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UNTIL APPROVED BY THE
CITY COUNCIL

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

March 14, 2011
5:00 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:00 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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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 - One Case
Pursuant to Government Code Section 54956.9(c)

CS-2 Conference with Real Property Negotiators
Re: Washington National TOD - Venice Properties at 8906, 8926 and 8936 Venice Boulevard City/Agency Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Assistant Executive Director/Community Development Director; Todd Tipton, Deputy Community Development Director/Redevelopment Administrator
Other Parties Negotiators: Bill Feldman (8906 Venice Boulevard), Rhodes Trust (8926 Venice Boulevard), Dawson Family Trust (8936 Venice Boulevard) Kalmuk Marital Trust (8930 Venice Boulevard), and Segal Family Trust (8910 - 8918 Venice Blvd)
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

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Closed Session
(continued)

CS-3 Public Employee Performance Evaluation

Title: City Attorney

Pursuant to Government Code Section 54957

CS-4 Conference with Labor Negotiators

City designated representatives: Serena Wright, Director of Human Resources

Employee Organization: City Attorney

Pursuant to Government Code Section 54957.6

CS-5 Conference with Legal Counsel - Existing Litigation

Re: Community Health Councils, Inc., City of Culver City, et al., v. County of Los Angeles

Case No. BS118018 (Re County Community Standards District for Oil Drilling Operations)

Pursuant to Government Code Section 54956.9(a)

CS-6 Conference with Legal Counsel-Existing Litigation

Re: Alan Schuchman v. City of Culver City

LASC Case No. SC 107097

Pursuant to Government Code Section 54956.9(a)

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Recess

The City Council recessed to Closed Session at 5:00 p.m.

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Reconvene

The City Council reconvened its meeting at 7:10 p.m. with all Councilmembers present.

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Closed Session Report

Mayor Armenta indicated there was nothing to report out of Closed Session.

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Invocation/Pledge of Allegiance

The Invocation was given by John Nachbar, City Manager, and the Pledge of Allegiance was led by Barbara Honig.

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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:

Kathleen McCann, representing the Culver City Sister City Committee, discussed the Sister City of Kaizuka, Japan and the recent earthquake; reported that one of the marathon runners from Kaizuka had been assigned to a rescue unit so a Culver City resident would take his place in the marathon; and she reported on Sister City Committee efforts to work with Kaizuka regarding donations to help earthquake victims.

Barbara Honig, representing the Culver City Sister City Committee, discussed the four sister cities of Culver City; reported that the Board had accepted an invitation from the U.S. Mexico Sister Cities Association for Culver City to be the destination city for their 49th Annual International Conference meeting in January 2012; she discussed the conference, attendees, and the benefits of participation; and she asked that the City Council consider being a co-sponsor.

Discussion ensued between the City Council and staff regarding appreciation to the Sister City Association for their assistance in Japan; consensus to discuss the possibility of a co-sponsorship; a suggestion that the Committee meet with staff to get more information; and appreciation for the hospitality shown to Culver City representatives by Kaizuka, Japan.

Paul Jacobs, representing the Culver City Sister Cities Committee, expressed support for a discussion regarding co-sponsorship.

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Public Comment
(continued)

Vicki Daly Redholtz, representing Friends of the Culver City Dog Park, reported on the celebration for the reopening of the Dog Park on March 12, 2011; she thanked volunteers, donors, and City staff for their work to get the Dog Park open again; and she noted that their next mission was to get lights in the dog park.

Robert Zirgulis felt it important to show solidarity with the earthquake victims in Japan; he suggested sending staff trained in search and rescue to help; and he discussed the events in Libya.

Ann Alexander, representing Friends of the Culver City Youth Health Center, discussed their location and services provided; and she extended an invitation to attend their major fundraiser on March 19, 2011 at the Radisson Hotel.

Richard Rownak outlined his reasons for requesting that the City Council not renew the City Attorney's contract.

