



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
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REVISION #1

MICHEÁL O'LEARY, Mayor
D. SCOTT MALSIN, Vice Mayor
CHRISTOPHER ARMENTA, Councilmember
JEFFREY COOPER, Councilmember
ANDREW WEISSMAN, Councilmember

John M. Nachbar, City Manager

CITY COUNCIL REGULAR MEETING Monday, July 25, 2011

PUBLIC COMMENT: At the times provided on the Agenda, the City Council will receive comments from the public on any item of interest to the public (not listed on the agenda) that is within the subject matter jurisdiction of the City Council. The City Council cannot legally take action on any item not appearing on the agenda. Such items may be referred for administrative action or scheduled on a future agenda. If you wish to address the City Council, the City Clerk requests you complete a Request to Speaker and present it to the City Clerk before the agenda item is called. You will be called to the podium when it is your turn to address the City Council. Providing your name and other information requested on the Request to Speaker is voluntary and is requested only to provide a reasonable means to notify persons when their opportunity to address the City Council has arrived. All persons may attend the meeting regardless of whether a person signs, registers, or completes a speaker's card. For specific items listed on the agenda, requests to address the City Council must be made prior to the calling for a vote on that particular item by the presiding officer. Each speaker may address the City Council for up to three minutes (up to four minutes if time is ceded). Persons who are present in the City Council Chambers may cede one minute of time to one other person who is present and wishes to address the City Council by presenting a Request to Speak to the City Clerk. Public comments on items on the agenda are taken at the time that particular agenda item is considered by the City Council.

AUTHORITY OF PRESIDING OFFICER: Section 611 of the City Charter provides that during any public meeting, all persons shall have the right to address the City Council, and any City commission, board or committee, subject to reasonable rules of decorum and time limits established by ordinance or the presiding officer. Therefore the presiding officer may, from time to time, establish different time limits than those listed in this Agenda in order to effectively conduct City business.

AVAILABILITY OF AGENDA PACKETS AND CONSERVATION OF RESOURCES: Copies of the Agenda and a binder that includes a copy of all regular session staff reports and attachments are available on the table in the rear of the Council Chambers. Members of the public may inspect (at no cost) and/or obtain copies (upon payment of the City's current copying fee) of any regular session item by visiting the City Clerk's Office at City Hall. The City also posts this information on its website (www.culvercity.org) as a courtesy. In order to conserve resources, paper copies of joint items (including JOINT CONSENT CALENDAR, JOINT PUBLIC HEARINGS, and JOINT ACTION ITEMS) are provided only with the City Council agenda packet.

CELL PHONES AND OTHER DISTRACTIONS: Use of cell phones, pagers and other communication devices is prohibited while the meeting is in session. Please turn all devices off or place on silent alert and leave the City Council Chambers to use. During the meeting, please refrain from applause or other actions that may be disruptive to the speakers or the conduct of City business.

MEETING INFORMATION AND ACCOMMODATION: City Council meetings are regularly scheduled for the first, second and fourth Mondays of every month. City Council Agenda information is available at least 72 hours before each City Council meeting. City Council/Agency Board/Commission meetings can be viewed live in Culver City on Channel 35 by Time Warner subscribers and on Channel 37 by Verizon FIOS subscribers. To view meetings on line please visit <http://www.culvercity.org/webcast>. Additionally, you may access <http://www22.verizon.com/residential/fiostv/channels.htm> and enter your zip code to see the channel listing. Any person needing reasonable accommodation related to disabilities, including assisted listening devices, is welcome to contact the City Clerk's Office at 310-253-5851 or see the City Clerk at the meeting.

NOTE: AT OR ABOUT 11:00 P.M., COUNCIL MEMBERS MAY DETERMINE WHETHER TO CONTINUE WITH DISCUSSION OF REMAINING ITEMS ON THE AGENDA OR TO CARRY SOME/ALL OF THE ITEMS OVER TO A FUTURE MEETING DATE.



Agendas are
Available on the web at
www.culvercity.org

REVISION #1
AGENDA
City Council
REGULAR MEETING

Monday, July 25, 2011
5:30 PM (Closed Session)
7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

Mayor Micheál O'Leary
Vice Mayor D. Scott Malsin
Councilmember Christopher Armenta
Councilmember Jeffrey Cooper
Councilmember Andrew Weissman

City Manager John M. Nachbar

CLOSED SESSION - 5:30 PM

Public requests to discuss Closed Session Items must be filed with the Clerk before Closed Session convenes.

