



# Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS  
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ANDREW WEISSMAN, Mayor  
JEFFREY COOPER, Vice Mayor  
JIM B. CLARKE, Council Member  
MICHEÁL O'LEARY, Council Member  
MEGHAN SAHLI-WELLS, Council Member

John M. Nachbar, City Manager

## CITY COUNCIL SPECIAL MEETING MONDAY, July 02, 2012

**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](http://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](http://www.culvercity.org)

## **AGENDA CITY COUNCIL SPECIAL MEETING**

Monday, July 02, 2012  
6:00 PM (Closed Session)  
7:00 PM (Regular Session)

### **CALL TO ORDER & ROLL CALL:**

**Mayor Andrew Weissman**  
**Vice Mayor Jeffrey Cooper**  
**Councilmember Jim B. Clarke**  
**Councilmember Micheál O'Leary**  
**Councilmember Meghan Sahli-Wells**

**City Manager John M. Nachbar**

### **CLOSED SESSION - 6:00 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: 9300 Culver Blvd. (Parcel B)  
City Negotiators: John Nachbar, City Manager; Sol Blumenfeld, Community Development Director, Todd Tipton, Economic Development Manager and Carol Schwab, City Attorney  
Other Parties Negotiators: Willy Bietak Productions, Inc.  
Under Negotiation: Price, Terms of Payment or Both, including use restrictions, development obligations and other monetary related considerations.  
Pursuant to Government Code Section 54956.8
- CS-2.** Conference with Legal Counsel – Anticipated Litigation  
Re: Significant Exposure to Litigation – (1 Item)  
Pursuant to Government Code Section 54956.9(b)

### **REGULAR SESSION - 7:00 PM**

**INVOCATION By John M. Nachbar, City Manager**

**PLEDGE OF ALLEGIANCE**

# REPORT ON ACTION TAKEN IN CLOSED SESSION

## PRESENTATIONS

- P-1. A Proclamation in Honor of July as "Parks Make Life Better" Month

## 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. [1\) Waiver of Formal Bidding Requirements; and 2\) Approval of a Purchase Order with Becnel Uniforms, Inc., for the Purchase of Bus Operator and Transit Operations Supervisor Uniforms.](#)  
*Waive formal bidding requirements per CCMC Section 3.07.075.E.3; Approve a purchase order with Becnel Uniforms, Inc. in the amount of \$48,825 for Bus Operator and Transit Operations Supervisor uniforms; 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-2. [Adoption of a Resolution Approving the Fiscal Year 2012/2013 Annual Investment Policy.](#)  
*Adopt a Resolution approving the Fiscal Year 2012/2013 Annual Investment Policy.*
- C-3. [Approval of On-Call Professional Services Agreements with \(1\) APD Consultants, E.W. Moon, Kimley-Horn and Associates, KOA Corporation, Paller-Roberts Engineering, Inc. Psomas, Willdan, CivilSource, Inc., Anderson-Penna, On-Ward Engineering, RTI, SA Associates, TTG, Advantec Consulting Engineers, Inc., Dudek, GHD, and APA Engineering Inc. for General Civil Engineering Services and \(2\) Nickerson Company, Interwest, and Project Partners for Construction Management and Inspection Services](#)

*Approve professional services agreements with APD Consultants, E.W. Moon, Kimley-Horn and Associates, KOA Corporation, Paller-Roberts Engineering, Inc. Psomas, Willdan, CivilSource, Inc., Anderson-Penna, On-Ward Engineering, RTI, SA Associates, TTG, Advantec Consulting Engineers, Inc., Dudek, GHD, APA Engineering Inc. for General Civil Engineering Services and Nickerson Company, Interwest, and Project Partners for Construction Management and Inspection Services and expiring on June 30, 2015 in an aggregate not to exceed amount of \$3,600,000, Authorize the City Attorney to prepare the necessary documents; and Authorize the City Manager to execute such documents on behalf of the City.*

