



REVISED AGENDA

EL SEGUNDO CITY COUNCIL

COUNCIL CHAMBERS - 350 Main Street

The City Council, with certain statutory exceptions, can only take action upon properly posted and listed agenda items. Any writings or documents given to a majority of the City Council regarding any matter on this agenda that the City received after issuing the agenda packet are available for public inspection in the City Clerk's office during normal business hours. Such Documents may also be posted on the City's website at www.elsegundo.org and additional copies will be available at the City Council meeting.

Unless otherwise noted in the Agenda, the Public can only comment on City-related business that is within the jurisdiction of the City Council and/or items listed on the Agenda during the **Public Communications** portions of the Meeting. Additionally, the Public can comment on any Public Hearing item on the Agenda during the Public Hearing portion of such item. The time limit for comments is five (5) minutes per person.

Before speaking to the City Council, please come to the podium and state: Your name and residence and the organization you represent, if desired. Please respect the time limits.

Members of the Public may place items on the Agenda by submitting a **Written Request** to the City Clerk or City Manager's Office at least six days prior to the City Council Meeting (by 2:00 p.m. the prior Tuesday). The request must include a brief general description of the business to be transacted or discussed at the meeting. Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the City Clerk two (2) working days prior to the meeting and they do not exceed five (5) minutes in length.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk, 524-2305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, OCTOBER 5, 2010 – 5:00 P.M.

Next Resolution # 4685
Next Ordinance # 1448

5:00 P.M. SESSION

CALL TO ORDER

ROLL CALL

PUBLIC COMMUNICATION – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) *Individuals who have received value of \$50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of \$250.*

SPECIAL ORDER OF BUSINESS:

CLOSED SESSION:

The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City's Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City's Labor Negotiators; as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov't Code §54956.9(a) -1- matter

1. City of El Segundo vs. City of Los Angeles, et. al. LASC Case No. BS094279

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.

APPOINTMENT AND PERFORMANCE EVALUATION OF PUBLIC EMPLOYEE (Gov't. Code § 54957) -0- matter

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -2- matters

1. Represented Group: Police Support Services Employees Association (PSSEA), City Employees Association (CEA), Firefighters Association (FFA), Police Managers Association (PMA), Police Officers Association (POA), Supervisory and Professional Employees (S&P)
Negotiators: Jack Wayt, Bob Hyland and Richard Kreisler
2. Unrepresented Group: Management Confidential Group
Negotiator: Jack Wayt

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -0- matters



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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, OCTOBER 5, 2010 - 7:00 P.M.

Next Resolution # 4685
Next Ordinance # 1448

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Lee Carlile, United Methodist Church

PLEDGE OF ALLEGIANCE – Council Member Suzanne Fuentes

PRESENTATIONS

ROLL CALL

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) *Individuals who have received value of \$50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of \$250. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.*

A. PROCEDURAL MOTIONS

Consideration of a motion to read all ordinances and resolutions on the Agenda by title only.

Recommendation – Approval.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. **Consideration and possible action to conduct a Public Hearing regarding operating and capital outlay requests of \$100,000 from the existing Citizens Option for Public Safety (COPS) Supplement Law Enforcement Services Funds (SLESF) account by the Chief of Police. The grant requires that expenditures be utilized to supplement “front line law enforcement.” Front line law enforcement includes funding special enforcement details, and purchasing equipment. (Fiscal Impact: \$100,000 from COPS grant fund)**
-

Recommendation – (1) Open the public hearing to consider funding request from Chief of Police; (2) Discussion; (3) Adopt Resolution approving the use of COPS grant funds to purchase equipment related to supplementation of front line law enforcement”; (4) Alternatively, discuss and take other action related to this item.

C. UNFINISHED BUSINESS

2. **Consideration and possible action regarding Adoption of a Resolution providing another designated Retirement Period for Section 20903, Two Years Additional Service Credit, for local miscellaneous members. (Fiscal Impact: Presented at Council Meeting of September 21, 2010)**
-

Recommendation – (1) Adopt the Resolution; (2) Alternatively, discuss and take other action related to this item.

