

MEETING MINUTES OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, NOVEMBER 7, 2023

CLOSED SESSION – Mayor Pro Tem Pimentel called the meeting to order at 5:00 PM due to lack of quorum at 4:00 PM

ROLL CALL

Mayor Boyles	-	Absent
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)

SPECIAL ORDER OF BUSINESS:

Mayor Pro Tem Pimentel 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)

1. City of El Segundo v. Wiseburn Unified School District, Los Angeles Superior Court Case No. 23TRCV01031.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

1. Government Tort Claim by Keith Puckett

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

1. City of Whittier, et al. v. Los Angeles County Superior Court of California, et al., Los Angeles Superior Court Case No. 23STCP03579.

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Government Code §54957.6): - 2- MATTER(S)

1. Employee Organizations: City Employees' Association (CEA) and Police Management Association (PMA).

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

Adjourned at 5:45 PM

OPEN SESSION – Mayor Pro Tem Pimentel called to order at 6:00 PM

ROLL CALL

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

INVOCATION – Father Alexei Smith, Russian Greek Orthodox Church

PLEDGE OF ALLEGIANCE – Council Member Baldino

SPECIAL PRESENTATIONS:

1. Proclamation read by Council Member Pirsztuk, proclaiming November 2023 as Family Court Awareness Month. Sandy Ross, resident and committee member with the Family Court Awareness Committee accepted the proclamation.
2. Council Member Giroux read a commendation recognizing the El Segundo 14U Eagles Softball Team. Coach Steve Cleland spoke on behalf of the team.
3. Proclamation read by Council Member Baldino, proclaiming November 13, 2023 through December 14, 2023 as the Spark of Love Toy Drive. All toys and non-perishable foods should be dropped off Fire Station No. 1, 314 Main Street. Battalion Chief, Casey Snow accepted the proclamation.

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

Tony Barraza, commented on item #6 and thanked the residents who came out to the last Council in support of his business.

Margie Leahey, resident, commented on item #C11

Bradford Stone, resident, commented on the Park Vista Annual Yard Sale

Tracey Miller-Zarneke, resident, commented on item #D15, in favor of the Environmental Programs Manager.

Chelsea Motal, resident, invited the community to a meeting regarding building standards on December 4, 2023 at 6:30 pm at the El Segundo Public Library, Sue Carter Community Room.

Ron Schendel, resident, in support of item #6.

Lorraine Brown, resident, commented on the need to revive the Yard Sale at Park Vista.

Anya Goldstein, resident, commented on item #118, "zero/no bail" item, not in favor of the City joining the lawsuit.

Nate Pappalardo, resident, commented on item #118, "zero/no bail" item, not in favor of the City joining the lawsuit.

Janet Asante, resident, commented on item #118, "zero/no bail" item, not in favor of the City joining the lawsuit.

Graham Gilman, resident of, commented on item #118, "zero/no bail" item, not in favor of the City joining the lawsuit.

CITY MANAGER FOLLOW-UP COMMENTS:

Darrell George, City Manager and Dr. Stenstrom, gave a presentation and update on the Hyperion Water Reclamation Plant.

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

MOTION by Council Member Giroux, Council Member Pirsztuk to read all ordinances and resolutions on the agenda by title only. MOTION PASSED BY A VOICE VOTE. 4/0

B. CONSENT:

4. Approve Regular City Council meeting minutes of October 17, 2023 and Special City Council meeting minutes of October 30, 2023.
(Fiscal Impact: None)

5. Approve warrants demand register for September 25, 2023 through October 1, 2023, numbers 7A: warrant numbers 3047559 through 3047668, and 9003013. Ratify Payroll and employee benefit Checks; Checks released early due to contracts or agreement; Emergency disbursements and/or adjustments; and, Wire transfers.
(Fiscal Impact: \$671,548.64 (\$568,417.94 in check warrants and \$103,130.70 in wire warrants))

6. Waive second reading and adopt Ordinance No. 1652 updating the Smoky Hollow Specific Plan, finding that the ordinance requires no additional environmental review in accordance with Public Resources Code section 21166 and State CEQA Guidelines § 15162.
(Fiscal Impact: None)

