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 18, 2011 - 7:00 P.M.

REVISIONS:
NEW - PROCLAMATION - UNDER PRESENTATIONS
CORRECTION - ITEM #6 - DESCRIPTION - UNDER E. CONSENT
NEW - ITEM #11 - UNDER F. NEW BUSINESS

Next Resolution # 4742
Next Ordinance # 1465

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION - Assistant Pastor Mike Sternad, Calvary Chapel
PLEDGE OF ALLEGIANCE – Council Member Don Brann

PRESENTATIONS

(a) Proclaiming October 23, 2011, World Polio Day to encourage all citizens to join Rotary International in the fight for a polio-free world.

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 open a public hearing and receive testimony regarding: 1) a Zone Text Amendment amending the El Segundo Municipal Code ("ESMC") to add a new Chapter 15-24A regulating dedication and improvement of public rights-of-way. Applicant: City Initiated (Fiscal Impact: N/A) ________________________________
Recommendation – 1) Open the public hearing; 2) Discussion; 3) Introduce, and waive first reading of Ordinance for Zone Text Amendment No. 10-01; 4) Schedule second reading and adoption of Ordinance on November 1, 2011; 5) Alternatively, discuss and take other possible action related to this item.

C. UNFINISHED BUSINESS

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.

2. Warrant Numbers 2584382 to 2584629 on Register No. 1 in the total amount of $940,492.53 and Wire Transfers from 09/23/11 through 10/06/11 in the total amount of $415,095.79.
   Recommendation – Approve Warrant Demand Registers 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.

3. Regular City Council Meeting Minutes of October 4, 2011
   Recommendation – Approval.

4. Consideration and possible action to adopt a resolution by four-fifths vote to authorize a no-bid public works contract for the emergency repair of the broken sewer pipes and associated plumbing system at the Lakes Golf Course located at 400 S. Sepulveda Boulevard. (Fiscal Impact: 14,950)
   Recommendation – 1) Adopt a Resolution by four-fifths vote to authorize a no-bid public works contract for emergency repair; 2) Authorize the City Manager to award a contract to Brian Shields Plumbing for the bid amount of $13,000 to repair the plumbing system at the Lakes Golf Course; 3) Approve a project budget of $14,950 which includes a 15% contingency; 4) Alternatively, discuss and take other action related to this item.

5. Consideration and possible action regarding an Ordinance amending Chapter 9-3 of the El Segundo Municipal Code (ESMC) in its entirety regarding Street Trees. The changes will include (a) allowing property owners to voluntarily apply for a permit from the Recreation and Parks Department to hire approved contractors to expedite the removal or maintenance of public trees at their own convenience and expense; (b) allowing staff to remove and replace trees that are underperforming and have lost their aesthetic value and purpose. (Fiscal Impact: None)
   Recommendation – 1) Introduction and first reading by title only of an Ordinance amending ESMC Chapter 9-3 to allow property owners to apply for a permit to hire approved contractors to expedite the removal or maintenance of public trees; 2) Approve revised Administrative Policies and Procedures for Street Trees in the Master Street Plan to include criteria allowing staff to remove and replace trees that are underperforming and have lost aesthetic value and purpose; 3) Alternatively, discuss and take other action related to these items.

6. Consideration and possible action regarding authorization for the Police Department to replace an elliptical trainer and purchase supplemental fitness equipment and replacement flooring for the Police Department gym utilizing equipment replacement and asset forfeiture funds. (Fiscal Impact: $4,950 GF; $46,853 AF)
   Recommendation – 1) Approve the use of equipment replacement and asset forfeiture funds to purchase fitness equipment and replacement flooring for the
Police Department gym; 2) Alternatively, discuss and take other action related to this item.

7. Consideration and possible action to authorize the City Manager to execute a Takeover Agreement with First National Insurance Company of America in a form approved by the City Attorney to complete construction of the Beach Bathroom Facility and Lifeguard Station at El Segundo Beach Project PW 10-09.

Recommendation – 1) Authorize the City Manager to execute a Takeover Agreement with First National Insurance Company of America, in a form approved by the City Attorney, to complete construction of Beach Bathroom Facility and Lifeguard Station at El Segundo Beach; 2) Alternatively, discuss and take other action related to this item.