3. **Consideration and possible action to approve the preliminary Proposition 218 documents and direct staff to commence the Proposition 218 protest procedures regarding implementation of residential trash (solid waste) collection fees. (Fiscal Impact: \$20,000 for ballot mailing; Potential Fiscal Impact: Approximately \$560,700 annual trash collection revenue)**

Recommendation – (1) Approve notice to residents regarding proposed residential trash collection fees and protest ballot language; (2) Determine and approve a schedule for mailing proposed notices and protest ballots and public hearing date to tabulate protest ballot results and consider imposing residential trash collection fees; (3) Alternatively, discuss and take other action related to this item.

4. **Consideration and possible action regarding 1) approval of an Environmental Assessment for a proposed Statutory Exemption; 2) adoption of Public Facilities Impact Fees for Police, Fire, Library, and Parks Facilities; and 3) introduce and waive first reading of an ordinance to amend El Segundo Municipal Code (ESMC) §15-27A-6(D) and §15-27A-6(E) regulating collection of impact fees. Applicant: City Initiated (Fiscal Impact: Increased Fee Revenue from Police, Fire, and Library Public Facilities Impact Fees and Establishment of New Parks Impact Fees)**

Recommendation – (1) Discussion; (2) Adopt a Resolution establishing Public Facilities Impact Fees; (3) Introduce and waive first reading of an ordinance amending ESMC §15-27A-6(D) and §15-27A-6(E); (4) Alternatively, discuss and take other action related to this item.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

E. CONSENT AGENDA

All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.

5. **Warrant Numbers 2579099 to 2579302 on Register No. 24 in the total amount of \$852,049.91 and Wire Transfers from 09/10/10 through 09/23/10 in the total amount of \$829,968.83.**

Recommendation – Approve Warrant Demand Register and authorize staff to release. Ratify: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

6. Regular City Council Meeting Minutes of September 21, 2010.

Recommendation – Approval.

- 7. Consideration and possible action to adopt Ordinance No. 1447 approving Environmental Assessment EA 884, Zone Text Amendment ZTA 10-05, and Specific Plan Text Amendment SPTA 10-02 to amend the El Segundo Municipal Code (“ESMC”) to establish regulations for assembly hall uses; to amend the permitted and conditionally permitted uses in various zones; and amend the permitted and conditionally permitted uses within the Downtown Specific Plan. (Fiscal Impact: None)**

Recommendation – (1) Waive second reading and adopt Ordinance No. 1447 for Environmental Assessment EA 884, Zone Text Amendment ZTA 10-05, and Specific Plan Text Amendment 10-02; (2) Alternatively, discuss and take other action related to this item.

- 8. Consideration and possible action regarding approval of a side letter between the City of El Segundo and the El Segundo Supervisory and Professional Employees Association regarding the severance package for laid off employees. (Fiscal Impact: \$16,390)**

Recommendation – (1) Approve the Side Letter between the City of El Segundo and City of El Segundo Supervisory and Professional Employees Association; (2) Alternatively, discuss and take other action related to this item.

- 9. Consideration and possible action regarding approval of a side letter between the City of El Segundo and the El Segundo Police Support Services Employees Association regarding the severance package for laid off employee. (Fiscal Impact: \$3,753.26)**

Recommendation – (1) Approve the Side Letter between the City of El Segundo and City of El Segundo Police Support Services Employees Association; (2) Alternatively, discuss and take other action related to this item.

- 10. Consideration and possible action regarding salary and benefit concessions for FY 2010/2011 by the City of El Segundo Supervisory and Professional Employees Association. (Fiscal Impact: Estimated Savings of \$312,885.96 for FY 2010/2011)**
-

Recommendation – (1) Approve the side letter between the City of El Segundo and City of El Segundo City Supervisory and Professional Employees Association; (2) Alternatively, discuss and take other action related to this item.