7. PULLED BY MAYOR PRO TEM PIMENTAL

8. Adopt Resolution No. 5443 approving plans and specifications for the Wastewater Infrastructure Improvements Project to obtain the immunities set forth in Government Code § 830.6 and authorize advertising for construction bids for the project. (Project No. PW 23-08)
(Fiscal Impact: \$1,287,500, included in the FY 2023-24 budget)

9. Accept the FY 2023-24 Pavement Rehabilitation Project by Hardy and Harper, Inc. as complete and authorize and direct the City Clerk to file a Notice of Completion with the County Recorder's Office. (Project No. PW 23-01)
(Fiscal Impact: \$1,651,457.34, included in the FY2023-24 budget)
10. Adopt Resolution No. 5444 appointing Risk Manager, Sheryl Higa as the City's primary representative to the Independent Cities Risk Management Authority ("ICRMA") governing board ("ICRMA Board") and maintaining Council Member Carol Pirsztuk and Human Resources Director Rebecca Redyk as alternate representatives.
(Fiscal Impact: None)

MOTION by Council Member Giroux, SECONDED by Council Member Baldino, approving Consent items 4, 6 (Baldino abstained) 8, 9 and 10. MOTION PASSED BY A VOICE VOTE. 4/0

PULLED ITEMS:

7. California Office of Traffic Safety Selective Traffic Enforcement Program \$70,000 Grant
(Fiscal Impact: None)

Mayor Pro Tem Pimentel asked a question regarding "drug driving" and wanted to know if the grant money could be used to develop testing procedures for "drug driving"

Police Chief Bermudez stated drug driving is hard to test in the field and stated he would have a conversation with the DA's office and could discuss a regional approach to developing tests for the field.

MOTION by Mayor Pro Tem Pimentel, SECONDED by Council Member Pirsztuk authorizing acceptance of a \$70,000 Selective Traffic Enforcement Program (STEP) grant award from the California Office of Traffic Safety (OTS) to support the El Segundo Police Department (ESPD). Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving alcohol and other primary crash factors. The award is valid from October 1, 2023, to September 30, 2024, authorize the City Manager to execute Contract No. 6799, and other associated documentation to effectuate the use of grant funds, with OTS for \$70,000 for the award period from October 1, 2023 to September 30, 2024 and appropriate OTS STEP grant revenues and expenditures for fiscal year 2023-2024 and carry over the unspent balances to fiscal year 2024-2025.

C. PUBLIC HEARING:

11. Ordinance to Permanently Regulate Short-Term Home Sharing
(Fiscal Impact: Since implementation of the Home Share Pilot Program, a total of \$15,000 has been collected from permit and licensing fees, and approximately \$116,000 has been collected from Transient Occupancy Tax (TOT). Finance staff anticipates that by the end of the pilot program, the City will have received a total

of \$147,000 from permit fees, licensing fees and TOT between October 1, 2021 and December 31, 2023. Ongoing enforcement and management of home sharing is absorbed by the annual operating budget for Community Development and Finance Departments.)

Mayor Pro Tem Pimentel stated this was time and place for a public hearing regarding waiving the first reading and introduce an ordinance for Environmental Assessment No. 1180 and Zone Text Amendment No. 23-02 to amend El Segundo Municipal Code ("ESMC") Chapters 4-16 and 15-4A-1 to allow permanent regulation of short-term home sharing through a permit process and find it exempt from further environmental review pursuant to 14 California Code of Regulations §§ 15358 and 15061(b)(3).

Clerk Weaver stated that proper notice had been given in a timely manner and that no written communication had been received in the Clerk's office recently, however, communication had been received in the past for this topic.

Eduardo Schonborn, AICP, Planning Manager reported on the item.

Public Input:

Margie Leahey spoke during general comments.

MOTION by Council Member Pirsztuk, SECONDED by Council Member Baldino to close the public hearing. MOTION PASSED BY A VOICE VOTE. 4/0

Council discussion

Joaquin Vazquez, Assistant City Attorney read by title only;

ORDINANCE NO. 1653

AN ORDINANCE OF THE CITY OF EL SEGUNDO AMENDING TITLE 4 CHAPTER 16 (HOME SHARING PERMIT) AND TITLE 15 (ZONING REGULATIONS) OF THE EL SEGUNDO MUNICIPAL CODE TO PERMANENTLY ALLOW SHORT-TERM HOME SHARING RENTALS IN THE CITY'S RESIDENTIAL ZONES THROUGH A SHORT-TERM HOME SHARING PERMIT.