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Announcements

Martin Cole, Assistant City Manager/City Clerk, announced a Special Meeting of the City Council, the Redevelopment Agency and the Culver City Parking Authority on March 15, 2011 at 5:30 p.m. in Council Chambers and he discussed the posting of the agenda and noticing efforts.

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March 14, 2011

Joint Consent Calendar

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS JC-2 AND JC-3.

Item JC-2

Adoption of Resolutions Assigning Any and All Outstanding Redevelopment Agency Agreements and Contracts to the City of Culver City.

THAT THE CITY COUNCIL:

1. ADOPT RESOLUTION NO. 2011-R018 AUTHORIZING THE CITY MANAGER TO ACCEPT THE ASSIGNMENT TO THE CITY OF ANY AND ALL OUTSTANDING AGREEMENTS AND CONTRACTS TO WHICH THE REDEVELOPMENT AGENCY IS A PARTY; AND
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY; AND,
4. AUTHORIZE KANE, BALMER AND BERKMAN TO CONTINUE TO ACT AS LEAD LEGAL COUNSEL ON ALL REDEVELOPMENT RELATED MATTERS IDENTIFIED IN THE COOPERATION AGREEMENTS AND THE AGREEMENTS.

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March 14, 2011

Item JC-3

Approve Budget Amendments Related to Transfer of Cash Assets from the Redevelopment Agency to the City.

THAT THE CITY COUNCIL APPROVE THE FOLLOWING BUDGET AMENDMENTS:

- A. INCREASE "TRANSFER IN FROM REDEVELOPMENT AGENCY" TO OPERATIONS FUND BY \$6,457,724.00; AND
- B. APPROPRIATE \$6,457,724.00 IN EXPENDITURES IN THE OPERATIONS FUND TO FUND ACTIVITIES INCLUDED IN THE AGENCY'S FY 2010-11 ADOPTED BUDGET; AND
- C. INCREASE "TRANSFER IN FROM REDEVELOPMENT AGENCY" TO THE CAPITAL FUND BY \$95,000,000.00; AND
- D. APPROPRIATE \$100,000.00 IN THE CAPITAL FUND FOR ADAMS BLVD IMPROVEMENTS; AND
- E. APPROPRIATE \$2,550,870.00 IN THE CAPITAL FUND FOR GLOBE AVE PROPERTIES; AND
- F. APPROPRIATE \$2,307,547.00 IN THE CAPITAL FUND FOR HAYDEN TRACT IMPROVEMENTS; AND
- G. APPROPRIATE \$580,000.00 IN THE CAPITAL FUND FOR IRVING PLACE; AND
- H. APPROPRIATE \$1,362,981.00 IN THE CAPITAL FUND FOR PARKING PARTICIPATION; AND
- I. APPROPRIATE \$1,239,057.00 IN THE CAPITAL FUND FOR PUBLIC WORKS STREET IMPROVEMENTS; AND
- J. APPROPRIATE \$200,000.00 IN THE CAPITAL FUND FOR PUBLIC FACILITY IMPROVEMENTS; AND
- K. APPROPRIATE \$1,000,000.00 IN THE CAPITAL FUND FOR SEISMIC REHAB; AND
- L. APPROPRIATE \$381,563.00 IN THE CAPITAL FUND FOR SEPULVEDA BLVD AIP AND MTA GRANT; AND

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Item JC-3
(continued)

