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, DECEMBER 16, 2008 - 7:00 P.M.

ITEM NO. 15a ADDED UNDER CONSENT AGENDA

Next Resolution # 4883
Next Ordinance # 1425

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Pastor Mark Stepp, Oceanside Christian Fellowship

PLEDGE OF ALLEGIANCE – Council Member Don Brann
PRESENTATIONS

(a) Commendation on behalf of the sponsors, supporters and volunteers of the El Segundo Community Christmas Dinner to be held at 1:00 p.m. on Christmas Day at the Joslyn Center at Recreation & Parks.

(b) Commendation for the Mighty Mights.

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 (Public Hearing) regarding the proposed projects and budget for the 2009-2010 Community Development Block Grant (CDBG) Program Year. Estimated CDBG budget allocation for Program Year 2009-2010 is approximately $86,933. (Fiscal Impact: $86,933)

Recommendation – (1) Open public hearing and take testimony; (2) Close public hearing and discuss item; (3) Adopt the new 2009-2010 CDBG projects and budget; (4) Authorize the City Manager to execute the contracts, as to form approved by the City Attorney, with the Los Angeles County Community Development Commission, and with all sub-recipients receiving CDBG funds; (5) Alternatively, discuss and take other possible action related to this item.

C. UNFINISHED BUSINESS
D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

2. Consideration and possible action to appoint a representative for the City of El Segundo to the Board of Trustees of the Los Angeles County West Vector & Vector-Borne Control District. (Fiscal Impact: None)

Recommendation – (1) Appoint a representative for the City of El Segundo to the Board of Trustees of the Los Angeles County West Vector & Vector-Borne Control District; (2) Direct the City Clerk to send a letter to the District's Executive Director confirming the appointment date and vote of the City Council; (3) Alternatively, discuss and take other action related to this item.

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.

3. Warrant Numbers 2569090 to 2569338 on Register No. 5 in the total amount of $1,167,004.70 and Wire Transfers from 11/21/2008 through 12/04/2008 in the total amount of $738,270.99.

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.


Recommendation – Approval.

5. Consideration and possible action authorizing the City Manager to execute a professional services agreement, in a form approved by the City Attorney, with Southern California Risk Management Associates, Inc. (SCRMA) to serve as the third party administrator for the City's self-insured Workers' Compensation Program for a period of three years, with an option to extend for two additional years. (Fiscal Impact: $76,750 for first year of contract)

Recommendation – (1) Authorize the City Manager to execute a three year Professional Services Agreement, with an option to extend for two additional years, with Southern California Risk Management Associates, Inc. to serve as the third party administrator for the City's self-insured Workers' Compensation Program; (2) Alternatively, discuss and take other action related to this item.
6. Consideration and possible action regarding approval of a three year Memorandum of Understanding (Labor Agreement) with the City of El Segundo and the El Segundo Police Officers' Association. (Fiscal Impact: $808,997)

Recommendation – (1) Approve the Agreement; (2) Adopt the Resolution approving the Memorandum of Understanding; (3) Alternatively, discuss and take other action related to this item.

7. Consideration and possible action regarding approval of a three year Memorandum of Understanding (Labor Agreement) with the El Segundo Police Managers' Association. (Fiscal Impact: $161,810 salary and benefit increases; plus $68,881 to resolve salary compaction in the Police Department, for a grand total of $230,691.)

Recommendation – (1) Approve the Agreement; (2) Adopt the Resolution approving the Memorandum of Understanding; (3) Alternatively, discuss and take other action related to this item.

8. Consideration and possible action authorizing the recording of the Notices of Completion and authorizing the City Manager to accept completion of work for 43 homes related to the City's Residential Sound Insulation Program's Group 23 (Project No. RSI 07-10) and Group 28 (Project No. RSI 08-06). (Final Contract Amounts: $763,276.26 and $497,731.09)

Recommendation – (1) Authorize the City Clerk to file the City's Planning and Building Safety Director's Notices of Completion in the County Recorder's Office; (2) Authorize the City Manager, or designee, to close out Project Nos. RSI 07-10 and RSI 08-06; (3) Alternatively discuss and take other action related to this item.

