

MEETING MINUTES OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, DECEMBER 19, 2023

CLOSED SESSION – Mayor Boyles called the meeting to order at 5:00 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)

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 – ANTICIPATED LITIGATION

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

1. Government Tort Claim by Keith Puckett

Adjourned at 5:50 PM

OPEN SESSION – Mayor Boyles called to order at 6:06 PM

ROLL CALL

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

INVOCATION – Father Alexei Smith, St. Andrew Russian Greek Catholic Church

PLEDGE OF ALLEGIANCE – Council Member Giroux

SPECIAL PRESENTATIONS:

1. Interim Fire Chief, Robert Espinosa introduced the City's new Emergency Management Coordinator, Todd DeVoe.
2. Proclamation read by Council Member Pirsztuk, proclaiming December 24th the El Segundo Community Christmas Dinner at the Joslyn Center at 12:00 PM.

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5-minute limit per person, 30-minute limit total) None

CITY MANAGER FOLLOW-UP COMMENTS:

Diane Chaban, Communications Manager, gave an 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 UNANIMOUS VOTE. 5/0

B. CONSENT:

3. Approve Regular City Council meeting minutes of December 5, 2023.
(Fiscal Impact: None)
4. Approve warrants demand register for November 13, 2023, through November 26, 2023, numbers 10B and 10C: warrant numbers 3048211 through 3048450, and 9003039. Ratify Payroll and employee benefit Checks; Checks released early due to contracts or agreement; Emergency disbursements and/or adjustments; and, Wire transfers.
(Fiscal Impact: \$ \$3,174,396.75 (\$1,520,757.16 in check warrants and \$1,653,639.59 in wire warrants))
5. Authorize the City Manager to execute Amendment No. 3787A to license Agreement No. 3787 with Equinix to maintain their existing fiber optic loop within the City's public right of way.
(Fiscal Impact: None)
6. Waive second reading and adopt Ordinance No. 1654 for Environmental Assessment No. 1345 and Zone Text Amendment No. 23-02, amending the El Segundo Municipal Code Title 15 (Zoning Regulations) to implement certain Zone Text Amendments in El Segundo Housing Element Program 9 and find it exempt from further environmental review pursuant to 14 California Code Regulations Section 15358, 15061(b)(3), and 15162.
(Fiscal Impact: None)

7. Authorize the City Manager to execute Amendment Agreement No. 6379F with Willdan Group, Inc. ("Willdan") to increase the not to exceed amount by \$185,000 for a total of \$285,000 for FY 2023-24 for existing plan check and proposed interim Fire Marshal services, amend the City's FY 2023-24 Adopted Budget to increase revenues by \$125,000 in the Fire Department plan check fees and appropriate \$125,000 from General Fund Balance to the Fire Department professional services budget.
(Fiscal Impact: It is anticipated that there will be no net fiscal impact due to full cost recovery for fire plan check services and personal salary and benefit savings from the vacant Fire Marshal position. The amended professional services agreement includes contracted services for an in-house Fire Marshal. Estimated additional revenue (from plan check services to be provided by Willdan): \$125,000 to accounts 001-300-0000-3807 (\$112,500) and 001-300-0000-3832 (\$12,500), additional appropriation: \$125,000 from general fund balance to account 001-400-3204-6214 (amount originally budgeted: \$100,000) to be offset by the estimated additional revenue and budget transfer: \$60,000 from Fire Marshal Salary & Benefits Accounts 001-400-3204-4101, 001-400-3204-4201, 001-400-3204-4202, 001-400-3204-4203, and 001-400-3204-4204 to Fire Department Professional Services account 001-400-3204-6214)
8. Ratify the El Segundo Chamber of Commerce nomination to appoint Jeff Wilson to seat #18 of the South Bay Workforce Investment Board (SBWIB) and request the City Clerk to forward a certified copy of Council's action to the SBWIB.
(Fiscal Impact: None)
9. Receive and file the fiscal year 2023-24 1st quarter financial report.
(Fiscal Impact: This report provides the City Council and the public with an overview of the City's financial performance for the first three months of the fiscal year, July 1, 2023-September 30, 2023, with an emphasis on the General Fund)

