiscal Impact: The total cost of the successor POA Memorandum of Understanding is \$3,741,011 for the term April 1, 2023 through June 30, 2025. This cost assumes that all forty-nine (49) employees elect the voluntary binding arbitration agreement in exchange for a \$30,000 bonus payment, the FY 2022-23 fiscal impact is \$1,126,020 and an additional appropriation: Staff is requesting an additional appropriation of \$1,000,000 for implementing the terms of the POA MOU from April 1, 2023 through June 30, 2023)

Rebecca Redyk, Human Resources Director reported on the item.

Council discussion

Mark Hensley, City Attorney read by title only:

RESOLUTION NO. 5411

A RESOLUTION APPROVING AND ADOPTING THE MEMORANDUM OR UNDERSTANDING BETWEEN THE CITY OF EL SEGUNDO AND THE EL SEGUNDO POLICE OFFICERS' ASSOCIATION BARGAINING UNIT.

MOTION by Mayor Boyles, SECONDED by Council Member Giroux adopting Resolution No. 5411. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

RESOLUTION NO. 5412

FIXING THE EMPLOYER CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION 002 EL SEGUNDO POLICE OFFICERS' ASSOCIATION

MOTION by Council Member Giroux, SECONDED by Council Member Pirsztuk adopting Resolution No. 5412. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

- 10. Recreation Park Renovation Subcommittee (Fiscal Impact: None)

Aly Mancini, Recreation, Parks, and Library Director reported on the item.

Council Discussion

MOTION by Mayor Boyles, SECONDED by Council Member Baldino approving the Recreation Park Renovation Project Subcommittee and appointed Council Member Pirsztuk as the member and Council Member Giroux as the alternate member of the City Council to the Committee. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

F. REPORTS – CITY CLERK – No report

G. REPORTS – CITY TREASURER – Not present

H. REPORTS – COUNCIL MEMBERS

Council Member Baldino – Thanked Darrell George, City Manager and Mayor Pro Tem Pimentel for their time spent in Sacramento and thanked the Council for giving the authority to hire a lobbyist.

Council Member Giroux – Mentioned the meeting doesn't follow the actual agenda!

Council Member Pirsztuk – Reminded the residents that the Hometown Fair is this Saturday, May 6, 2023. Invited all bakers in town to enter the Baking contest.

Mayor Pro Tem Pimentel – Attended the League of Cities of meeting and reported, attended the COG Transportation meeting and reported, attended the Sunstone Case Challenge at USC, mentioned the other side of AB1216 and attended the Sanitation meeting and reported.

Mayor Boyles – No report

I. REPORTS – CITY ATTORNEY – No report

J. REPORTS/FOLLOW-UP – CITY MANAGER – Attended the Sunstone Case Challenge at USC, the challenge was 25 graduate students from the Price School broke into groups and represented five city's and came up with strategies to attract and retain businesses for each city and thanked Barbara Voss and Cristina Reveles for their work with the students and Mayor Pro Tem Pimentel was the keynote speaker. Thanked the Council for their policy direction on completing the MOU for the POA.

MEMORIAL – None

Adjourned at 9:12 PM



Tracy Weaver, City Clerk