9. Consideration and possible action regarding the approval of Contract Change Order No. 1 in conjunction with construction of Stevenson Field Bleachers Project PW 08-07. (Fiscal Impact: $9,200)

Recommendation - (1) Authorize the Director of Public Works to execute Change Order Number 1 to the existing standard Public Works Contract with FS Construction, Inc. in the total amount of $9,200.00; (2) transfer $9,200.00 from the Softball Wall Project 301-400-8202-8996 and, (3) Alternatively discuss and take other action related to this item.

10. Consideration and possible action authorizing the City Manager to execute a Professional Services Agreement with Rossetti Associates, Inc. for the Swimming Pool Alternatives Study in El Segundo. (Fiscal Impact: $41,500.00)

Recommendation – (1) Authorize the City Manager to execute a Professional Services Agreement with Rossetti Associates, Inc. in a form approved by the City Attorney in the amount of $41,500.00; (2) Alternatively, discuss and take other action related to this item.
11. Consideration and possible action authorizing the City Manager to execute a Professional Services Agreement with Environmental Engineering and Contracting Inc. for the Sewer System Management Plan. (Fiscal Impact: $35,505)

Recommendation – (1) Authorize the City Manager to execute a Professional Services Agreement with Environmental Engineering and Contracting Inc., in a form approved by the City Attorney in the amount of $35,505; (2) Alternatively, discuss and take other action related to this item.

12. Consideration and possible action regarding Adoption of Plans and Specifications to install an Enhanced Vapor Recovery (EVR) system at the fueling station located at the City Maintenance Facility (150 Illinois Street) for compliance with South Coast Air Quality Management District (SCAQMD) Requirements. Project No.: PW 08-16 (Fiscal Impact: $65,000)

Recommendation – (1) Adopt Plans and Specifications. (2) Authorize staff to advertise the project for receipt of construction bids; (3) Alternatively, discuss and take other action related to this item.

13. Consideration and possible action to award a standard Public Works Contract to the lowest responsible bidder, Fleming Environmental, Inc., for rehabilitation of Sycamore Park Playground (southeast corner of Sycamore Avenue and California Street). Approved Capital Improvement Project. Project No. PW 08-12 (Fiscal Impact: $116,708)

Recommendation – (1) Authorize the City Manager to execute a standard Public Works Contract in a form as approved by the City Attorney with Fleming Environmental, Inc., in the amount of $116,708.00; (2) Alternatively, discuss and take other action related to this item.

14. Consideration and possible action regarding an amendment to the contract with the Two Roads Professional Resources, Inc. to provide construction management services for the construction of the new Fire Station No. 2, located at 2261 East Mariposa Avenue.

Recommendation – (1) Authorize the City Manager to execute an amendment with Two Roads Professional Resources, Inc., for an amount not to exceed $150,000; (2) Alternatively, discuss and take other action related to this item.
15. Consideration and possible action regarding an extension to the City's current agreement with MWW Group for consultant services related to the City's efforts regarding Los Angeles International Airport. (Fiscal Impact: $96,000)

Recommendation – (1) Authorize the Mayor to execute the attached consultant agreement with the MWW Group; (2) Alternatively, discuss and take other action related to this item.

15a. Consideration and possible action regarding approval of a three year Memorandum of Understanding (Labor Agreement) between the City of El Segundo and the El Segundo Firefighters' Association. (Fiscal Impact: $563,392)

Recommendation – (1) Approve the Agreement; (2) Adopt the Resolution approving the Memorandum of Understanding; (3) Alternatively, discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann –
Council Member Fisher –

Council Member Jacobson –

16. Consideration and possible action to review the Traffic Committee decision regarding the removal of stop signs on Hillcrest Street at Walnut Avenue. (Fiscal Impact: $1,000)

Recommendation – (1) Review the Traffic Committee decision of December 4, 2008 regarding the placement of stop signs at the intersection of Hillcrest Street and Walnut Avenue; (2) Alternatively, discuss and take other action related to this item.

