



Culver CITY

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

Martin R. Cole, Acting City Manager

CITY COUNCIL REGULAR AGENDA Monday, August 09, 2010

PUBLIC COMMENT

The City Council will listen to the public on any item on the agenda or item of interest that is not on the agenda. The City Council cannot legally take action on any item not scheduled on the agenda. Such items may be referred for administrative action or scheduled on a future agenda.

If you wish to speak to the Council, please complete a Speaker's Card and present it to the City Clerk before the agenda item is called. You will be called to the podium by name when it is your turn to speak to the Council.

PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Persons wishing to speak on agenda items will be called at the time the agenda item is brought forward. Comments will generally be limited to five minutes per speaker; however, a three-minute limit may be declared by the Mayor for agenda items for which many Speaker Cards have been submitted.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

A total of twenty minutes shall be devoted to audience participation at the beginning of the agenda. Speakers will be called on in the order cards were received by the City Clerk. If additional time is needed, the Mayor will allow for same at the end of the agenda.

When the City Clerk calls your name, please advance to the podium and state your name and city of residence. Speakers must limit their comments to five minutes. A three-minute limit may be declared by the Mayor if there is a large number of individuals desiring to address the Council.

NOTE: AT OR ABOUT 11:00 P.M., COUNCILMEMBERS WILL 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.

CELL PHONES AND OTHER DISTRACTIONS

Use of cell phones, pagers and other communication devices is prohibited while the Council Meeting is in session. Please turn all devices off or place on silent alert and leave the 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

City Council meetings are regularly scheduled for the second and fourth Mondays of every month. City Council Agenda information is available 72 hours before each Council meeting via a tape recorded message by calling 310-253-6020.

City Council/Agency/Commission meetings can be viewed live on Channel 35 by Time Warner subscribers. To view the Council meetings on line please visit <http://www.culvercity.org/webcast>.

ALD

Assisted Listening Devices are available through the City Clerk.



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

AGENDA
City Council
REGULAR MEETING

Monday, August 09, 2010
5:30 PM (Closed Session)
7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

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

Acting City Manager Martin R. Cole

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 Legal Counsel – Anticipated Litigation

Re: Initiation of Litigation – 2 Matters
Pursuant to Government Code Section 54956.9(c)

CS- 2. Conference with Legal Counsel – Anticipated Litigation

Re: Significant Exposure to Litigation – 1 Item
Pursuant to Government Code Section 54956.9(b)(1)

CS- 3. Conference with Real Property Negotiators

Re: 10808 Culver Boulevard (the National Guard Armory)
City Negotiator: Martin R. Cole, Acting City Manager
Other Parties’ Negotiators: The State of California
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

CS- 4. Conference with Real Property Negotiators
Re: 4130 Overland Avenue (Culver Courthouse)
City Negotiator: Martin R. Cole, Acting City Manager
Other Parties' Negotiators: Mayme A. Clayton Library and Museum
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

REGULAR SESSION - 7:00 PM

INVOCATION by Martin R. Cole, Acting City Manager

PLEDGE OF ALLEGIANCE

PRESENTATIONS

P- 1. A Presentation to the City Council from Culver City Sister City, Inc.

PUBLIC COMMENT - Items NOT On The Agenda

PUBLIC COMMENT - Items On The Agenda

PUBLIC HEARING:

PH- 1. [PUBLIC HEARING - Adoption of a Resolution Approving the Engineer's Report and Affirming the Existing Annual Assessment Levy for Higuera Street Landscape and Lighting Assessment District - Fiscal Year 2010/2011.](#)
Adopt a Resolution approving the Engineer's Report and affirming the existing assessment levy for Higuera Street Landscape and Lighting Assessment District, for Fiscal Year July 1, 2010 to June 30, 2011.

PH- 2. [PUBLIC HEARING – 1\) Adoption of a Resolution Approving the Engineer's Report and Annual Assessment Levy for Landscaping Maintenance District No. 1, Zone 1 - Fiscal Year 2010/2011, and 2\) Adoption of a Resolution Declaring the Intention to Dissolve Landscaping Maintenance District No. 1, Zone 2 and Setting the Date, Time, and Place for the Public Hearing Relating Thereto.](#)
Adopt a Resolution approving the Engineer's Report and assessment levy (for Zone 1) for Landscape Maintenance District #1 for Fiscal Year July 1, 2010 to June 30, 2011; and adopt a Resolution declaring the intention to dissolve Landscaping Maintenance District No. 1, Zone 2 and setting the date, time, and place for the public hearing relating thereto.