The City Council shall convene in closed session to consider the following matters:

- CS-1.** Conference with Real Property Negotiators
Re: 9099 Washington Boulevard
Agency Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Director of Community Development/Assistant Executive Director; Todd Tipton, Deputy Community Development Director/Redevelopment Administrator; and Murray Kane, Agency General Counsel.
Other Parties Negotiators: Elvin W. Moon
Under Negotiation: Both Price and Terms of Payment, including use restrictions, development obligations and other monetary related considerations.
Pursuant to Government Code Section 54956.8
- CS-2.** Conference with Real Property Negotiators
Re: 8511 Warner Drive, and 8660 Hayden Place/8550 Higuera Street
Agency Negotiators: John M. Nachbar, City Manager/Executive Director, Sol Blumenfeld, Community Development Director/Assistant Executive Director, Todd Tipton, Deputy Community Development Director/Redevelopment Administrator and Murray Kane, Agency General Counsel
Other Parties Negotiators: Hackman Capital and Conjunctive Points Warner Development

(a.k.a. Samitaur Constructs/Fredrick Smith)

Under Negotiation: Both Price and Terms of Payment, including use restrictions, development obligations and other monetary considerations.

Pursuant to Government Code Section 54956.8

CS-3. Conference with Real Property Negotiators

Re: 10808 Culver Boulevard

City Negotiator: John M. Nachbar, City Manager; Martin R. Cole, Assistant City Manager; Daniel Hernandez, Director of Parks, Recreation, and Community Services

Other Parties' Negotiators: State of California and the The Wende Museum

Under Negotiation: Both Terms and Price

Pursuant to Government Code Section 54956.8

CS-4. Conference with Real Property Negotiators

Re: 10866 Culver Boulevard

City Negotiator: John Nachbar, City Manager; Martin Cole, Assistant City Manager

Other Parties Negotiators: Friends of the Culver City Scout House and Culver City Rock and Mineral Club

Under Negotiation: Both Terms and Price

Pursuant to Government Code Section 54956.8

CS-5. Conference with Legal Counsel – Anticipated Litigation

Re: Significant Exposure to Litigation – (2 items)

Pursuant to Government Code Section 54956.9(b)(1)

REGULAR SESSION - 7:00 PM

INVOCATION By John M. Nachbar, City Manager

PLEDGE OF ALLEGIANCE

REPORT ON ACTION TAKEN IN CLOSED SESSION

PRESENTATIONS:

1. Presentation of Commendations to Commissioners for their Service to the City.
2. Presentation of a Commendation to former Disability Advisory Committee Member Karen Hassan for 16 years of Service on the Committee.

**COMMUNITY ANNOUNCEMENTS BY CITY COUNCIL
MEMBERS/INFORMATION ITEMS FROM STAFF**

JOINT PUBLIC COMMENT - Items NOT on the Agenda

Note: All requests to address the City Council (and all other bodies in session) on items of interest to the public that are within the subject matter jurisdiction of the City Council (and all other bodies in session) and NOT on the agenda must file a speaker's card with the City Clerk prior to the calling of this item by the presiding officer. This public comment period shall have an aggregate duration of up to 20 minutes for all bodies in session. Each speaker may address the City Council (and all other bodies in session) for up to three minutes. Speakers who have filed a speaker's card requesting to speak but are unable to be accommodated at this time may be accommodated at a second public comment period at the

end of the meeting as announced by the presiding officer.

RECEIPT AND FILING OF CORRESPONDENCE

Note: The City Council shall consider a motion to receive and file all written correspondence related to agenda items appearing on this evening's agenda and for all other written documents (including e-mails) on subjects not appearing on the agenda that were received by the City Clerk's Office no later than 4:00 PM on the day of the meeting.

CONSENT CALENDAR

Note: Joint Consent and Consent Calendar items are considered to be routine in nature and may be approved by one motion. All requests to address the City Council under these items must be filed with the City Clerk before the Consent Calendar and Joint Consent Calendar are called by the presiding officer.

- C-1. [Approval of minutes for the Regular Meeting of June 13, 2011.](#)
Approve minutes.
- C-2. [Cash Disbursements for July 2, 2011 – July 15, 2011.](#)
Approve disbursements.
- C-3. [Adoption of a Resolution Authorizing the Destruction of Certain Records Retained by the Police Department.](#)
Adopt a Resolution authorizing the destruction of certain records retained by the Police Department.
- C-4. [Approval of Special Permits to Allow Animals in Veterans' Memorial Park for Entertainment Purposes on August 26, 27 and 28, 2011 during the Fiesta La Ballona to Freckle Farms for a Petting Zoo and Pony Rides, and the Culver City Police Department for a K-9 Dog Demonstration.](#)
Approve special permits to allow animals in Veterans' Memorial Park for entertainment purposes on August 26, 27 and 28, 2011 during the Fiesta La Ballona to Freckle Farms for a petting zoo and pony rides, and the Culver City Police Department for a K-9 dog demonstration.
- C-5. [Approval of Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for the 2011 Residential Overlay Project, Phase 2, P-863, P-903.](#)
Approve the final plans and specifications for the 2011 Residential Overlay Project, Phase 2, P-863, P-903; and authorize publication of a notice inviting bids for construction of the 2011 Residential Overlay Project, Phase 2, P-863, P-903.
- C-6. [Adoption of an Ordinance Opting-in to an Alternative Redevelopment Program.](#)
Adopt an Ordinance opting-in to an alternative redevelopment program.
- C-7. [\(1\) Adoption of a Resolution Classifying the Various Components of Fund Balance as Defined in Governmental Accounting Standards Board Statement Number 54 Effective with Fiscal Year 2010/2011 and \(2\) Delegation of Certain Authority to the City Manager and Chief Financial Officer.](#)
Adopt a Resolution classifying the various components of fund balance as defined in GASB 54 effective with Fiscal Year 2010/2011 and to delegate certain authority to the City Manager and Chief Financial Officer.

