

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

ADJOURNED REGULAR MEETING OF THE
CITY COUNCIL, CITY OF CULVER CITY,
CALIFORNIA

March 17, 2008
5:30 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:30 p.m.

Present: Alan Corlin, Mayor
Carol A. Gross, Vice Mayor
D. Scott Malsin, Councilmember
Steven J. Rose, Councilmember
Gary Silbiger, Councilmember

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Closed Session

The City Council recessed to Closed Session to discuss the following item:

CS-1 Conference with Legal Counsel – Existing Litigation
Re: Christie Maddox v. City of Culver City, Case No.
BC365477
Pursuant to Government Code Section 54956.9(a)

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Recess

The City Council recessed to Closed Session at 5:30 p.m.

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Reconvene

The City Council reconvened its meeting at 7:05 p.m., with all Members present.

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March 17, 2008

Closed Session Report

Mayor Corlin stated that there was nothing of substance to report from closed session.

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Invocation/Pledge of Allegiance

The Invocation and the Pledge of Allegiance were given during the Redevelopment Agency meeting.

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Presentation

Item P-1

A Commendation to Marta Zaragoza in Recognition of Her Service on the Baldwin Hills Conservancy Board of Directors

Councilmember Gross presented the commendation. Marta Zaragoza thanked the City Council.

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Public Comment for Items Not On the Agenda

Mayor Corlin invited public participation.

The following members of the audience addressed the City Council:

Matthew Hetz, President, Culver City Symphony Orchestra, announced their performance on March 29 at the Veterans Auditorium. The concert was made possible, in part, by a grant from the Art in Public Places Fund.

Ron LaBlanc voiced concerns with the four-story office building development across from his house, citing issues with parking, traffic noise, and a loss of privacy.

March 17, 2008

Public Comment
(continued)

Egon Monostory voiced concern that the ExxonMobil contract was not on the agenda yet, and alleged that there were issues of fraud and embezzlement with the contract.

Staff reported that item would be coming back before the City Council on March 24, 2008.

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Action Items

Mayor Corlin announced that Action Items A-2 and A-6 were pulled from the agenda.

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Item A-7
(out of sequence)

Adoption of an Ordinance Zoning Code Amendment, ZCA P-2007168) to amend Section 17.400.065 of the Culver City Municipal Code pertaining to Mixed Use Development Standards

MOVED BY COUNCILMEMBER MALSIN, AND SECONDED BY COUNCILMEMBER ROSE, THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 2008-006 (ZONING CODE AMENDMENT, ZCA P-2007168) AMENDING SECTION 17.400.065 OF THE CULVER CITY MUNICIPAL CODE PERTAINING TO MIXED-USE DEVELOPMENT STANDARDS.

AYES: Councilmembers Malsin, Rose, Silbiger, Corlin
NOES: Councilmember Gross
ABSTAIN: None
ABSENT: None

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March 17, 2008

Item A-1

Presentation to City Council from the Fire Department and Public Works Department Regarding Potential Service Impacts of \$3 Million Revenue Loss to General Fund if Certain Existing Utility Users' Tax Funding Is Eliminated

Staff provided a summary of the material of record.

Discussion ensued between the City Council and staff regarding clarification that the item did not broaden the tax but was simply changing language.

The following member of the audience addressed the City Council:

Cary Anderson voiced concern that the item was ambiguous.

Further discussion ensued between the City Council and staff included the assertion that this was not a tax increase but a protection of what the City currently has.

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March 17, 2008

Item A-3

Discussion and Conceptual Approval of the Creation of the Fox Hills Neighborhood Development and Traffic Study Area and Direction to Staff to Prepare a Related Request for Proposals

Staff provided a report on the item.

Discussion ensued between the City Council and staff regarding other significant development in the area that will impact traffic; future traffic impact fees; the need for participation from the City of Los Angeles; and the study as exposing Culver City's traffic impact to neighboring communities.

Further discussion ensued regarding staff's clarification that the RFP would further define the item's goals; preparation of the RFP as a burden on staff; an assertion that the study would be a show of leadership on the part of Culver City in managing traffic congestion; and opposing opinions on the role of the Working Group in the study.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER MAL SIN AND SECONDED BY COUNCILMEMBER ROSE, THAT THE CITY COUNCIL:

1. APPROVE, IN CONCEPT, THE DEVELOPMENT OF A FOX HILLS NEIGHBORHOOD DEVELOPMENT AND TRAFFIC STUDY AREA; AND
2. DIRECT STAFF TO PREPARE A REQUEST FOR PROPOSALS FOR ASSOCIATED CONSULTANT SERVICES FOR CONSIDERATION BY THE CITY COUNCIL.