8. Consideration and possible action regarding salary and benefit concessions by the City’s unrepresented group of Management/Confidential employees. (Fiscal Impact: Estimated FY 2011/2012 Savings of $264,906.)

Recommendation - 1) Adopt resolution amending the benefits for the City’s Management Confidential employees; or 2) Alternatively discuss and take other action related to this item.

9. Consideration and possible action regarding approval of a revised Class Specification for the position of Police Officer. (Fiscal Impact: N/A)

Recommendation – 1) Approval of a revised Class Specification for the position of Police Officer; 2) Alternatively, discuss and take other action related to this item.

10. Consideration and possible action regarding Adoption of Resolutions for Employer Paid Member Contributions for Executives, Management & Confidential, Fire Management, Police Managers’ Association, and Police Officers’ Association. (Fiscal Impact: Estimated Savings for Fiscal Year 2011-12 of $477,286)

Recommendation – 1) Approve the attached resolutions; 2) alternatively discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA
F. NEW BUSINESS

11. Consideration and possible action regarding 1) Providing another designated Retirement Period (pursuant to Government Section 20903) by offering two years additional service credit for specified eligible classes of employees; 2) Certification of Compliance with Government Code Section 20903; and 3) Approval of Early Retirement Incentives for employees entering into a Date-Certain Retirement Separation Agreement with the City. (Fiscal Impact: Estimated increase in the City’s PERS miscellaneous employer rate of 0.11% for 4 potential retirements, estimated increase in the City’s PERS safety employer rate of 0.42% for 7 potential retirements and an annual cost increase in FY 2013-2014 of $15,000 for Miscellaneous and $61,000 for Safety for a combined increase of $76,000 annually; Estimated salary savings net of incentives for FY 2011/2012 total $784,202.)

Recommendation — 1) Approve another designated Retirement Period for specific eligible classes of employees; 2) Certify Compliance with Government Code Section 20903; 3) Approve a $2,000 payment to eligible Miscellaneous and Safety employees entering into a Date-Certain Retirement Separation Agreement with the City and authorize the payment of up to $223,000 in cash incentives for Fire employees entering into a Date-Certain Retirement Separation Agreement. Eligible employees would receive only one of the incentive payments listed above; 4) Authorize the City Manager to execute the Date-Certain Retirement Separation Agreement, in a form approved by the City Attorney; 5) 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 –
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: OCT. 13, 2011

TIME: 2:45 P.M.

NAME: [Name Redacted]
Proclamation

WHEREAS, there are over 1.2 million Rotary Club members comprised of professional and business leaders in over 33,000 clubs in 200 countries and geographic areas; and

WHEREAS, the Rotary motto "Service Above Self" inspired members to provide humanitarian service, encourage high ethical standards, and promote good will and peace in the world; and

WHEREAS, Rotary in 1985 launched PolioPlus and spearheaded the Global Polio Eradication initiative with the World Health Organization, US Centers for Disease Control and Prevention and UNICEF to immunize the children of the world against polio; and

WHEREAS, Polio cases have dropped 99 percent since 1988 and the world stands on the threshold of eradicating the disease; and

WHEREAS, To date, Rotary has contributed more than $1 billion and countless volunteer hours to the protection of more than two billion children in 122 countries; and

WHEREAS, Rotary is currently working to raise an additional $200 million toward a $355 million challenge grant from the Bill & Melinda Gates Foundation; and

WHEREAS, These efforts are providing much needed operational support, medical personnel, laboratory equipment and educational material for health workers and parents; and

WHEREAS, in addition, Rotary has played a major role in decisions by donor governments to contribute $8 billion to the effort; and

NOW, THEREFORE, on this 18th day of October, 2011, the Mayor and Members of the City Council of the City of El Segundo, California, hereby proclaim October 23, 2011, WORLD POLIO DAY in El Segundo and encourage all citizens to join us and Rotary International in the fight for a polio-free world and encourage all citizens to participate in the El Segundo Rotary's End Polio Now fundraising dinner and auction on October 23rd at Chevron Park.