- 11. Consideration and possible action regarding an amendment to the previously approved Professional Services Agreements with Kimley-Horne Associates to provide traffic engineering services related to the El Segundo Aquatics Site Feasibility Study California Environmental Quality Act (CEQA) review. (Fiscal Impact: up to \$11,300 Special Revenue Fund – Aquatics Facility Fund)**
-

Recommendation – (1) Approve a budget appropriation of up to \$11,300 to provide additional traffic engineering services; (2) Authorize the City Manager to execute an amendment to the Professional Services Agreement for traffic engineering services and approved as to form by the City Attorney in an amount not to exceed \$11,300; (3) Alternatively, discuss and take other action related to this item.

- 11A. Consideration and possible action regarding salary and benefit concessions for FY 2010/2011 by the City of El Segundo Police Support Services Employees Association. (Fiscal Impact: Estimated Savings of \$97,310.00 for FY 2010/2011)**
-

Recommendation – (1) Approve the side letter between the City of El Segundo and City of El Segundo Police Support Services Employees Association; (2) Alternatively, discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

- 12. Consideration and possible action regarding the approval of amendment to the Plan of Operations as proposed by the El Segundo Senior Citizens Housing Corporation Board at its July 2010 meeting. This item offers further review of staff's findings of the three items in question at the September 7, 2010 City Council Meeting. (Fiscal Impact: None)**

Recommendation – (1) Approval of the amended Plan of Operations; (2) Alternatively, discuss and take other action related to this item.

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fuentes –

Council Member Brann –

Council Member Jacobson –

Mayor Pro Tem Fisher –

Mayor Busch –

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MEMORIALS –

CLOSED SESSION

The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City's Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City's Labor Negotiators.

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:

DATE: 10/01/10

TIME: 2:45 pm

NAME: M. Jennings

AGREEMENT
BETWEEN THE CITY OF EL SEGUNDO AND EL SEGUNDO SUPERVISORY AND
PROFESSIONAL EMPLOYEES ASSOCIATION

This Agreement is entered into by and between El Segundo Supervisory and Professional Employees Association ("SPEA") and the City of El Segundo ("City") referred to hereafter collectively, the "Parties".

Whereas the City of El Segundo has engaged in discussions with employee groups to obtain salary and benefit concessions to address the budget deficit for Fiscal Year 2009/2010 and Fiscal Year 2010/2011 and,

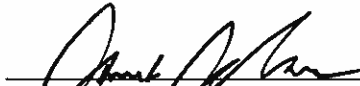
Whereas the SPEA addressed the budget deficit for FY 2009/2010 through the implementation of layoffs within their bargaining unit, and

Whereas the SPEA reached a tentative agreement on September 30, 2010 with the City of El Segundo on salary and benefit concessions for FY 2010/2011.

The parties agree as follows:

- The Association agrees to a seven percent (7%) to ten percent (10%) salary concession in the form of furlough time effective October 1, 2010 through September 30, 2011. A determination as to the precise furlough-funded salary concession (within the 7-10% range) shall be determined not later than January 15, 2011 in the sole discretion of the City without a requirement of first convening the meet and confer process. Nonetheless, the City shall meet with Association representatives in order to explain the result of the January 15, 2011 determination.
- The City agrees to guarantee no layoffs will occur during Fiscal Year 2010/2011 unless at any time during the fiscal year, general fund revenues fall ten percent (10%) below the adopted budget as to any quarter in the fiscal year.
- Effective October 1, 2010, each affected employee shall be subject to a 145.6 hours (7%) furlough bank. The furlough bank hours shall be subject to adjustment within the 7-10% range in conjunction with the above January 15, 2011 determination. Furlough time off shall be deducted from the hours in this bank on an as-used basis. Not less than seventy-two (72) furlough hours shall be taken off on or before March 31, 2011. The Association agrees that each employee shall utilize all furlough hours prior to September 30, 2011.
- Employees will schedule furlough days in consultation with their department supervisors/managers to ensure impact to service levels are kept to a minimum.