AYES: Councilmembers Malsin, Rose, Silbiger, Corlin
NOES: Councilmember Gross
ABSTAIN: None
ABSENT: None

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March 17, 2008

Item A-4

Discussion of the City's Participation in Earth Hour 2008

Staff read a written comment from Linda Shahanian applauding the City's support of Earth Hour.

Staff provided a brief report on the item.

Discussion ensued between the City Council and staff regarding consideration of the need to increase community awareness and involvement as well as an assertion that there were more worthy programs with similar goals that the City should support.

Moved by Councilmember Silbiger and seconded by Councilmember Gross to approve the staff recommendation.

The following member of the audience addressed the City Council:

Rich Waters voiced support for any program that promotes sustainability.

The maker of the motion amended the motion to include notifying school board members, and soliciting suggestions from the public through the City website on ways to have more of an impact on the issue in the future.

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Item A-4
(continued)

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER SILBIGER AND SECONDED BY
COUNCILMEMBER GROSS, THAT THE CITY COUNCIL:

1. AUTHORIZE THE CITY'S PARTICIPATION IN EARTH HOUR 2008 ON SATURDAY, MARCH 29, 2008 BETWEEN 8:00 P.M. AND 9:00 P.M. (EXCLUDING FROM PARTICIPATION ANY SAFETY OR ESSENTIAL LIGHTING AS DETERMINED BY THE CITY MANAGER OR OTHER APPROPRIATE STAFF); AND
2. DETERMINE THE LEVEL OF CITY PARTICIPATION TO INCLUDE (1) PLACEMENT OF INFORMATION ON THIS EVENT ON THE CITY'S WEBSITE, (2) SENDING AN ELECTRONIC MESSAGE TO SUBSCRIBERS ON THE CITY'S E-MAIL MASTER NOTIFICATION LIST NOTIFYING THEM OF THE AVAILABILITY OF THIS INFORMATION; (3) DIRECTING STAFF TO MINIMIZE NON-ESSENTIAL/NON-SAFETY RELATED LIGHTING ON CITY OWNED PROPERTIES AS DETERMINED BY THE CITY MANAGER OR OTHER APPROPRIATE STAFF; (4) NOTIFICATION OF SCHOOL BOARD MEMBERS; AND (5) SOLICITING SUGGESTIONS FROM THE PUBLIC ON WAYS TO HAVE MORE OF AN IMPACT ON THE ISSUE IN THE FUTURE.

AYES: Councilmembers Gross, Malsin, Silbiger, Corlin
NOES: Councilmember Rose
ABSTAIN: None
ABSENT: None

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March 17, 2008

Item A-5

Presentation of City of Culver City Employee Wellness Program

Staff provided a brief report and introduced Rebecca Fairbanks who presented the program.

Discussion ensued between the City Council and staff regarding additional ideas from the original Wellness Committee; and a suggestion that the City pursue healthy buildings with the right carpets, paint, windows, etc.

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER ROSE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE PRESENTATION OF THE CITY EMPLOYEE WELLNESS PROGRAM.

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Consent Calendar

Councilman Silbiger voiced concern with the lack of public notification on Item C-2 [Amendment to the Executive Employment Agreement with Carol Schwab as City Attorney] and moved to table the item for one week.

Discussion ensued between the City Council and staff regarding whether the item had an element of employee evaluation or not; the need to discuss changes to the contract in closed session; and a complaint about the public notification issue.

MOVED BY COUNCILMEMBER MALSIN, AND SECONDED BY COUNCILMEMBER GROSS, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 AND C-2.

AYES: Councilmembers Gross, Malsin, Rose, Corlin
NOES: Councilmember Silbiger
ABSTAIN: None
ABSENT: None

March 17, 2008

Item C-1

City Clerk's Report

THAT THE CITY COUNCIL RECEIVE AND FILE THE CITY CLERK'S
REPORT REGARDING POSTING OF THE AGENDA FOR THIS MEETING.

