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

August 9, 2010
5:35 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:35 p.m.

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

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Added Item

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT PURSUANT TO GOVERNMENT CODE SECTION 54954.2(B)(2), THE CITY COUNCIL FINDS THERE IS A NEED TO GO INTO CLOSED SESSION FOR IMMEDIATE ACTION ON THE FOLLOWING ITEM THAT AROSE AFTER THE POSTING OF THE AGENDA:

Conference with Legal Counsel – Anticipated Litigation
Pursuant to Government Code Section 54956.9

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Closed Session

The City Council will adjourn to Closed Session to discuss the following items:

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

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Recess

The City Council recessed to Closed Session at 5:37 p.m.

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Reconvene

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

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Pledge of Allegiance

The Invocation was given by Martin Cole, Acting City Manager, and the Pledge of Allegiance was led by Mike Cohen.

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Presentations

Item P-1

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

Mike Cohen, Culver City Sister Cities Committee, introduced eight Culver City students who related their experiences visiting Kaizuka, Japan.

At this time, Charlene London, who served as a chaperone on the trip to Kaizuka, Japan, reported on her experiences.

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Announcements

Councilmember O'Leary announced the 16th Annual Culver City Music Festival presented by the Redevelopment Agency on Thursday nights through August 26, 2010 in the City Hall Courtyard, and Made in Culver City on September 4, 2010, also in the City Hall Courtyard. He also announced the last performance of Make a Splash Read on Wednesday, August 11, 2010 at the Julian Dixon Library presented by We Tell Stories, and free performances of the True Story of Jack and the Beanstalk, and the Enchanted Cottage on Saturdays and Sundays at Carlson Park through August 22, 2010 presented by Culver City Public Theatre. Both are made possible by the Culver City Performing Arts Program.

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Adjourn in Memory

MOVED BY MAYOR ARMENTA, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, IT BE ADJOURNED IN MEMORY OF JOHN CARL BROGDON, FORMER CITY COUNCILMEMBER.

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Public Comment – Items Not on the Agenda

Mayor Armenta invited public comment.

The following members of the audience addressed the City Council:

Susan O’Leary, representing a group requesting local access to medical marijuana, encouraged the City Council to regulate based on the West Hollywood or Los Angeles ordinance with a strict cap and limited and regulated access.

Mayor Armenta received clarification that staff would follow up with Ms. O’Leary.

Ronnie Jayne announced a Culver City Democratic Club meeting on August 11, 2010 in the Rotunda Room at Veterans Auditorium to discuss upcoming propositions; and extended an invitation to attend Fiesta La Ballona from August 27-29, 2010, summarizing events and entertainment, and thanking sponsors, volunteers, and the City.

Tom Camarella expressed concern that controversial items were allegedly relegated to the end of the agenda; and he requested an update on previous requests from the Culver City Democratic Club for a policy regarding fees paid by organizations for room rentals at Veterans Memorial Auditorium.

Martin Cole, Acting City Manager, indicated that the issue would come before the City Council before the end of the year.

Discussion ensued between the City Council and staff regarding the policy currently in place; revising the policy; and distinctions between 501c3 groups and non charitable non-profit organizations.

Ronnie Jayne clarified that there were still some organizations that allegedly get their fees waived which are not charitable organizations and she questioned the criteria for waivers.

Public Comment
(continued)

Tony Pappas expressed concerns with alleged changes to the affordable housing agreements for 4043 Irving Place.

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Joint Item

Item J-3
(out of sequence)

Consideration of the Comprehensive Downtown Parking Study Recommendations, Including Parking Structure Rates and the Pooled Parking Program.

Mayor Armenta recommended that, due to the length of the agenda, this item be postponed and he clarified that anyone who wanted to speak could choose to speak now or at the meeting of September 13, 2010.

Mayor Armenta invited public comment.

The following member of the audience addressed the City Council:

Cary Anderson received clarification that the item would be re-noticed and that depending on outcome of the September 13 meeting, there could be two meetings on the subject.

The City Council concurred to hold this item over to the Council Meeting of September 13, 2010.

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Consent Calendar

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-6.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES FOR THE REGULAR MEETING OF JULY 12, 2010 AS SUBMITTED.