PH- 3. [PUBLIC HEARING: FOUR-FIFTHS VOTE REQUIREMENT – Introduction and Adoption of an Interim Ordinance Extending for an Additional One Year Period the Temporary Moratorium, Established by Ordinance No. 2009-007 and Extended by Ordinance No. 2009-008, on the Drilling, Redrilling or Deepening of Any Wells Within the Jurisdiction of the City of Culver City that are Associated with Oil and/or Gas Operations, and Declaring the Urgency thereof.](#)
Introduce and Adopt an interim Ordinance extending the moratorium established by Ordinance No. 2009-007 and extended by Ordinance No. 2009-008, on the use of land for the drilling, redrilling or deepening of any wells within the jurisdiction of the City of Culver City that are associated with oil and/or gas operations, and declaring the urgency thereof. (This item requires a four-fifths vote.)

CONSENT CALENDAR

Note: Consent Calendar items are considered to be routine in nature and may be approved by one motion. Public requests to discuss Consent Calendar items must be filed with the Clerk before the Consent Calendar is called.

- C- 1. Approval of minutes for the Regular Meeting of July 12, 2010.
Approve minutes.
- C- 2. [Cash Disbursements for July 17, 2010 - July 30, 2010.](#)
Approve cash disbursements.
- C- 3. [Award of a Construction Contract to SRD Engineering Inc., as the Lowest Responsive and Responsible Bidder, for the Potholing and Inspection of an Abandoned 10" Sewer Force Main on Braddock Drive, P-521.](#)
Award a contract to SRD Engineering Inc., as the lowest responsive and responsible bidder; authorize the Public Works Director/City Engineer to approve change orders if necessary; authorize the City Attorney to review/prepare the necessary documents; and authorize the City Manager to execute such documents on behalf of the City.
- C- 4. [FOUR FIFTHS VOTE REQUIREMENT 1\) Award of a Construction Contract to Land Forms Landscaping Construction, as the Lowest Responsive and Responsible Bidder, for the Construction of the Ballona Creek Bikeway and Landscaping Project, P-900 – Federal Aid Project No. ESPL 5240 \(021\), and 2\) Approval of a Construction Access, Property Use, and Restoration License Agreement with the Culver City Unified School District, and \(3\) Approval of a Professional Services Agreement with Nickerson Company for Construction Management and Inspection Services, and 4\) Approval of a Professional Service Agreement with Ninyo and Moore for Material Testing, and 5\) Approval of a Related Budget Amendment.](#)
Award a construction contract to Land Forms Landscaping Construction, as the lowest responsible and responsive bidder; authorize the Public Works Director/City Engineer to approve change orders if necessary; approve a Construction Access, Property Use, and Restoration License Agreement with Culver City Unified School District; approve a professional services agreement containing required federal provisions with The Nickerson Company to provide Construction Management and Inspection Services; approve a professional services agreement containing required federal provisions with Ninyo & Moore to provide Geotechnical Testing Services; approve a Budget Amendment; authorize the City Attorney to review/prepare the necessary documents; and authorize the City Manager to approve such documents on behalf of the City.
- A 4/5th vote is required to approve the budget the amendment.*
- C- 5. [\(1\) Acceptance of Work Performed by JOSH General Engineering, Inc.; \(2\) Authorization to File a Notice of Completion; and \(3\) Authorization to Release the Retention Payment, after the Expiration of the 35-Day Lien Period, for the Cranks Road Sewer Diversion Project P-230.](#)
Accept the work performed by JOSH General Engineering, Inc. for the construction of Cranks Road Sewer Diversion Project, P-230; authorize the Public Works Director/City Engineer to execute the Notice of Completion and submit it to the Los Angeles County Recorder's office; and authorize the City Manager to release \$6,492.50 in retention to JOSH General Engineering, Inc. after the expiration of the 35-day lien period.
- C- 6. [Adoption of a Resolution Amending Exhibit C of Resolution No. 2010-R016 Relating to Credit and Debit Card Convenience Fees.](#)
Adopt a Resolution amending the Credit and Debit Card convenience fees established in Exhibit C of Resolution No. 2010-R016.