Council Member Baldino introduced the ordinance. The second reading and possible adoption will be on December 5, 2023 of the regular City Council meeting.

12. Cost-Recovery Permit Center Permit Surcharge Fee and Associated Three-Year Contract Amendment with OpenGov Inc. to Expand Existing Permitting Services, Hosting, and Ongoing Maintenance
(Fiscal Impact: Initial FY 2023-24 cost of \$138,293 includes: one-time cost of \$33,825 for product configuration, setup and training described in the attached statement of work; \$102,068 Annual Software Fee; and \$2,400 for two (2) Conference Attendee Tickets. Continued subscription cost for FY 2024-25 of \$109,571 includes: \$107,171 Annual Software Fee; \$2,400 for two (2) Conference Attendee Tickets; and a 5% inflater fee. Subscription cost for FY 2025-26 of

\$114,930 includes: \$112,530 Annual Software Fee; \$2,400 for two (2) Conference Attendee Tickets; and 5% inflator fee.

\$50,000 is included in the Adopted FY 2023-24 budget. An additional appropriation of \$88,293 is requested, which is expected to be covered by the funds deposited in the permit surcharge trust account. Subsequent year's costs will be included in future budgets with funds already deposited in the permit surcharge trust account)

Mayor Pro Tem Pimentel stated this was time and place for a public hearing regarding approving a resolution adopting the proposed fee and authorizing the City Manager to execute the first amendment to the existing three-year agreement with OpenGov, Inc., to expand the City's online permitting system.

Clerk Weaver stated that proper notice had been given in a timely manner and that no written communication had been received in the Clerk's office.

Michael Allen, Community Development Director gave a presentation.

Public Input:

MOTION by Council Member Pirsztuk, SECONDED by Council Member Baldino to close the public hearing. MOTION PASSED BY A VOICE VOTE. 4/0

Council discussion

Joaquin Vazquez, Assistant City Attorney read by title only;

RESOLUTION NO. 5449

A RESOLUTION AMENDING A REGULATORY FEE TO RECOVER CITY COSTS INCURRED FOR CERTAIN REGULATORY PERMITTING PROCESS FOR ONLINE PERMITTING SYSTEM.

MOTION by Council Member Giroux, SECONDED by Council Member Baldino adopting amended Resolution No. 5449. MOTION PASSED BY A VOICE VOTE. 4/0
(Amending Section 2A – approving a regulatory, cost-recovery fee of 3.5% fee for development related permits only)

MOTION by Council Member Giroux, SECONDED by Council Member Baldino authorizing the City Manager to execute the first amendment to Agreement No.6542A, an existing three-year agreement with OpenGov, Inc., to expand the City's online permitting system. MOTION PASSED BY A VOICE VOTE. 4/0

D. STAFF PRESENTATIONS:

(MOVED TO THE DECEMBER 5, 2023 CITY COUNCIL MEETING)

13. Fire Services Automatic Aid Agreement Between the Cities of El Segundo and Manhattan Beach
(Fiscal Impact: None)

14. Plans and Specifications for the Urho Saari Swim Stadium “The Plunge”
Renovation Project
(Fiscal Impact: See Staff Report)

Cheryl Ebert, Senior Civil Engineer gave a presentation.

Council Discussion

Joaquin Vazquez, Assistant City Attorney read by title only;

RESOLUTION NO. 5445

A RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR, OR
DESIGNEE, TO APPROVE THE PLANS AND SPECIFICATIONS FOR
THE CONSTRUCTION OF URHO SAARI SWIM STADIUM / PLUNGE
RENOVATION PROJECT (NO. PW 24-02), PURSUANT TO
GOVERNMENT CODE § 830.6 AND EL SEGUNDO MUNICIPAL CODE
SECTION 1-7C-11 AND ESTABLISHING A PROJECT PAYMENT
ACCOUNT.

MOTION by Council Member Pirsztuk, SECONDED by Council Member Baldino
adopting Resolution No. 5445. MOTION PASSED BY A VOICE VOTE. 3/1 YES:
Pimentel Pirsztuk Baldino NO: Giroux

MOTION by Council Member Pirsztuk, SECONDED by Council Member Baldino
authorizing staff to advertise the project for construction bids. MOTION PASSED BY A
VOICE VOTE. 3/1 YES: Pimentel Pirsztuk Baldino NO: Giroux

15. Establish the Environmental Programs Manager At-Will Classification, Adopt
Classification Specification, Examination Plan, and Basic Salary Range.
(Fiscal Impact: See staff report)

Rebecca Redyk, Human Resources Director reported on the item.