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Item C-2

**Approval of an Amendment to the Executive Employment
Agreement with Carol Schwab as City Attorney, Extending the
Term of the Agreement an Additional Eighteen Months through
December 31, 2010**

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXECUTIVE EMPLOYMENT
AGREEMENT WITH CAROL SCHWAB AS CITY ATTORNEY, EXTENDING
THE TERM OF THE AGREEMENT FOR AN ADDITIONAL 18 MONTHS
THROUGH DECEMBER 31, 2010; AND
2. AUTHORIZE THE CITY ATTORNEY'S OFFICE TO PREPARE THE
NECESSARY DOCUMENTS AND THE CITY MANAGER TO EXECUTE SUCH
DOCUMENTS ON BEHALF OF THE CITY.

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March 17, 2008

Action Items - continued:

Item A-8

Approval of an Amendment to an Existing Professional Services Agreement with Cedars-Sinai Medical Center, Work 'n Life Matters, to Continue Providing an Employee Assistance Program to Culver City Employees, or Direction to Staff to Initiate the Process to Solicit Proposals for the Procurement of Employee Assistance Program Services

Discussion ensued between the City Council and staff focused on the lack of a public bid and the date the issue would be coming back to the Council.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH CEDARS-SINAI MEDICAL CENTER, WORK 'N LIFE MATTERS, TO CONTINUE PROVIDING AN EMPLOYEE ASSISTANCE PROGRAM TO CULVER CITY EMPLOYEES, EFFECTIVE DECEMBER 1, 2007 THROUGH NOVEMBER 30, 2009 IN AN AMOUNT NOT-TO-EXCEED \$51,745.00; AND
2. AUTHORIZE THE CITY ATTORNEY TO PREPARE THE NECESSARY DOCUMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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March 17, 2008

Item A-9

Discussion of the "Big Sunday" Event and Consideration of the City's Participation in the Event

Discussion ensued between the City Council and staff regarding other volunteer organizations; vague information on the participating organizations and their management; and the event as an opportunity to work with the City of Los Angeles.

Councilmember Silbiger proposed the following motion: To participate in the event and publicize Big Sunday's list of donations wanted, collect the donations at the Senior Center, and deliver them to the appropriate organizations with all work done by volunteers.

Further discussion ensued regarding the Big Sunday donations seen as taking donations meant for other organizations; opposition to spending City resources on the event; what the policy is for putting links to organizations on the City's website and whether the policy would allow a link for Big Sunday; and staff clarification that certain Culver City non-profits are already involved with the event.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER ROSE AND UNANIMOUSLY CARRIED, THAT CITY RESOURCES NOT BE SPENT ON INVOLVEMENT WITH BIG SUNDAY, BUT IF HAVING A LINK ON THE CITY'S WEBSITE IS FOUND TO BE WITHIN POLICY, THE NEGLIGIBLE RESOURCES REQUIRED TO DO SO WOULD BE ALLOWED.

At this time, Councilmember Silbiger proposed the following motion: To participate without any expense to the City, and publicize drop-off of items as mentioned in the Big Sunday report.

The motion died for lack of second.

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March 17, 2008

Receipt of Correspondence

No action was taken on this item.

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Items from Staff

Items Presented by Jerry Fulwood, City Manager:

- Announced staff's recommendation that there be no City Council meeting on March 31, 2008, due to Councilmember absences.

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Items from Council

Items Presented by Councilmember Rose:

- Reminded everyone of the Mayor's Luncheon on March 26, 2008.

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Items Presented by Councilmember Malsin:

- Reported on suspected gang-related graffiti in East Culver City and asked for the Police Department to follow-up. He also reported on offensive graffiti along Ballona Creek.
- Reported on a Redevelopment Agency sponsored program, "Halfway Down The Stairs" to be held on March 29, 2008.

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Items Presented by Councilmember Silbiger:

- Reported on an upcoming Cesar Chavez birthday celebration and requested a commendation for the event.

March 17, 2008

Items Presented by Councilmember Gross:

- Commented on reports that there would be no voting precinct in certain areas of the City because there were too few voters there.

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Public Comment for Items Not On the Agenda

Mayor Corlin invited public participation.

The following member of the audience addressed the City Council:

Cary Anderson spoke about graffiti in the City.

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March 17, 2008

Adjournment

There being no further business, at 9:36 p.m., the City Council adjourned to a Regular meeting on March 24, 2008.

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Ela Valladares
DEPUTY CITY CLERK of the City of Culver City, California
EX-OFFICIO CLERK of the City Council, City of Culver City,
California

APPROVED _____

D. SCOTT MALSIN
MAYOR of the City of Culver City, California