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Item C-2

Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR JULY 17, 2010 THROUGH JULY 30, 2010.

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Item 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.

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT TO SRD ENGINEERING INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE POTHOLING AND INSPECTION OF ABANDONED 10" SEWER FORCE MAIN ON BRADDOCK DRIVE, P-521, IN THE AMOUNT OF $62,037.50, BASED ON ITS BASE BID; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED $9,300 IF NECESSARY; AND,

3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,

4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-4

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.

THAT THE CITY COUNCIL:

1. AWARD A CONSTRUCTION CONTRACT TO LAND FORMS LANDSCAPING CONSTRUCTION, AS THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, FOR THE CONSTRUCTION OF BALLONA CREEK BIKEWAY AND LANDSCAPING IMPROVEMENT PROJECT , P-900, FEDERAL AID PROJECT NO. ESPL-5240 (021), IN THE AMOUNT OF $607,452.00, BASED ON ITS BASE BID; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED $90,548.00, IF NECESSARY; AND,

3. APPROVE A CONSTRUCTION ACCESS, PROPERTY USE, AND RESTORATION LICENSE AGREEMENT WITH THE CULVER CITY UNIFIED SCHOOL DISTRICT; AND,

4. APPROVE A PROFESSIONAL SERVICES AGREEMENT CONTAINING REQUIRED FEDERAL PROVISIONS WITH THE NICKERSON COMPANY TO PROVIDE CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE BALLONA CREEK BIKEWAY PROJECT FOR A NOT-TO-EXCEED COST OF $84,890.00 USING ACCOUNT NUMBER 42300900; AND,

5. APPROVE A PROFESSIONAL SERVICES AGREEMENT CONTAINING REQUIRED FEDERAL PROVISIONS WITH NINYO AND MOORE TO PROVIDE GEOTECHNICAL TESTING SERVICES FOR THE BALLONA CREEK BIKEWAY PROJECT FOR A NOT-TO-EXCEED COST OF $18,464.00 USING ACCOUNT NUMBER 42300900; AND,

6. APPROVE A BUDGET AMENDMENT TO APPROPRIATE GRANT FUNDING IN THE AMOUNT OF $826,085.00 IN ACCOUNT NUMBER 42300900 FOR THE BALLONA CREEK BIKEWAY AND LANDSCAPING IMPROVEMENT PROJECT, P-900, ($476,174.00 IN ARRA FUNDS AND $349,911.00 IN EEMP FUNDS) [A 4/5TH VOTE IS REQUIRED TO APPROVE THE BUDGET AMENDMENT]; AND,

7. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,

8. AUTHORIZE THE CITY MANAGER TO APPROVE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item 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.

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY JOSH GENERAL ENGINEERING, INC. FOR THE CONSTRUCTION OF CRANKS ROAD SEWER DIVERSION PROJECT, P-230; AND,

2. 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,

3. 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.

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Item C-6

Adoption of a Resolution Amending Exhibit C of Resolution No. 2010-R016 Relating to Credit and Debit Card Convenience Fee.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2010-R063 AMENDING THE CREDIT AND DEBIT CARD CONVENIENCE FEES ESTABLISHED IN EXHIBIT C OF RESOLUTION NO. 2010-R016.

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Action Items

Item A-2
(out of sequence)

Adoption of a Resolution in Support of the Metropolitan Transportation Authority's Measure R Project Acceleration Initiative.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2010-R069 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.

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Public Hearings

Item PH-1

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.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVITS OF PUBLICATION AND POSTING OF NOTICES AND CORRESPONDENCE RECEIVED IN RESPONSE TO THE PUBLIC HEARING NOTICES.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE PUBLIC HEARING BE OPENED.

Mayor Armenta invited public comment.

The following members of the audience addressed the City Council:

Donna LeBlanc discussed the assessment; the removal of the light post; concern with redundancy of maintenance; landscaping and maintenance; the trash can on the corner of Lucerne and Higuera; concern with property that is not maintained; concern with the lack of a continuous sidewalk; replacing plants; and broken sprinkler heads.