JOINT ITEM

- J- 1. [JOINT CITY COUNCIL / REDEVELOPMENT AGENCY BOARD AGENDA ITEM: \(1\) Adoption of City Council and Redevelopment Agency Resolutions Approving an Investment Policy for the City and the Redevelopment Agency; and \(2\) Adoption of City Council and Redevelopment Agency Resolutions Authorizing the Chief Financial Officer and His Designated Representatives to Deposit and Withdraw Funds as well as Make Account Changes with the State Local Agency Investment Fund on Behalf of Culver City and of the Culver City Redevelopment Agency.](#)

That the City Council: Adopt a Resolution that approves the attached Fiscal Year 2010/2011 Investment Policy; and adopt a Resolution authorizing the Chief Financial Officer and his designated representatives to deposit and withdraw funds as well as make account changes with the State Local Investment Fund on behalf of Culver City.

That the Redevelopment Agency Board: Adopt a Resolution that approves the Investment Policy of the City to be the Investment Policy for the Agency; and adopt a Resolution authorizing the Chief Financial Officer and his designated representatives to deposit and withdraw funds as well as make account changes with the State Local Investment Fund on behalf of the Culver City Redevelopment Agency.

- J- 2. [JOINT CITY COUNCIL / REDEVELOPMENT AGENCY BOARD AGENDA ITEM: 1\) Allocation of Remaining Community Development Block Grant Recovery \(CDBG-R\) Funds Provided by the American Recovery and Reinvestment Act \(ARRA\) of 2009 to Fund a Portion of the Cost to Construct a Crosswalk at Washington Boulevard and Boise Avenue; 2\) Adoption of a Resolution Authorizing the Filing for Funding from the CDBG-R Program; 3\) Approve a Budget Amendment to Appropriate the Funding for this Project Upon Receipt of the Fully Executed Grant Agreement; 4\) Authorization to Expend Redevelopment Agency Funds to Fund the Remaining Portion of the Crosswalk's Construction Cost; and 5\) Adoption of a City Council Resolution and a Redevelopment Agency Resolution Making Certain Determinations and Consenting to the Expenditure of Redevelopment Agency Funds for the Construction of the Crosswalk.](#)

For both the City Council and Redevelopment Agency Board: Consider staff recommendations; and direct staff as deemed appropriate.

- J- 3. [JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD AGENDA ITEM: Consideration of the Comprehensive Downtown Parking Study Recommendations, Including Parking Structure Rates and the Pooled Parking Program.](#)

For both the City Council and the Redevelopment Agency Board: Consider the Study recommendations and provide staff direction regarding the Study.

- J- 4. [Adoption of City Council and Redevelopment Agency Board Resolutions Transmitting the Official City and Agency Combined Response to the 2010 Final Supplemental Environmental Impact Report for the Proposed 2009 West Los Angeles College Facilities Master Plan.](#)

FOR BOTH THE CITY COUNCIL AND AGENCY BOARD: Adopt resolutions.

ACTION ITEMS:

Public requests to discuss Action Items must be filed with the Clerk before the item is called.

- A- 1. [Receipt and Filing of the Information Related to the City's Intention to Provide Additional Service Credit for Local Miscellaneous Members of the California Public Employees Retirement System.](#)
Receive and file this report.

- A- 2. [Adoption of a Resolution in Support of the Metropolitan Transportation Authority's Measure R Project Acceleration Initiative.](#)
Adopt a Resolution relating to the City's Position in support of Metro's Measure R Project

Acceleration Initiative; and direct staff to transmit a copy of the Resolution to Metro and the City's legislative representatives.

PUBLIC COMMENT - Items NOT On The Agenda (Continued)

RECEIPT OF CORRESPONDENCE

ITEMS FROM STAFF

1. A Request from the Acting City Manager for the City Council to Provide General Direction in Holding a Workshop on the Topics of General Workplan and Goals Development and Selection of Tentative Dates for Such a Workshop.

ITEMS FROM COUNCIL

ADJOURN

**Next City Council Meeting
August 23, 2010
7:00 PM**

Upcoming Public Meeting Tentative Schedule -- August 2010

Date	Day	Time	Location
<i>City Council</i>			
<i>August – 9</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>August – 23</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>Redevelopment Agency</i>			
<i>August – 9</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>August – 23</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>Parks and Recreation Commission</i>			
<i>August – 3</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>Cultural Affairs Commission</i>			
<i>August – 10</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>Planning Commission</i>			
<i>August – 11</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>Civil Service Commission</i>			
<i>August – 4</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.