- C-4. [Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Levy of Annual Assessments,, and Setting the Date, Time, and Place for the Public Hearing to be Monday, July 23, 2012 at 7:00 PM in the City Council Chambers for the Albright Avenue Street Lighting Assessment District.](#)  
*Adopt a Resolution (1) approving the Engineer's Report, (2) declaring the City Council's intention to levy and collect assessments for the Albright Avenue Street Lighting Assessment District – Fiscal Year 2012/2013, and (3) setting the time, date and place for a Public Hearing for July 23, 2012, at 7:00 p.m. in the Mike Balkman Council Chambers.*
- C-5. [Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Levy of Annual Assessments therein, and Setting the Date, Time, and Place for the Public Hearing to be Monday, July 23, 2012 at 7:00 PM in the City Council Chambers for the Higuera Street Landscaping and Lighting Maintenance District.](#)  
*Adopt a Resolution (1) approving the Engineer's Report, (2) declaring the City Council's intention to levy and collect assessments for the Higuera Street Lighting and Landscape Maintenance District - Fiscal Year 2012/2013, and (3) setting the time, date, and place for a Public Hearing on July 23, 2012, at 7:00 p.m. in the Mike Balkman Council Chambers.*
- C-6. [Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Levy of Annual Assessments therein, and Setting the Date, Time, and Place for the Public Hearing to be Monday, July 23, 2012 at 7:00 PM in the City Council Chambers for the Landscape Maintenance District Number 1.](#)  
*Adopt a Resolution (1) approving the Engineer's Report, (2) declaring the City Council's intention to levy and collect assessments for the Landscape Maintenance District Number 1- Fiscal Year 2012/2013, and (3) setting the date, time, and place for a Public Hearing for July 23, 2012, at 7:00 p.m. in the Mike Balkman Council Chambers.*
- C-7. [Adoption of a Resolution Approving an Encroachment Agreement with Time Warner Cable for Use of the Public Rights-of-Way on Fox Hills Drive and Green Valley Circle](#)  
*Adopt a resolution approving an Encroachment Agreement with Time Warner Cable; 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-8. [Adopt a Resolution Establishing a Retiree Health Reimbursement Arrangement Plan.](#)  
*Adopt the proposed resolution approving and adopting the City of Culver City Retiree Health Reimbursement Arrangement Plan; and Authorize the City Manager, City Attorney and Chief Financial Officer to finalize and execute all documents and take all necessary actions to implement the Plan.*

- C-9. [\(1\) Consideration of a Request from the Disability Advisory Committee to Hold a Special Screening Event and Panel Discussion in Partnership with the Culver City Senior Citizens Association and \(2\) Designating Such Event as a City Event.](#)  
*Approve the DAC's request to hold the Event as planned and produced by volunteers (including the DAC and CCSCA members) with the conditions outlined in the staff report; and Designate the Event as a City event.*
- C-10. [Adoption of a Resolution Approving the Engineer's Report and Declaring the City Council's Intention to Order the Levy of Annual Assessments for the West Washington Boulevard Benefit Assessment District Number 1.](#)  
*Adopt a resolution (1) approving the Engineer's Report, (2) declaring the City Council's intention to order the levy for the West Washington Boulevard Assessment District No. 1, and (3) setting the date, time and place for the Public Hearing to be July 23, 2012 at 7:00 PM in the City Council Chambers.*
- C-11. [Adoption of a Resolution \(1\) Approving the Engineer's Report, \(2\) Declaring the City Council's Intention to Order the Levy of Annual Assessments, and \(3\) Setting the Date, Time, and Place for the Public Hearing for the West Washington Boulevard Benefit Assessment District No. 2.](#)  
*Adopt a resolution (1) approving the Engineer's Report, (2) declaring the City Council's intention to order the levy and (3) setting the date, time and place for the Public Hearing to be July 23, 2012 at 7:00 PM in the City Council Chambers for the West Washington Boulevard Assessment District No. 2.*

## 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. [Adoption of a Resolution Approving the Issuance of Tax Exempt Bonds by the California Municipal Finance Authority for The Willows Community School to Finance and Refinance Educational Facilities.](#)  
*Adopt a resolution approving the issuance of revenue bonds by the Authority for the purpose of financing and refinancing facilities for The Willows Community School; Authorize the City Attorney to review/prepare the necessary documents; and Authorize the City Manager to execute such documents on behalf of the City.*