Mayor Eric H. Busch

Mayor Pro Temp Bill Fisher

Council Member Carl Jakson

Council Member Don Breen

Council Member Susanne Fuentes
AGENDA DESCRIPTION:
Consideration and possible action regarding 1) Providing another designated Retirement Period (pursuant to Government Section 20903) by offering two years additional service credit for specified eligible classes of employees; 2) Certification of Compliance with Government Code Section 20903; and 3) Approval of Early Retirement Incentives for employees entering into a Date-Certain Retirement Separation Agreement with the City. (Fiscal Impact: Estimated increase in the City’s PERS miscellaneous employer rate of 0.11% for 4 potential retirements, estimated increase in the City’s PERS safety employer rate of 0.42% for 7 potential retirements and an annual cost increase in FY 2013-2014 of $15,000 for Miscellaneous and $61,000 for Safety for a combined increase of $76,000 annually; Estimated salary savings net of incentives for FY 2011/2012 total $784,202.)

RECOMMENDED COUNCIL ACTION:
1. Approve another designated Retirement Period for specific eligible classes of employees.
2. Certify Compliance with Government Code Section 20903.
3. Approve a $2,000 payment to eligible Miscellaneous and Safety employees entering into a Date-Certain Retirement Separation Agreement with the City and authorize the payment of up to $223,000 in cash incentives for Fire employees entering into a Date-Certain Retirement Separation Agreement. Eligible employees would receive only one of the incentive payments listed above.
4. Authorize the City Manager to execute the Date-Certain Retirement Separation Agreement, in a form approved by the City Attorney.
5. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. CalPERS Document – Certification of Compliance with Government Code Section 20903

FISCAL IMPACT: 1) Estimated increase in the City’s PERS Miscellaneous Employer Rate of 0.11%, estimated increase in the City’s PERS Safety Employer Rate of 0.42% and an annual cost increase in FY 2013-2014 of $76,000 2) Estimated salary savings net of incentives for FY 2011/2012 total $784,202.

Amount Budgeted:
Additional Appropriation: N/A
Account Number(s):

ORIGINATED BY: Deborah Cullen, Director of Finance/Human Resources
REVIEWED BY: Deborah Cullen, Director of Finance/Human Resources
APPROVED BY: Doug Willmore, City Manager
BACKGROUND AND DISCUSSION:

CalPERS allows agencies to grant an additional two years of service credit to employees in designated classifications or work units provided that the governing body certify compliance with the Government Code 20903 (certification with requirements attached) and make the costs public at least two weeks prior to adoption of the resolution (Government Code 7507). The costs are being made public on this City Council public meeting of October 18, 2011 and if Council approves moving forward with another retirement period, staff will agendize Adoption of the Resolution at the November 1, 2011 meeting.

As a result of a contract amendment between the City and CalPERS authorizing the City to provide the Two Years Additional Service Credit, the City Council previously approved two window periods for Miscellaneous Employees (and a window period for the safety classification of Deputy Fire Chief, which has been permanently left unfilled). As part of the June 8, 2011 Strategic Planning Session, Staff presented Council with a number of budget reduction options in order to balance the budget and avoid layoffs, including permanently eliminating vacant positions and once again providing an early retirement incentive for all employees. A number of the positions that were left unfilled as a part of the previous early retirement incentives are the same positions contributing to the permanent salary savings that the City Council has achieved in Fiscal Year 2011-12 through permanently eliminating vacant positions. Staff is recommending that in addition to once again being offered to classifications in the Miscellaneous group, that the early retirement incentive be extended to safety classifications. As in the other early retirement incentives, Department Heads and the City Manager will continue to be ineligible for the Two Years Additional Service Credit and cash incentive.

In addition to being in one of the designated eligible classifications, employees are eligible to retire under the Two Years Additional Service Credit if they are a minimum of 50 years of age and have at least 5 years of CalPERS service at the time of his or her retirement date. Approximately seventy four (74) employees are eligible to receive this benefit. To date, Staff is aware of nineteen (19) individuals with some level of interest in obtaining the two years of Additional Service Credit and retiring. Realistically, it is anticipated that approximately eleven (11) employees would expect to receive this benefit.