- C-8. [Adoption of a Resolution Approving a Two Year Memorandum of Understanding with the Culver City Employees' Association for the Period of July 1, 2011 through June 30, 2013.](#)
Adopt a Resolution approving a two (2) year Memorandum of Understanding between the City and the Culver City Employees Association for the period of July 1, 2011 through June 30, 2013.

ORDER OF THE AGENDA

Note: The City Council may consider reordering the sequence in which items appearing on this evening's agenda will be considered by the City Council.

PUBLIC HEARINGS

- PH-1. [PUBLIC HEARING: \(1\) Declaration of the results of the Assessment Ballot Tabulation for West Washington Benefit Assessment District Number Three; and, \(2\) Adoption of a Resolution Forming the Assessment District, Confirming the Diagram and Assessment, and Ordering the Improvements, Services and Annual Levy.](#)

Declare the results of the assessment ballot tabulation for West Washington Benefit Assessment District Number 3; and adopt a Resolution forming the District, and ordering the improvements, services and annual levy.

- PH-2. [PUBLIC HEARING – Consideration of \(1\) Applications from All Yellow Taxi, Inc. and TMat Corp. dba Taxi! Taxi! to Obtain Taxi Business Operating Permits in Culver City and \(2\) a Request from Culver City Yellow to Increase Their Number of City Decals from 20 to 30.](#)

Consider staff recommendations; and direct staff as deemed appropriate.

ACTION ITEMS

- A-1. [\(1\) Consideration of the Culver City Exchange Club's Request to Extend the Operating Hours of the Beer and Wine Garden by One Hour on Friday and Saturday; and, \(2\) Adoption of a Resolution Granting a Permit to the Exchange Club to Conduct a Beer and Wine Garden in Veterans' Memorial Park During the 2011 Fiesta La Ballona.](#)

Consider staff recommendations; and direct staff as deemed appropriate.

- A-2. [Discussion and Direction Regarding a Recommendation to Place a Ballot Measure on the April 10, 2012 Ballot to Increase the City's Transient Occupancy Tax Rate from 12% to 14%.](#)

Consider staff recommendations; and direct staff as deemed appropriate.

PUBLIC COMMENT - Items NOT On The Agenda (continued)

ITEMS FROM CITY COUNCIL MEMBERS

Note: At this time, City Council Members may: (1) make individual comments on matters not on the agenda, (2) request the City Manager to report back to the City Council concerning a particular matter, (3) provide brief reports on official travel taken since the last City Council meeting or other activities, or (3) provide direction to the City Manager to place items on a future agenda for consideration by the City Council.

ADJOURN

Note: At this time, the City Council shall consider adjourning the meeting. In the case a date

and time is not included as part of the motion of adjournment, then the next meeting of the City Council shall be held at the date and time and in the place specified in the agenda posted for that meeting.

**Next City Council Meeting
August 08, 2011
7:00 PM**

Upcoming Public Meeting Tentative Schedule -- August 2011

Date	Day	Time	Location
City Council			
<i>August – 8</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>August - 22</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Redevelopment Agency			
<i>August – 8</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>August – 22</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Parks and Recreation Commission			
<i>August – 2</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Cultural Affairs Commission			
<i>August – 9</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Planning Commission			
<i>August – 10</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Civil Service Commission			
<i>August –3</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
• <i>Times and dates may be changed.</i> • <i>Meetings may be added or changed</i>			

Compliance with Government Code Section 54957.5: Any writing determined to be a public record under subdivision 54957.5(a), which relates to an agenda item for an open session of a regular meeting of the legislative body of a local agency that was distributed less than 72 hours prior to that meeting, shall be made available for public inspection at the time the writing is distributed to all, or a majority of all, of the members of the legislative body. Such documents are available at the Office of the City Clerk, City of Culver City, City Hall, 9770 Culver Boulevard, Culver City, CA 90232 and may be inspected by members of the Public during normal business hours. Such documents may also be made available on the City's Website: www.culvercity.org.