MOTION by Council Member Giroux, SECONDED by Council Member Pirsztuk, approving Consent items 3, 4, 5, 6, 7, 8 and 9. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

D. STAFF PRESENTATIONS: *(Item #D12 moved forward on agenda)*

12. Consideration of Two Acre Land Dedication Offer by CDC Mar East Campus 1 LLC to City
(Fiscal Impact: If the City rejects the two-acre dedication of land, there is no fiscal impact – see staff report for full fiscal impact discussion)

Michael Allen, Community Development Director reported on the item.

Council discussion

MOTION by Council Member Baldino, SECONDED by Council Member Pirsztuk to deny the two-acre dedication of land offered by CDC Mar East Campus 1 LLC. MOTION PASSED BY A VOTE. 3/2 YES Pirsztuk Giroux Baldino NO Boyles Pimentel

C. PUBLIC HEARING:

10. Public Hearing for Adoption of FY 2023-24 Recreation, Parks, and Library Fee Schedule
(Fiscal Impact: The estimated fiscal impact from the proposed changes is potential additional revenue for FY 2023-24 of approximately \$75,000)

Mayor Boyles stated this was time and place for a public hearing regarding adopting a resolution approving FY 2023-24 Recreation, Parks, and Library fees as part of the FY 2023-24 Master Fee Schedule.

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

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

Public Input:

MOTION by Council Member Pirsztuk, SECONDED by Mayor Pro Tem Pimentel to close the public hearing. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

Council discussion

Mark Hensley, City Attorney read by title only;

RESOLUTION NO. 5452

A RESOLUTION ADOPTING RECREATION, PARKS, AND LIBRARY FEES FOR THE FISCAL YEAR 2023-2024 MASTER FEE SCHEDULE.

MOTION by Council Member Giroux, SECONDED by Mayor Pro Tem Pimentel adopting Resolution No. 5452. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

D. STAFF PRESENTATIONS:

11. Resolution Modifying the Basic Salary Range for the Fire Chief Classification
(Fiscal Impact:

Rebecca Redyk, Human Resources Director reported on the item.

Council Discussion

Mark Hensley, City Attorney read by title only;

RESOLUTION NO. 5453

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

MOTION by Council Member Giroux, SECONDED by Council Member Baldino adopting Resolution No. 5453. MOTION PASSED BY A VOTE. 4/1 YES: Boyles, Pirsztuk, Giroux Baldino NO Pimentel

13. El Segundo Affordable Housing Strategic Plan to Further Implement Housing Element Program Four
(Fiscal Impact: There is no fiscal impact in developing or adopting the City's Affordable Housing Strategic Plan)

Michael Allen, Community Development Director reported on the item.

Mark Hensley, City Attorney reported on the item.

Council discussion

Council asked to strike the CSG survey from the staff report.

Mark Hensley, City Attorney read by title only;

RESOLUTION NO. 5454

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO ADOPTING AN AFFORDABLE HOUSING STRATEGIC PLAN AFFIRMING THAT AFFORDABLE HOUSING IS A PRIORITY IN THE CITY OF EL SEGUNDO

MOTION by Council Member Baldino, SECONDED by Mayor Pro Tem Pimentel adopting Resolution No. 5454. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

14. Update on the City of El Segundo and the El Segundo Unified School District Public Recreation Facilities Joint Use Agreement
(Fiscal Impact: None)

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

Council Discussion

Council consensus to receive and file the report.