Councilmember Malsin questioned whether neighbors might be interested in taking over maintenance and watering of their own property in the parkway between the sidewalk and the street.

Donna LeBlanc noted that those who have lawns take care of the parkways and the lack of maintenance occurred in the islands with Lucerne south to Hayden as the area that falls short the most.

Public comment continued:

Cary Anderson suggested that those who did not pay do not receive the service; noted that his area did not have a maintenance or lighting assessment; discussed the status of street light repairs; and public vs. private entities.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE PUBLIC HEARING BE CLOSED.

Discussion ensued between the City Council and staff regarding adopting the current assessment; code enforcement; irrigation concerns; center islands and pockets of landscaping along the sidewalk area; irrigation of trees in planters on the parkway; broken sprinkler heads and repairs; irrigation controller upgrades; and after hours maintenance calls.

Further discussion ensued regarding a suggestion from Councilmember Malsin for staff to meet with the neighborhood or conduct a survey regarding self-maintenance by the residents of the parkways.

The City Council concurred with Councilmember Malsin’s suggestion. Charles Herbertson, Public Works Director/City Engineer reported that staff would canvass the district and report back to the City Council.

Following discussion the following motion was made:

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER O’LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2010-R060 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.

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Item PH-2

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.

Councilmember Cooper recused himself from discussion regarding Zone 1 due to a conflict of interest and left the dais at 8:20 p.m.

MOVED BY COUNCILMEMBER WEISSMAN AND SECONDED BY COUNCILMEMBER O'LEARY, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVITS OF PUBLICATION AND POSTING OF NOTICES AND CORRESPONDENCE RECEIVED IN RESPONSE TO THE PUBLIC HEARING NOTICES.

AYES:	Councilmembers Malsin, O'Leary, Weissman, Armenta
NOES:	None
ABSTAIN:	Councilmember Cooper
ABSENT:	None

Mate Gaspar, Engineering Manager, provided a summary of the material of record.

MOVED BY COUNCILMEMBER MALSIN AND SECONDED BY COUNCILMEMBER WEISSMAN, THAT THE PUBLIC HEARING BE OPENED.

AYES: Councilmembers Malsin, O'Leary, Weissman, Armenta
NOES: None
ABSTAIN: Councilmember Cooper
ABSENT: None

The City Council concurred to separate discussion regarding Zone 1 and Zone 2 so Councilmember Cooper could participate in the discussion for Zone 2.

Mayor Armenta invited public participation.

The following member of the audience addressed the City Council:

Mark Galanty spoke in support of the increase and suggested a review after one year to ensure that the area did not have the same issues that the Higuera Assessment District does.

MOVED BY COUNCILMEMBER MALSIN AND SECONDED BY COUNCILMEMBER WEISSMAN, THAT THE PUBLIC HEARING BE CLOSED.

AYES: Councilmembers Malsin, O'Leary, Weissman, Armenta
NOES: None
ABSTAIN: Councilmember Cooper
ABSENT: None

MOVED BY COUNCILMEMBER WEISSMAN AND SECONDED BY COUNCILMEMBER MALSIN, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2010-R061 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.

AYES: Councilmembers Malsin, O'Leary, Weissman, Armenta
NOES: None
ABSTAIN: Councilmember Cooper
ABSENT: None

Councilmember Cooper returned to the dais at 8:26 p.m.

Discussion ensued between the City Council and staff regarding concern that if Landscaping Maintenance District No. 1, Zone 2 is disbanded, the area could be filled with debris.

Staff clarified that the area is located in the Los Angeles County right of way.

Further discussion ensued regarding concern with Los Angeles County upholding their obligation; support for the dissolution; procedures; the fiscal analysis; transparency; and notification.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2010-R062 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.

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Item PH-3

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.

Councilmember Malsin left the dais at 8:36 p.m.

MOVED BY COUNCILMEMBER WEISSMAN AND SECONDED BY COUNCILMEMBER O'LEARY, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVITS OF PUBLICATION AND POSTING OF NOTICES AND CORRESPONDENCE RECEIVED IN RESPONSE TO THE PUBLIC HEARING NOTICE.