M. APPROPRIATE \$967,400.00 IN THE CAPITAL FUND FOR SMILEY/
BLACKWELDER IMPROVEMENTS; AND

N. APPROPRIATE \$3,248,069.00 IN THE CAPITAL FUND FOR TOWN
PLAZA EXPANSION; AND

O. APPROPRIATE \$545,555.00 IN THE CAPITAL FUND FOR
WASHINGTON BLVD AIP PHASE 1; AND

P. APPROPRIATE \$541,727.00 IN THE CAPITAL FUND FOR
WASHINGTON BLVD AIP PHASE 2; AND

Q. APPROPRIATE \$552,500.00 IN THE CAPITAL FUND FOR
WASHINGTON BLVD AIP PHASE 3; AND

R. APPROPRIATE \$409,892.00 IN THE CAPITAL FUND FOR
WASHINGTON/ CENTINELA PARKING; AND

S. APPROPRIATE \$2,000,000.00 IN THE CAPITAL FUND FOR
WASHINGTON/NATIONAL COOP AGREEMENT; AND

T. APPROPRIATE \$4,564,585.00 IN THE CAPITAL FUND FOR
WASHINGTON/NATIONAL AIP; AND

AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR AND CHIEF
FINANCIAL OFFICER TO CREATE ADDITIONAL SPECIAL REVENUE
FUNDS AND ADMINISTRATIVELY TRANSFER APPROPRIATIONS BETWEEN
SPECIAL REVENUE FUNDS, IF NECESSARY, AS NEEDED TO IMPLEMENT
THIS ACTION AND THE VARIOUS AGREEMENTS. A BUDGET AMENDMENT
REQUIRES 4/5THS VOTE.

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The following Joint Consent Calendar item was discussed and voted on separately:

Item JC-1

Approval of an Amendment to the Memorandum of Understanding with the Downtown Business Association for Maintenance Services in Downtown Culver City for Fiscal Year 2011/2012.

Alice Prasad, Associate Analyst read written comments submitted by:

Neil Rubenstein

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

1. APPROVE AN AMENDMENT TO THE AMENDED MEMORANDUM OF UNDERSTANDING WITH THE DOWNTOWN BUSINESS ASSOCIATION FOR MAINTENANCE SERVICES IN DOWNTOWN CULVER CITY AT A COST NOT TO EXCEED \$54,540.00 FOR FISCAL YEAR 2011-2012 AND EXTENDING THE TERM OF THE AMENDED MOU TO JUNE 30, 2012; AND
2. AUTHORIZE THE CITY MANAGER TO PRE-PAY THE REMAINDER OF THE AMOUNTS DUE THE DBA FOR FISCAL YEAR 2010/2011 AND FOR FISCAL YEAR 2011/2012; 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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Consent Calendar

MOVED BY COUNCILMEMBER COOPER, SECONDED BY COUNCILMEMBER
MALSIN, AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL APPROVE
CONSENT CALENDAR ITEMS C-1 THROUGH C-3.

Item C-1

Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR FEBRUARY
19, 2011 THROUGH MARCH 4, 2011.

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Item C-2

**Authorization to Publish Notice Inviting Bids for the
Veterans Memorial Park Facilities Americans with
Disabilities Act Door Improvement Project (Community
Development Block Grant Project # 601317-10).**

THAT THE CITY COUNCIL AUTHORIZE STAFF TO PUBLISH A NOTICE
INVITING BIDS FOR THE VETERANS MEMORIAL PARK FACILITIES ADA
DOOR IMPROVEMENT PROJECT (CDBG PROJECT # 601317-10).

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March 14, 2011

Item C-3

Approval of a Professional Services Agreement with CR&R to Transport Refuse and Recyclable Material from the City's Transfer Station.

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH CR&R TO TRANSPORT REFUSE AND RECYCLABLE MATERIAL FROM THE CITY'S TRANSFER STATION FOR A FIVE-YEAR PERIOD BETWEEN MARCH 15, 2011 THROUGH MARCH 14, 2016, WITH THE OPTION TO EXERCISE TWO, TWO-YEAR EXTENSIONS (WITH THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS/CITY ENGINEER), FOR THE PER-TON RATES PROVIDED IN ATTACHMENT 1 (BID SHEET) OF CR&R RFP RESPONSE; AND
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Joint Item

Item J-1

1) Consideration of Agency Purchase of a \$12,000 Sponsorship Package for the Eighth Annual Culver City Car Show; 2) Approval of a License Agreement for the Car Show; 3) Consideration of Designation of the Eighth Annual Culver City Car Show as a City-Sponsored and/or Agency-Sponsored Event; and 5) Determination of the Appropriate Level of Staffing for Public Works Traffic and Engineering for the Car Show and (4) City Council Approval of a Budget Amendment Related Thereto.