Mayor Pro Tem Busch –

Mayor McDowell –

17. Consideration and possible action regarding the annual request of Mr. S. Claus for variances from the Municipal Code.

Recommendation – Approve request by Mr. S. Claus for a waiver of the permits required for doing business within the City of El Segundo as follows; or, alternatively, discuss and take other action related to this item:
1. Approval of a Conditional Use Permit and waiver of regulations in ESMC Section 15-23-4;
2. The use of air rights and waiver of the Santa Monica Radial 160 R procedure (FAA should be contacted);
3. Grant a free business license for a non-profit organization (ESMC 4-1-7);
4. Waiver of ESMC 8-4-11B (Driveway Permits Required) and ESMC 8-5-11 (Parking on Grades);
5. Waiver of the Noise Ordinance to permit the sound of bells (ESMC 7-2-3);
6. Waiver of the Trespass Ordinance (ESMC 7-6-3) including 6-5-11 dealing with trespassing animals; and
7. Waiver of the ordinance on Animal Regulations (ESMC 6-2-1)

Additionally, Mr. S. Claus has been directed to the Coastal Commission for clearance over the ocean; D.M.V. for a valid vehicle registration; Department of Health & Welfare to ensure his elves are receiving minimum wage; and the Air Quality Management District to ensure a safe and clear sleigh ride.
PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have receive 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.

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: 12-12-08
TIME: 3:10 p.m.
NAME: [Signature]
AGENDA DESCRIPTION:

Consideration and possible action regarding approval of a three year Memorandum of Understanding (Labor Agreement) between the City of El Segundo and the El Segundo Firefighters' Association. (Fiscal Impact: $563,392)

RECOMMENDED COUNCIL ACTION:

1. Approve the Agreement.
2. Adopt the Resolution approving the Memorandum of Understanding.
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

1. Agreement
2. Resolution

FISCAL IMPACT: ($563,392)

Amount Budgeted:
Additional Appropriation:
Account Number(s):

ORIGINATED BY: Bob Hyland, Director of Human Resources
REVIEWED BY: Bob Hyland, Director of Human Resources
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

In July 2008, the City's Chief Negotiator, staff and representatives of the El Segundo Police Officers' Association began meeting and conferring, pursuant to Sections 3500 et. seq. of the California Government Code, for the purposes of obtaining a labor agreement. Agreement was reached during the second week of December, 2008.

The Agreement contains the following major provisions:

1. Three-year term, commencing on July 1, 2008, and ending on September 30, 2011.
2. A 3.75% salary increase for Firefighters, Fire Engineers and Fire Captains, effective October 14, 2008.
3. A 3.75% salary increase for Firefighters, Fire Engineers and Fire Captains, effective July 1, 2009.
5. Conversion of Special Compensation Incentives from percentage amounts to flat dollar amounts.
6. Provision that the maximum future City contribution for medical insurance, for both active employees and retirees, shall be $1,800 per month.

7. Amendment to the City’s contract with PERS to provide Section 21548, “Pre-Retirement Option 2W Death Benefit.”
NOTICE OF JULY 1, 2008 – SEPTEMBER 30, 2011 TENTATIVE MOU AGREEMENT BETWEEN REPRESENTATIVES OF THE CITY OF EL SEGUNDO AND THE EL SEGUNDO FIREFIGHTERS’ ASSOCIATION

The purpose of this memorandum is to provide the City Council with notice that a tentative agreement has been reached between representatives of the City and the El Segundo Firefighters’ Association, for a Memorandum of Understanding regarding the period July 1, 2008 through September 30, 2011. The parties are in the process of preparing a comprehensive Memorandum of Understanding which will include, but not be limited to, the following elements.

In addition to the elements detailed in this document, the parties have also reached tentative agreement on a variety of other Memoranda of Understanding Articles principally addressing operational procedures.