AYES:	Councilmembers Cooper, O'Leary, Weissman, Armenta
NOES:	None
ABSTAIN:	None
ABSENT:	Councilmember Malsin

Sherry Jordan, Planning Department, provided a summary of the material of record and read a joint written statement from Kenneth Kutcher; Damon Nagami, National Resources Defense Council; Mark Williams, Concerned Citizens of South Central Los Angeles; and Lark Galloway Gilliam, Community Health Councils.

Councilmember Malsin returned to the dais at 8:42 p.m.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE PUBLIC HEARING BE OPENED.

Mayor Armenta invited public participation.

The following member of the audience addressed the City Council:

Sandra Kallander expressed concern regarding the rights of those who leased their mineral rights to the oil companies and she discussed local drilling and the value of mineral rights.

Ela Valladares, Deputy City Clerk, read written comments submitted by:

Tom Connolly

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE PUBLIC HEARING BE CLOSED.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL INTRODUCE AND ADOPT INTERIM ORDINANCE NO. 2010-003 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.

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Joint Items

Item J-1

(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.

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

1. ADOPT RESOLUTION NO. 2010-R064 THAT APPROVES THE ATTACHED FISCAL YEAR 2010/2011 INVESTMENT POLICY; AND

2. ADOPT RESOLUTION NO. 2010-R065 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.

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Item J-2

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.

Kriss Casanova, Economic Development Manager, provided a summary of the material of record.

Mayor Armenta invited public participation.

The following members of the audience addressed the City Council:

Pat Duncan expressed support for the pedestrian activated crosswalk.

Evan Caplicki thanked the City Council for bringing the item forward and expressed support for the crosswalk.

Ela Valladares, Deputy City Clerk, read written comments submitted by:

Andrea Miloro
Kelly Finn
Janet (No last name given)

Discussion ensued between the City Council and staff regarding creative use of block grant funds; revitalization of the neighborhood; safety improvements; ensuring that the crosswalk would be visible; and looking at ideas to slow down the traffic overall.

Following discussion, the following motion was made:

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

1. APPROVE THE ALLOCATION OF THE CITY'S REMAINING COMMUNITY DEVELOPMENT BLOCK GRANT RECOVERY (CDBG-R) FUNDS, $52,942.00, TOWARDS THE DESIGN AND CONSTRUCTION OF A PEDESTRIAN SIGNAL INCLUDING PROCEDURES FOR ACCOMMODATING CHANGES IN ANTICIPATED CDBG-R FUNDING, AS SET FORTH IN THIS STAFF REPORT; AND,

2. ADOPT RESOLUTION NO. 2010-R066 AUTHORIZING THE FILING OF THE FISCAL YEAR 2009/2010 APPLICATION FOR FUNDING FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT RECOVERY PROGRAM, INCLUDING ALL CERTIFICATIONS; AND,

3. DESIGNATE THE CITY MANAGER AS THE AUTHORIZED CITY OFFICIAL TO EXECUTE AND FILE ALL DOCUMENTS PERTAINING TO THE CDBG-R PROGRAM, INCLUDING MAKING MINOR ADJUSTMENTS TO PROJECT FUNDING TO ADDRESS THE ACTUAL 2009-10 CDBG-R ALLOCATION; AND,

4. APPROVE BUDGET AMENDMENTS TO APPROPRIATE BOTH THE GRANT REVENUE AND EXPENDITURE IN THE AMOUNT OF $52,942.00 IN CDBG-R FUNDS FOR THE PEDESTRIAN SIGNAL AT WASHINGTON BOULEVARD AND BOISE AVENUE PROJECT, P-934 (42800934) UPON RECEIPT OF THE FULLY EXECUTED GRANT AGREEMENT. A 4/5THS VOTE IS NECESSARY TO APPROVE BUDGET AMENDMENTS.

5. APPROVE THE CDBG-R REIMBURSABLE CONTRACT WITH THE COUNTY OF LOS ANGELES CONCERNING CULVER CITY'S FISCAL YEAR 2009/2010 CDBG-R ALLOCATION; AND,

6. ADOPT RESOLUTION NO. 2010-R067 MAKING CERTAIN DETERMINATIONS AND CONSENTING TO THE EXPENDITURE OF REDEVELOPMENT AGENCY FUNDS FOR CERTAIN PUBLIC IMPROVEMENTS; AND,

7. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,

8. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Recess

The City Council recessed its meeting to the Redevelopment Agency meeting at 8:58 p.m.

