Re: Corrected Written Public Communications - The City Manager and Finance Director should NOT be negotiating employee contracts or agreements for salaries, benefits, or pensions.

To: El Segundo City Council, City Clerk, Deputy City Clerk, City Attorney, City Manager, and Finance Director.

From: Michael D. Robbins, long time El Segundo resident.

Here is my corrected written public communications for the May 1, 2012, 5:00 P.M. El Segundo City Council meeting. This email corrects a typo in the YouTube.com link in my previous (second) email.

Please distribute it instead of my previous two emails to the entire City Council and the City Attorney, City Manager, and Finance Director, and post it instead of my previous two emails on the official City web site at ElSegundo.org on the City Council Agendas web page, http://www.elsegundo.org/depts/elected/agendas.asp, as is customary.

Thank you.

Sincerely,

Michael D. Robbins
MikeRobbins2@yahoo.com

PublicSafetyProject.org
http://PublicSafetyProject.org/

YouTube.com/user/PublicSafetyProject
http://www.YouTube.com/user/PublicSafetyProject

The May 1, 2012 El Segundo City Council meeting, 5:00 P.M. session, has the following #1 under Special Orders of Business:

"1. Consideration and Possible Action to appoint Greg Carpenter, City Manager and Deborah Cullen, Finance Director to represent the City of El Segundo as labor negotiators with the Supervisory and Professional Employees Association (SPEA)."

The City Manager and Finance Director should NOT be negotiating employee contracts or agreements for salaries, benefits, or pensions, for the following SIX reasons:

4/30/2012
1) There is an inherent and unavoidable conflict of interest, because their salaries, benefits, and pensions are based directly or indirectly on those of the employees with whom they are negotiating. City employee bargaining groups negotiate their salaries, benefits, and pensions, at least in part, based on the salaries, benefits, and pensions of the other bargaining groups. And the city manager, department heads, and all other managers are given pay raises based on the pay raises of employees below them to avoid "salary compaction".

2) They are not negotiation experts. The city employee unions have professional labor union lawyers, negotiators, and negotiation resources to support their labor negotiations with the City, and historically, El Segundo city employees have received greatly excessive salary, benefits, and pension increases even during a recession. While this has been especially true for the firefighter and police unions, it is also true to a lesser extent for other city employee unions ("associations").

3) The city manager and finance director must work with the employees with whom they are negotiating every day during the negotiations and after the negotiations are completed. If they drive a hard bargain for the taxpayers, there will be more employee resentment against them and less cooperation from the employees. Because of that potential resentment and lack of cooperation, there will be a disincentive for them to drive a hard bargain and negotiate in the best interests of the taxpayers.

4) The city manager and finance director are members of the city staff. They spend most of their time in City Hall in contact with other city staff members and little or no contact with the taxpayers. They have developed day-to-day working relationships and friendships with the city staff members but not with the taxpayers. Therefore, they tend to identify and sympathize more with city staff than with the taxpayers.

5) This approach has already been tried and was a total failure under City Manager Doug Willmore and Finance Director Deborah Cullen.

6) It is well worth the extra money for the City to use professional labor attorneys and negotiators directed by a majority of the City Council to best represent the interests of the taxpayers. Any offer made by the City Council negotiators must clearly state that the offer must be approved by a majority vote of the City Council in an open and public City Council meeting, and that if such vote fails, both sides will return to the bargaining process unless there is an impasse.

Furthermore, any new labor union or bargaining group contract(s) or agreement(s) MUST NOT give up the City's management rights to determine staffing levels, including layoffs, and should not be longer than for one year given the uncertain economy and the City's poor financial condition and excessive commitments in the existing city employee union contracts.

Any new labor union or bargaining group contract(s) or agreement(s) should incorporate a burden-sharing mechanism, with thresholds and triggers that implements automatic reductions in the total contract cost (e.g., salary/pay rate reductions) and/or re-opens the contract for negotiation if the sum of unbudgeted city revenue declines plus unbudgeted and uncontrollable city expense increases exceeds one or more specified thresholds.

There should be no Cost Of Living Adjustment (COLA) or other raises, given the state of the economy and the City's financial condition and financial commitments. If City revenues increase, the extra money should be used to pay for deferred city infrastructure maintenance and to replenish reserve funds spent down during the recession, and not for employee raises.

The city employees have received three different types of pay raises during the recession while private sector employees received salary reductions and layoffs. The city employees received automatic annual general contract pay raises, automatic annual "step" pay raises, and periodic "longevity" pay raises at specified longevity milestones in the previous three-year contracts, and will receive automatic "step" pay raises,
"longevity" pay raises, and conditional Cost Of Living Adjustment (COLA) pay raises based on City revenue increases in the new three-year contracts.

That concludes my public communications for the May 1, 2012, 5:00 P.M. El Segundo City Council meeting.