Councilmember Cooper recused himself from this item as he is a Board Member of the Exchange Club. Councilmember Cooper left the Council Chambers at 7:43 p.m.

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Item J-1
(continued)

Jeremy Green, Cultural Affairs Administration and Special Projects Coordinator, provided a summary of the material of record.

Mayor Armenta invited public input.

The following members of the audience addressed the City Council:

Mike Snell, representing the Culver City Exchange Club, indicated he was present to answer any questions.

Laura Stuart, representing the Culver City Exchange Club, announced that the Car Show was scheduled for May 7, 2011.

Cary Anderson expressed concern regarding parking issues associated with the Car Show last year and with potential issues this year; he discussed the alleged lack of parking enforcement; and he suggested that the Exchange Club provide parking passes to the neighbors.

Discussion ensued between the City Council and staff regarding differences between the three budgets; staff preference for more staff onsite to deal with any issues that arise; enforcement on the day of the Car Show; providing consistent and effective enforcement; the possible elimination of the Redevelopment Agency and potential effects to the Car Show; parking structure availability; encouraging parking enforcement officers to write more tickets on that day; how many tickets would be necessary to pay for an additional officer; a desire for a pleasant event with participants abiding by the rules; dissatisfaction with a rigid parking system; finding a balance; support for the current system; charitable giving by the Exchange Club; the event as an effective marketing expenditure by the Redevelopment Agency; the importance of onsite staff; signs to discourage parking in the residential areas; and clarification that it is not illegal to park on some of the residential streets in the area.

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Item J-1
(continued)

Councilmember Malsin moved to adopt the staff recommendation with a staffing level of two Public Works/Engineering staff members in his motion.

Further discussion ensued between the City Council and staff regarding liability issues; concern with going against the judgment of staff; a correction to the motion which refers to the 7th Annual Car Show rather than the 8th; a suggestion to outsource parking enforcement for one day; and the true impact to the residents.

Councilmember Malsin agreed to accept the staff recommendation of three Public Works/Engineering staff members.

MOVED BY COUNCILMEMBER MALSIN AND SECONDED BY COUNCILMEMBER O'LEARY, THAT THE CITY COUNCIL:

1. DESIGNATE THE EIGHTH ANNUAL CAR SHOW AS A CITY-SPONSORED EVENT; AND
2. APPROVE A LICENSE AGREEMENT WITH THE CULVER CITY EXCHANGE CLUB; AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY; AND
3. AUTHORIZE THE EXCHANGE CLUB TO USE OF THE PARKS, RECREATION AND COMMUNITY SERVICES ("PRCS") GLOBAL ELECTRIC MOTOR ("GEM") TRUCK; AND

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Item J-1
(continued)

4. DETERMINE THE APPROPRIATE LEVEL OF STAFFING FOR PUBLIC WORKS TRAFFIC AND ENGINEERING FOR THE EVENT; AND

5. ACCEPT THE TRANSFER OF FUNDS FROM THE REDEVELOPMENT AGENCY INTO CITY REVENUE FUND 10116100.371100 AND APPROPRIATE \$12,000.00 INTO 10116100.517500 WITH THREE MEMBERS OF STAFF (WHICH REQUIRES 4/5THS VOTE.)

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

Discussion continued between the City Council and staff regarding parking permits and making accommodation for family members; the number of passes issued as related to a City ordinance; staff agreement to investigate and return to the City Council; and previous City Council consensus to explore the way other communities create and implement parking districts.