At this time, Mayor Armenta suggested that speakers for Joint Item J-4 might want to leave written comments as Redevelopment Agency Item A-1 could take several hours to consider.

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Reconvene

The City Council reconvened its meeting at 11:26 p.m., with all Councilmembers present.

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Item J-4
(out of sequence)

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.

Charles Herbertson, Public Works Director/City Engineer provided a summary of the material of record.

Heather Baker, Assistant City Attorney, read additions and corrections into the record.

Mayor Armenta invited public participation.

The following member of the audience addressed the City Council:

John Kuechle thanked staff for their efforts on the matter; preferred that the City's comments be tougher; expressed concern that the City was working in good faith but the College was not; noted City efforts to compromise; discussed the ombudsman; requested that the City take a harder line with the College; discussed enforcement of the noise ordinance; the City's comment letter; construction hours; width of the new street at the College; leverage of the City; and he requested that the City Council contact the Board of Trustees to make their comments known.

Ela Valladares, Deputy City Clerk, read written comments submitted by:

Betsy Regaldo
Arthur Kassan
Elliot Axelband
Mark Salkin

Discussion ensued between the City Council and staff regarding assurances that the College understands that concerns raised by the neighbors are shared by the City Council; acknowledgement that the City negotiated in good faith; the Board of Trustees meeting scheduled for August 11, 2010; the City's regulatory authority over construction and permits; maintaining the integrity of the MOU with the homeowner associations; the settlement agreement with the City; the College's characterization of the issues as "perceived" issues; the investment of staff time on the issue; coordinating District Board Member contact; and enforcement tools.

Item J-4
(continued)

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2010-R068 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.

Further discussion ensued between the City Council and staff resulting in an agreed upon methodology for contacting the Board of Trustees.

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Action Items

Item 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.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER O'LEARY, AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE REPORT.

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Public Comment for Items Not On the Agenda – continued.

Mayor Armenta invited public participation.

The following member of the audience addressed the City Council:

Dan Milder thanked the City Council/Redevelopment Agency for their consideration of the 4043 Irving Place project and stated he was looking forward to a wonderful project.

Ela Valladares, Deputy City Clerk, read written comments submitted by:

Cary Anderson

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Receipt of Correspondence

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Items from Staff

Item 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.

Following discussion, the City Council concurred to schedule the Workshop on Saturday, November 13, 2010.

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Items Presented by Martin Cole, Acting City Manager:

- Recognized staff members for their hard work in preparing supplemental comments to the SEIR for the proposed 2009 West Los Angeles College Facilities Master Plan.

- Expressed concern with some audience members' comments comparing Culver City to the City of Bell. Noted that citizen involvement in Culver City would never allow those things to happen.

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Items from the City Council

Items Presented by Councilmember Cooper:

- Thanked staff for their hard work on the agenda. Felt staff was very prepared.

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Items Presented by Councilmember O'Leary:

- Thanked staff for the proposed Metro budget and requested staff's assistance in reviewing it.

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Items Presented by Councilmember Malsin:

- Stated appreciation for Martin Cole's comments. Commended staff and expressed pride in their hard work.

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Items Presented by Councilmember Weissman:

- Expressed pride at the work done tonight.

- Will be absent from the Council Meeting of August 23, 2010.

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Items Presented by Mayor Armenta:

- Thanked staff for their hard work and Martin Cole for his work as Acting City Manager.

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Adjournment

There being no further business, at 12:11 a.m., the City Council adjourned its meeting in memory of John Carl Brogdon, former City Councilmember to a Regular Meeting to be held on August 23, 2010.

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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 September 13, 2010

CHRISTOPHER ARMENTA
MAYOR of the City of Culver City, California

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APPROVED September 13, 2010

Christopher Armenta

CHRISTOPHER ARMENTA
MAYOR of the City of Culver City, California