



Culver CITY

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

Mark Scott, City Manager

CITY COUNCIL REGULAR AGENDA Monday, December 14, 2009

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, December 14, 2009
6:00 PM (Closed Session)
7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

Mayor Andrew Weissman
Vice Mayor Christopher Armenta
Councilmember D. Scott Malsin
Councilmember Micheál O'Leary
Councilmember Gary Silbiger

City Manager Mark Scott

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 Legal Counsel – Existing Litigation

Re: Plains Exploration & Production Company v. City of Culver City, et al., Case No. BS122799
Pursuant to Government Code Section 54956.9(a)

CS- 2. 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- 3. Conference with Labor Negotiators

City designated representatives: City Manager Mark Scott, Director of Human Resources Serena Wright

Employee Organization: Culver City Employees Association; Culver City Management Group; Culver City Police Officers Association; Culver City Police Management Group; Culver City Firefighters Local 1927, AFL-CIO; Culver City Fire Management Group

REGULAR SESSION - 7:00 PM

INVOCATION By Mark Scott, City Manager

PLEDGE OF ALLEGIANCE

PRESENTATIONS

- P- 1.** Presentation of a Commendation and City Tile to Fire Chief Jeffrey I. Eastman on the Occasion of His Retirement from City Service.

PUBLIC COMMENT - Items NOT On The Agenda

PUBLIC COMMENT - Items On The Agenda

PUBLIC HEARING:

- PH- 1.** [PUBLIC HEARING - \(1\) Adoption of a Resolution Levying the 2010 Downtown Business Improvement District Assessment and \(2\) Appointment of Members to the Business Improvement District Advisory Board.](#)
Consider staff recommendations; and direct staff as deemed appropriate.

LEGISLATION AND LEAGUE OF CALIFORNIA CITIES CITY ADVOCATE WEEKLY

- 1.** [League of California Cities City Advocate Weekly Editions Issue #45 dated November 20, 2009, and Issue #46 dated December 4, 2009.](#)
Receive oral report and direct staff as deemed appropriate.

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.** Clerk's Report.
Approve report.
- C- 2.** Approval of Minutes for the Regular Meeting of November 9, 2009 and the Adjourned Regular Meeting of November 16, 2009.
Approve minutes.
- C- 3.** [Cash Disbursements for November 14, 2009 – December 4, 2009.](#)
Approve disbursements.
- C- 4.** [FOUR-FIFTHS VOTE REQUIREMENT - Approval of a Budget Amendment to Allocate Funds to the City's Legal Services Account to Cover Non-budgeted and Unanticipated Costs of Legal Services for Fiscal Year 2009-2010.](#)
Approve a budget amendment to appropriate funds from the General Fund unappropriated reserves to the City Attorney's Legal Services Account to cover the costs of non-budgeted and unanticipated costs of legal services(a budget amendment requires a 4/5ths vote).

- C- 5. [Approval of a Professional Services Agreement with MGT of America, Inc to Provide Full Cost and OMB-87 Compliant Cost Allocation Services.](#)
Approve a professional service agreement with MGT of America, Inc.; 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- 6. [\(1\) Waiver of the Formal Competitive Bidding Process as Authorized by § 3.07.065 \(A\) & \(D\) of the Culver City Municipal Code and \(2\) Approval of the Purchase of Ten Smart Cover Sewer Monitoring and Alarm System from Plumbers Depot, Inc.](#)
Waive the formal competitive bidding process as authorized by the Municipal Code; approve the purchase of ten Smart Covers from Plumbers Depot, Inc.; 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- 7. [\(1\) Waiver of Formal Competitive Bidding Procedures; and \(2\) Approval of an Agreement with RoboVu \(Phoenix, AZ\) in the Amount of \\$363,236 to Provide Mobile Data Computer Hardware and Installation Services to Support Public Safety Operations for the Fire and Police Departments.](#)
Waive the formal competitive bidding procedures; approve a contract with RoboVu to acquire MDC hardware and installation services; 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. [\(1\) Waiver of Formal Competitive Bidding Procedures; and \(2\) Authorization to Issue a Purchase Order to Cummins Cal Pacific LLC to Repower Twelve 2001 New Flyer Transit Buses with New Compressed Natural Gas Engines for an Amount Not to Exceed \\$956,020.](#)
Waive the formal competitive bidding procedures; and authorize the City Manager to issue a purchase order to Cummins Cal Pacific, LLC. for the repowering of twelve heavy-duty transit buses with new CNG engines.
- C- 9. [FOUR-FIFTHS VOTE REQUIREMENT : 1\) Approval of Amendment to the Existing Professional Services Agreement with Aspen Environmental Group to Expand the Scope of Work to Include Technical Assistance in Relation to Litigation Concerning the Inglewood Oil Field; and 2\) Approval of Related Budget Amendment to Cover Cost of Additional Work by Aspen.](#)
Approve a budget amendment to appropriate fundings from the General Fund unappropriated reserves to the Planning Division's Other Contractual Services account ; approve an amendment to the existing professional services agreement with Aspen (a budget amendment requires a 4/5ths vote); authorize the City Attorney to review/prepare the necessary documents; and authorize the City Manager to execute such documents on behalf of the City.