Councilmember Cooper returned to Council Chambers at 8:17 p.m.

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Action Item

Item A-1

Appointments to the Los Angeles International Airport (LAX) Advisory Committee.

Martin Cole, Assistant City Manager/City Clerk, provided a summary of the material of record.

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Item A-1
(continued)

Discussion ensued between the City Council and staff regarding the fact that Culver City is one of the only participating cities with a Mayor appointee; bylaws and rules of the Advisory Committee regarding appointing three members and an alternate; clarification that the Committee is set up by Los Angeles World Airports; concern that the alternate would only be able attend the meeting as a representative of the City; and clarification that meetings are open to the public.

Mayor Armenta invited public participation.

The following members of the audience addressed the City Council:

Cliff Moser expressed interest in serving on the committee.

Cary Anderson discussed consistency in redacting information.

Mitchell Blake expressed interest in serving on the committee.

Alice Prasad, Associate Analyst, read written comments submitted by:

Neil Rubenstein

Discussion ensued between the City Council and staff regarding appointment of an alternate and the fact that Kevin Klowden also serves on the committee.

At this time, Jeff Renzi questioned how an alternate position would work and indicated his willingness to serve on the committee.

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Item A-1
(continued)

Following discussion, the following motion was made:

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

1. APPOINT MITCHELL BLAKE TO SERVE AS MEMBER OF THE LAX ADVISORY COMMITTEE UNTIL JUNE 30, 2015; AND
2. APPOINT CLIFF MOSER TO SERVE AS MEMBER OF THE LAX ADVISORY COMMITTEE THROUGH JUNE 30, 2012; AND
3. IF AN ALTERNATE POSITION IS AVAILABLE AND JEFF RENZI IS AVAILABLE TO SERVE, THE CITY COUNCIL WOULD SUPPORT THAT SUBJECT TO THE APPROPRIATE LIMITATION OF THE TERM.

At this time, Martin Cole, Assistant City Attorney/City Clerk, indicated that appointees and the alternate should expect contact from the City Clerk's office with a welcoming letter and additional information; and that Kevin Klowden, the existing Committee member, indicated that he would be amenable to speaking to the new appointees as well.

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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:

Cary Anderson discussed information on hardship permits to accommodate those households with additional family members; he expressed concern with reducing the number of staff working the Car Show; and he alleged that supplemental parking enforcement officers hired last year were prevented from doing their job.

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Public Comment
(continued)

Discussion ensued between the City Council and staff regarding fees charged for hardship parking permits and whether having four family members in a house constitutes a hardship.

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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

No action was taken on this item.

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Items from the City Council

Items Presented by Councilmember Weissman:

- Reported that he would be unable to attend the Special Meeting to be held on March 15, 2011.

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March 14, 2011

Items Presented by Councilmember O'Leary:

- Wished everyone a happy and safe St. Patrick's Day.
- Discussed the Agenda Subcommittee and the first and second comment periods for "Items Not on the Agenda".

Discussion ensued between the City Council and staff regarding clarification on agendas; agendizing a discussion of the matter; the rotation of the Mayor's seat; basic concepts for City Council discussion; a suggestion to frame points discussed at the subcommittee meetings; items subject to interpretation; and public notification.

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Items Presented by Councilmember Malsin:

- Wished Councilmember Cooper a Happy Birthday.

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Items Presented by Councilmember Cooper:

- Thanked Charles Herbertson, Public Works Director/City Engineer and the Public Works Department for addressing a pump issue at Jefferson Boulevard and Overland Avenue.

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Items Presented by Mayor Armenta:

- Wished everyone a Happy St. Patrick's Day.

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March 14, 2011

Adjournment

There being no further business, at 8:49 p.m., the City Council adjourned its meeting to a Special Meeting to be held on Tuesday, March 15, 2011 at 5:30 p.m.

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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

CHRISTOPHER ARMENTA
MAYOR of the City of Culver City, California