Council Discussion

MOTION by Mayor Pro Tem Pimentel, SECONDED by Council Member Giroux
approving the establishment of the Environmental Programs Manager At-Will
classification. MOTION PASSED BY A VOICE VOTE. 4/0

MOTION by Council Member Pirsztuk, SECONDED by Council Member Baldino,
adopting the classification specification and examination plan for the Environmental
Programs Manager At-Will. MOTION PASSED BY A VOICE VOTE. 4/0

Joaquin Vazquez, Assistant City Attorney read by title only;

RESOLUTION NO. 5446

A RESOLUTION ESTABLISHING BASIC MONTHLY SALARY RANGE FOR A FULL-TIME JOB CLASSIFICATION

MOTION by Council Member Baldino, SECONDED by Giroux adopting Resolution No. 5446. MOTION PASSED BY A VOICE VOTE. 4/0

E. COMMITTEES, COMMISSIONS AND BOARDS:

16. Diversity, Equity, and Inclusion Committee 2023-24 Work Plan
(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 the City Council for separate budget appropriation requests.)

Arecia Hester, Recreation, Parks, and Library Superintendent introduced the item.

Christibelle Villena, DEI Chairperson gave a presentation.

Council Discussion

MOTION by Council Member Pirsztuk, SECONDED by Council Member Giroux approving the Diversity, Equity, and Inclusion (DEI) Committee's Work Plan. MOTION PASSED BY A VOICE VOTE. 4/0

MOTION by Council Member Giroux, SECONDED by Council Member Baldino directing staff to work with the DEI Committee to implement recommended activities. MOTION PASSED BY A VOICE VOTE. 4/0

F. REPORTS – CITY CLERK – No report

G. REPORTS – CITY TREASURER –

17. Investment Portfolio Report for September 2023
(Fiscal Impact: None)

Matthew Robinson, City Treasurer gave a presentation.

Council discussion

Council consensus to receive and file.

H. REPORTS – COUNCIL MEMBERS

Council Member Baldino – Attended the Chevron, USA tour on Saturday, November 3, 2023. Enthusiastically, invited the community to attend ESHS Water Polo Semi Finals on Wednesday, November 8th at the El Segundo Aquatics Center.

Council Member Giroux – Echoed Council Member Baldino’s invitation to come out and watch the ESHS Water Polo team in the Semi-finals.

Council Member Pirsztuk – Invited the community to attend the State of the City on Tuesday, November 14, 2023 and also reminded everyone that Ladies Night Out is on Thursday, November 16, 2023, a fundraiser for Ed! Thanked all involved on a successful Halloween Frolic.

Mayor Pro Tem Pimentel – Mentioned no Transportation Committee meetings for the rest of the year, mentioned a Volunteer Appreciation event will take place next week and is sponsored by the SBCOG and the Sanitation Committee is currently focused on potential landslides in Palos Verdes.

Mayor Boyles – Absent

I. REPORTS – CITY ATTORNEY –

18. Update Regarding Los Angeles County Lawsuit, City of Whittier, et al. v. Los Angeles County Superior Court of California, et al., Los Angeles Superior Court Case No. 23STCP03579, Originally Filed by Twelve Los Angeles County Cities Challenging the New "zero/no-bail" Policy Regarding Alleged Criminal Violations in Los Angeles County
(Fiscal Impact: unknown)

Joaquin Vazquez, Assistant City Attorney reported on the item.

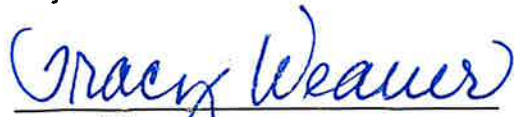
Council Discussion

Council was not desirous of entering into the lawsuit.

- J. REPORTS/FOLLOW-UP – CITY MANAGER – The Amazon movie, “Candy Cane Lane” was filmed in El Segundo will be out in the beginning of December.

MEMORIAL – Roderick Sherwood III

Adjourned at 9:20 PM



Tracy Weaver, City Clerk