15. City Co-Sponsored Events and Fee Waivers
(Fiscal Impact: The fiscal impact will be determined after staff have conducted an analysis of City costs to provide support for approved co-sponsored events. Staff estimates fee waivers to be approximately \$100,000 annually based on the proposed list of co-sponsored events)

MOTION by Council Member Pirsztuk, SECONDED by Mayor Pro Tem Pimentel approving the updated list of fee waivers for events for two years through December 2025. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

MOTION by Council Member Pirsztuk, SECONDED by Council Member Giroux approving the Fee Waiver Request Form and Fee Waiver Scorecard and the procedure for fee waiver requests. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

E. COMMITTEES, COMMISSIONS AND BOARDS:

16. Open the Recruitment Process for Positions on the City's Committees, Commissions and Boards that Expire in 2024
(Fiscal Impact: None)

Council discussion

MOTION by Council Member Pirsztuk, SECONDED by Council Member Baldino directing staff to open the recruitment process for the positions on the City's Committees, Commissions and Boards, as listed. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

F. REPORTS – CITY CLERK – Happy Holidays to all.

G. REPORTS – CITY TREASURER – Not present

H. REPORTS – COUNCIL MEMBERS

Council Member Baldino – Mentioned the World Surf League will now have its headquarters in El Segundo and mentioned he listened to a podcast called “Real Perspective Podcast” which featured our very own, Michael Allen, Community Development Director who represented El Segundo with an expertise and enthusiasm.

Council Member Giroux – Asked for an update on Mask Wearing during protests from our City Attorney, Mark Hensley during his comment period.

Council Member Pirsztuk – Thanked the Recreation and Park staff for the Joy Around the World and Hanukkah events thanked all those involved in Santa’s Sleigh and Candy Cane Lane.

Mayor Pro Tem Pimentel – Gave a Green Line update and stated a final decision on the Green Line will be made in February 2024, will attend the Sanitation meeting tomorrow, and toured a four-square block of Smoky Hollow that has over \$40 million in investments.

Mayor Boyles – Thanked all and stated he enjoys working with staff and Council.

17. Mr. S. Claus' Annual Request for a Conditional Use Permit, Business License, and Various Waivers
(Fiscal Impact: None)

MOTION by Council Member Pirsztuk, SECONDED by Council Member Baldino approve and immediately issue a Conditional Use Permit to Mr. S. Claus, approve the use of air rights and waive the Santa Monica Radial 160 R procedure (FAA should be contacted), grant a free business license to S. Claus Enterprises, a non-profit organization waive ESMC 8-4-11B (Driveway Permits Required) and ESMC 8-5-11 (Parking on Grades), waive the Noise Ordinance (ESMC 7-2-3) to permit the clatter of reindeer hooves, the shouting of reindeer names, and the sound of bells on December 24 and 25, 2023, waive the Trespass Ordinance (ESMC 7-6-3) to allow Mr. S. Claus to deliver gifts, waive the Animal Control Ordinance (ESMC 6-2-1) including section 6-2-8 dealing with "Animals at Large" to allow eight reindeer to land on rooftops in El Segundo, waive of the Pooper-Scooper Regulations (ESMC 7-1-4) and additionally, Mr. S. Claus has been directed to the Coastal Commission for clearance over the ocean; the DMV for a valid vehicle registration; the Department of Health and Welfare to ensure his elves are receiving minimum wage; and the Air Quality Management District to ensure a safe and clear sleigh ride. MOTION PASSED BY A UNANIMOUS VOTE. 5/0

- I. REPORTS – CITY ATTORNEY – Commented on mask wearing while protesting and stated California Penal Code 185 states it shall be unlawful for any person to wear any mask, false whiskers, or any personal disguise (whether complete or partial) for the purpose of: One—Evading or escaping discovery, recognition, or identification in the commission of any public offense and Two—Concealment, flight, or escape, when charged with, arrested for, or convicted of, any public offense. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor.
- J. REPORTS/FOLLOW-UP – DEPUTY CITY MANAGER – Mentioned the City has developed an automated system to process Special Events permits which will go live on January 10, 2024, and stated Hyperion updates will continue via the City's various forms of communication.

MEMORIAL – Jack Axelrod

Adjourned at 8:11 PM


Tracy Weaver, City Clerk