## ACTION ITEMS

- A-1. [\(1\) Receipt and Filing a Presentation on the Engineer's Report, and \(2\) Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Annual Sewer User Service Charge, and Setting the Date, Time, and Place for the Public Hearing to be Monday, July 23, 2012 at 7:00 PM in the City Council Chambers for the Sewer User's Service Charge.](#)  
*Receive and File a Presentation on the Engineer's Report; and Adopt a Resolution (1) approving the Engineer's Report, (2) declaring the City Council's intention to levy and collect assessments for the Sewer User's Service Charge - Fiscal Year 2012/2013, and (3) setting the time, date, and place for a Public Hearing for July 23, 2012, at 7:00 p.m. in the Mike Balkman Council Chambers.*

- A-2. [1\) Adoption of a Resolution Urging the State of California's Division of Oil, Gas & Geothermal Resources \(DOGGR\) to Place a Moratorium on Hydraulic Fracturing \("Fracking"\); and 2\) Discussion of Options Related to Local Regulation of Fracking.](#)  
*Consider item 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  
July 09, 2012  
7:00 PM**

### **Upcoming Regularly Scheduled Meeting Schedule**

| <b>Date</b>                                                                                                                                                                                                                                                                                                                                                                                     | <b>Day</b>       | <b>Time</b>    | <b>Location</b>                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------|------------------------------------------|
| <b>City Council</b>                                                                                                                                                                                                                                                                                                                                                                             |                  |                |                                          |
| <i>July 9</i>                                                                                                                                                                                                                                                                                                                                                                                   | <i>Monday</i>    | <i>7:00 PM</i> | <i>Linwood E. Howe Elementary School</i> |
| <i>July 16</i>                                                                                                                                                                                                                                                                                                                                                                                  | <i>Monday</i>    | <i>7:00 PM</i> | <i>Council Chambers</i>                  |
| <i>July 23</i>                                                                                                                                                                                                                                                                                                                                                                                  | <i>Monday</i>    | <i>7:00 PM</i> | <i>Council Chambers</i>                  |
| <i>August 6</i>                                                                                                                                                                                                                                                                                                                                                                                 | <i>Monday</i>    | <i>7:00 PM</i> | <i>Council Chambers</i>                  |
| <b>Parks and Recreation Commission</b>                                                                                                                                                                                                                                                                                                                                                          |                  |                |                                          |
| <i>July 3</i>                                                                                                                                                                                                                                                                                                                                                                                   | <i>Tuesday</i>   | <i>7:00 PM</i> | <i>Council Chambers</i>                  |
| <b>Cultural Affairs Commission</b>                                                                                                                                                                                                                                                                                                                                                              |                  |                |                                          |
| <i>July 10</i>                                                                                                                                                                                                                                                                                                                                                                                  | <i>Tuesday</i>   | <i>7:00 PM</i> | <i>Patio Conference Room</i>             |
| <b>Planning Commission</b>                                                                                                                                                                                                                                                                                                                                                                      |                  |                |                                          |
| <i>July 11</i>                                                                                                                                                                                                                                                                                                                                                                                  | <i>Wednesday</i> | <i>7:00 PM</i> | <i>Council Chambers</i>                  |
| <b>Civil Service Commission</b>                                                                                                                                                                                                                                                                                                                                                                 |                  |                |                                          |
| <i>July 11</i>                                                                                                                                                                                                                                                                                                                                                                                  | <i>Wednesday</i> | <i>7:00 PM</i> | <i>Dan Patacchia Room</i>                |
| <ul style="list-style-type: none"> <li>• Regularly scheduled meetings may be canceled and Special Meetings may be called</li> <li>• Times and dates may be changed.</li> <li>• Meetings may be added or changed</li> <li>• The Successor Agency to the Culver City Redevelopment Agency, Culver City Housing Authority and Culver City Parking Authority meet on an as needed basis.</li> </ul> |                  |                |                                          |

**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](http://www.culvercity.org).