CalPERS requires that the retirement period within which this benefit may be provided, is no less than 90 days and no more than 180 days in length. It is recommended that the retirement period designated by the City commence on November 2, 2011 and end on February 17, 2012.

Miscellaneous employees and Police employees entering into a Date-Certain Retirement Separation Agreement by Monday, December 19, 2011 will receive a one-time payment of $2,000. Fire employees who previously indicated their interest in the retirement incentive by September 30, 2011 and entering into a Date-Certain Retirement Separation Agreement by Monday, December 19, 2011 will receive cash incentives totaling up to $223,000. On the Date-Certain Retirement Separation Agreement, the employee will need to specify a retirement date that falls within the Retirement window for additional service credit (between November 2, 2011 and February 17, 2012).
Fiscal Impact

The cost of the Two Years of Additional Service Credit is amortized by CalPERS over a twenty-year period and will be included in the City’s Miscellaneous and Safety Employer Contribution Rate, commencing with the Fiscal Year starting two years after the end of the designated Retirement Period, 2013-2014.

Staff has calculated the salary savings on the assumption that all eleven (11) of those employees expressing an interest in the benefit will retire during the designated Retirement Period. The salary savings identified were calculated net of the incentive payments and for a 9-month period. The estimated Fire savings of $374,065 has already been accounted for in the FY 11/12 adopted budget. The remaining estimated savings of $410,137 would be a further reduction of the FY 11/12 General Fund budget. This amount was calculated by replacing the Police retirements with entry level police officers for an estimated savings of $276,021 and replacing 2 of the 4 miscellaneous positions for an estimated savings of $134,116.

Staff’s fiscal impact calculations were based on utilizing PERS Document CON3-PA, “Procedures for Calculation of Estimated Employer Cost” and were reviewed and certified by Actuary John Bartel of Bartel Associates, LLP. Mr. Bartel has provided the City with actuarial analysis and valuation reports for a number of years.

The figures below are based on a likely scenario that eleven (11) employees would retire, resulting in the costing shown below:

**Miscellaneous Employees**
1) Employees Likely to Accept Early Retirement 4
2) Estimated Present Value of Additional Employer Contributions $194,000
3) Estimated Annual Employer Cost Amortized over 20 Years $15,000
4) Estimated Employer Rate Increase 0.11%

**Safety Employees**
1) Employees Likely to Accept Early Retirement 7
2) Estimated Present Value of Additional Employer Contributions $810,000
3) Estimated Annual Employer Cost Amortized over 20 Years $61,000
4) Estimated Employer Rate Increase 0.42%
CERTIFICATION OF COMPLIANCE WITH
GOVERNMENT CODE SECTION 20903

In accordance with Government Code Section 20903 and the contract between the Public Employees' Retirement System, the City Council of the City of El Segundo hereby certifies that:

1. Because of an impending curtailment of, or change in the manner of performing service, the best interests of the agency will be served by granting such additional service credit.

2. The added cost to the retirement fund for all eligible employees who retire during the designated window period will be included in the contracting agency's employer contribution rate for the fiscal year that begins two years after the end of the designated period.

3. It has elected to become subject to Section 20903 because of impending mandatory transfers, demotions, and layoffs that constitute at least 1 percent of the job classification, department or organizational unit, as designated by the governing body, resulting from the curtailment of, or change in the manner of performing, its services.

4. Its intention at the time Section 20903 becomes operative is to keep all vacancies created by retirements under this section or at least one vacancy in any position in any department or other organizational unit permanently unfilled thereby resulting in an overall reduction in the work force of such department or organizational unit.

THEREFORE, the City Council of the City of El Segundo hereby elects to provide the benefits of Government Code Section 20903 to all eligible members who retire within the designated period, November 2, 2011 through February 17, 2012.

CITY COUNCIL
OF THE
CITY OF EL SEGUNDO

BY ______________________________________
Presiding Officer

Attest:

________________________________________
Clerk/Secretary

Date ________________________________
2yr certification-PA (Rev. 4/04)