JOINT ITEM

- J- 1. [JOINT CITY COUNCIL REDEVELOPMENT AGENCY AGENDA ITEM: Consideration and Discussion of a Recommendation by the City Manager/Executive Director Related to a City Council Policy on the Selection of Mayor, Vice Mayor, Agency Chair and Agency Vice Chair.](#)
Consider staff recommendations; and direct staff as deemed appropriate.
- J- 2. [JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD AGENDA ITEM: Review, Approve, Receive and File the Culver City Redevelopment Agency's State Controller's Report and Related Documents for Fiscal Year 2008-09.](#)
FOR CITY COUNCIL: Receive the Culver City Redevelopment Agency Annual Report for Fiscal Year 2008-09 (including the Blight Progress Report, Loan Report and Property Report pursuant to Health and Safety Code Section 33080; and file the Annual Report with the City Clerk. FOR REDEVELOPMENT AGENCY BOARD: Receive and file the Culver City Redevelopment Agency

Annual State Controller's Report for Fiscal Year 2008-09, in accordance with Health and Safety Code Section 33080; direct staff to submit to the City Council the Annual State Controller's Report, pursuant to Section 33080.1 of the Health and Safety Code; and direct staff to transmit the Annual Report to the State Controller before December 31, 2009.

- J- 3. [JOINT CITY COUNCIL REDEVELOPMENT AGENCY AGENDA ITEM: Adoption of Respective Resolutions Endorsing the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, a Proposed Constitutional Amendment for Potential Placement on California's November 2010 Statewide Ballot.](#)

FOR CITY COUNCIL AND REDEVELOPMENT AGENCY BOARD: Consider staff recommendations; and direct staff as deemed appropriate.

- J- 4. [JOINT ITEM – Acceptance of the Sony Pictures Entertainment Contribution in the Amount of \\$25,000 \(\\$20,000 to the City and \\$5,000 to the Redevelopment Agency\) for Fiscal Year 2009/2010 to the City's Unified Fund and Approval of Proposed Program Allocation.](#)

FOR CITY COUNCIL: Approve a budget amendment and allocate amounts to City programs as recommended by staff in the Fiscal Analysis section. A Budget Amendment requires a 4/5ths vote.

FOR REDEVELOPMENT AGENCY: Approve a budget amendment and allocate amounts to Agency programs as recommended by staff in the Fiscal Analysis section.

ACTION ITEMS:

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

- A- 1. [Consideration of the Investigation Conducted by the City Manager Related to Landlord-Tenant Mediation Board Member Dee Seehusen and Consideration of Imposition of Disciplinary Action \(up to and Including Removal from the Board\).](#)

Consider staff recommendations; and direct staff as deemed appropriate.

- A- 2. [Allocation of Funds for the 2010 Performing Arts Grant Program as Recommended by the Cultural Affairs Commission.](#)

Allocate funds for the 2010 Performing Arts Grant program as recommended by the Cultural Affairs Commission.

- A- 3. [Proposed Modifications to the Higuera Street Landscape and Lighting Assessment District - Fiscal Year 2009/2010.](#)

Consider staff recommendations; and direct staff as deemed appropriate.

- A- 4. [Consideration of the Recommendation from the Agenda Format Subcommittee Related to the Format and Content of the City Council Agenda and Direction to Staff as Deemed Appropriate.](#)

Consider the recommendations of the Agenda Format Subcommittee; and direct the City Manager to prepare a resolution implementing the desired recommendations for presentation to the City Council on January 4, 2010.

- A- 5. [Award of a Contract with Curb & Gutter Specialists, Inc., dba Quality First Concrete, as the Lowest Responsive and Responsible Bidder, for the Construction of Sidewalk Replacement Project, P-428, CDBG Project No. REC 027-09 and Approval of Related Budget Amendments.](#)

Award a contract with Curb & Gutter Specialists, Inc., dba Quality First Concrete, for the Sidewalk Replacement Project, P-428; authorize the City Manager to increase the construction contract with Curb & Gutter Specialists, Inc., dba Quality First Concrete, for additional sidewalk replacement work; authorize the City Manager to approve change orders, if necessary; authorize the City Attorney to review/prepare the necessary documents; authorize the City Manager to execute such documents on behalf of the City, and approve budget amendments to appropriate ARRA grant funds for P-428 (Sidewalk Replacement Project) to the respective accounts (a budget amendment requires a 4/5ths vote).

PUBLIC COMMENT - Items NOT On The Agenda (Continued)

RECEIPT OF CORRESPONDENCE

ITEMS FROM STAFF

ITEMS FROM COUNCIL

ADJOURN

**Next City Council Meeting
January 04, 2010
7:00 PM**

Upcoming Public Meeting Tentative Schedule — January 2010

Date	Day	Time	Location
<i>City Council</i>			
<i>January – 11</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>January – 25</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>Redevelopment Agency</i>			
<i>January – 4</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>Parks and Recreation Commission</i>			
<i>January – 5</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>Cultural Affairs Commission</i>			
<i>January – 12</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>Planning Commission</i>			
<i>January – 13</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>Civil Service Commission</i>			
<i>January – 6</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.