Dated: *9/10/10*



James Carver, Chief Steward
Supervisory and Professional Employees
Association

Dated: 10/1/10



Gregorio Daniel, Business Representative
Teamsters

Dated: 10/1/10



Jack Wayt, City Manager
City of El Segundo

AGENDA DESCRIPTION:

Consideration and possible action regarding salary and benefit concessions for FY 2010/2011 by the City of El Segundo Police Support Services Employees Association. Fiscal Impact: Estimated Savings of \$97,310.00 for FY 2010/2011.

RECOMMENDED COUNCIL ACTION:

- 1.. Approve the Side Letter between the City of El Segundo and City of El Segundo Police Support Services Employees Association.
2. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Side Letter between City of El Segundo and City of El Segundo Police Support Services Employees Association (PSSEA).

FISCAL IMPACT:

Total Fiscal Impact: Estimated Savings of \$97,310.00

Amount Budgeted:

Additional Appropriation: None

Account Number(s):

ORIGINATED BY: Martha  Dijkstra, Human Resources Manager

REVIEWED BY: Bob Hyland, Human Resources Director

APPROVED BY: Jack Wayt, City Manager 

BACKGROUND AND DISCUSSION

Pursuant to Council direction, representatives of the City of El Segundo began discussions with the employee groups to determine what concessions can be made to address the City's budget shortfall for FY 2009/2010 and FY 2010/2011. The shortfall for FY 2009/2010 was addressed by PSSEA through the implementation of layoffs within this bargaining unit. The shortfall for FY 2010/2011 will be addressed through the implementation of furloughs as described in the Side Letter.

AGREEMENT
BETWEEN THE CITY OF EL SEGUNDO AND EL SEGUNDO POLICE SUPPORT
SERVICES EMPLOYEES ASSOCIATION

This Agreement is entered into by and between El Segundo Police Support Services Employees Association (“PSSEA”) and the City of El Segundo (“City”) referred to hereafter collectively, the “Parties”.

Whereas the City of El Segundo has engaged in discussions with employee groups to obtain salary and benefit concessions to address the budget deficit for Fiscal Year 2009/2010 and Fiscal Year 2010/2011 and,

Whereas the PSSEA addressed the budget deficit for FY 2009/2010 through the implementation of layoffs within their bargaining unit, and

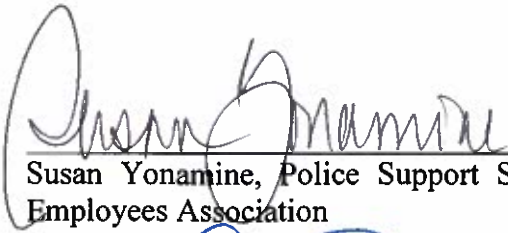
Whereas the PSSEA reached a tentative agreement on September 30, 2010 with the City of El Segundo on salary and benefit concessions for FY 2010/2011.

The parties agree as follows:

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- Employees will schedule furlough days in consultation with their department supervisors/managers to ensure impact to service levels are kept to a minimum.

Given the severe economic condition confronting the City, the parties have agreed to enter into this letter of agreement prior to undertaking and completing negotiations for additional changes to the comprehensive 2010-11 MOU. Those additional negotiations shall promptly convene but shall not address additional matters which impact an employee’s payroll period compensation.

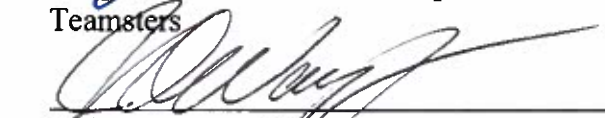
Dated: 10/01/10


Susan Yonamine, Police Support Services
Employees Association

Dated: 10/01/10


Gregorio Daniel, Business Representative
Teamsters

Dated: 10/01/10


Jack Wayt, City Manager
City of El Segundo