It is the recommendation of the City and the El Segundo Firefighters’ Association representatives, that the Council take action approving the changes in terms and conditions of employment detailed in this document, with the understanding that those changes shall then be incorporated into a comprehensive Memorandum of Understanding which in itself would then be presented to the Council for approval.

The principle matters where the parties have reached a tentative agreement on are:

1. **TERM OF AGREEMENT** – July 1, 2008 through September 30, 2011

2. **BASE SALARY INCREASES**
   
   October 14, 2008 – 3.75%
   
   July 1, 2009 (first payroll period commencing on or after) – 3.75%
   
   July 1, 2010 (first payroll period commencing on or after) – 3.75%

3. **COMPOUNDING OF SALARIES AND SPECIAL COMPENSATION INCENTIVES; ELIMINATION OF SPECIAL COMPENSATION INCENTIVES BEING BASED ON PERCENTAGES** – effective the first payroll period commencing on or after October 14, 2008, all compensation compounding shall terminate (as that term has been used and implemented in prior Memoranda of Understanding and/or City practices) and there shall be a simultaneous termination of calculating special compensation incentives on the basis of percentages of base salary or otherwise. Instead, said calculations shall be flat rates.

4. **MAXIMUM CITY FUNDING OF ACTIVE EMPLOYEE AND RETIREE INSURANCE PREMIUMS** – effective upon Council adoption of this document, the cumulative monthly City funding of any PERS medical insurance plans for active employees and/or retirees shall not exceed $1,800.00 per month.
5. **EXHIBITS** – attached to this memorandum and incorporated into it as though set forth in full are the following exhibits:

   a. Schedule 1 – setting forth Firefighters, Fire Engineers and Fire Captains base pay at steps A-F and reflecting the above 3.75% base salary increases.

   b. Schedule 2 – reflecting the specialty compensation flat rate amounts resulting from elimination of percentage calculations, with the exception of Paramedic Level 2 and Paramedic Level 3.

6. Additional MOU language – to be agreed upon by the parties, as indicated above.

**IT IS AGREED:**

**EL SEGUNDO FIREFIGHTERS' ASSOCIATION**

[Signature]

Chris Thomason, President,
El Segundo Firefighters Association

_12-12-08_

Date

**CITY OF EL SEGUNDO**

[Signature]

Jack Wayt, City Manager

_12-12-08_

Date
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CITY OF EL SEGUNDO
FIREFIGHTER SALARY TABLE
EFFECTIVE: OCTOBER 2008
CONVERSION TO FLAT INCENTIVES (EXCEPT PM LEVEL 2 AND PM LEVEL 3)

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RESOLUTION NO.__________

A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF EL SEGUNDO, CALIFORNIA, AND THE EL SEGUNDO FIREFIGHTERS' ASSOCIATION.

The City Council of the City of El Segundo does resolve as follows:

Section 1: Discussions which have taken place in the meet and confer process have resulted in a mutually agreeable Memorandum of Understanding between the City of El Segundo and this Association;

Section 2: Staff is authorized to implement all terms and conditions of the Memorandum of Understanding (entitled “agreement”) between the City of El Segundo and the El Segundo Firefighters’ Association on or about December 12, 2008. A copy of that agreement is attached as Exhibit “A,” and is incorporated by reference.

Section 3: The City Clerk is directed to certify the passage and adoption of this Resolution; enter same in the book of original Resolutions; and make a Minute of its adoption in the City’s records and in the Minutes of the meeting when it was adopted.

Section 4: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 16th day of December, 2008.

____________________________
Kelly McDowell,
Mayor
CERTIFICATION

STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES ) SS
CITY OF EL SEGUNDO )

I, Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. _____ was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the 16th day of December, 2008, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

NOT PARTICIPATING:

WITNESS MY HAND THE OFFICIAL SEAL OF SAID CITY this _____ day of __________, 2008.

Cindy Mortesen, City Clerk
of the City of El Segundo,
California
(SEAL)

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By:__________________________
Karl H. Berger
Assistant City Attorney