



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
9770 CULVER BOULEVARD
CULVER CITY, CALIFORNIA 90232-0507
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D. SCOTT MALSIN, Mayor
GARY SILBIGER, Vice Mayor
CHRISTOPHER ARMENTA,
Councilmember
MICHEÁL O'LEARY,
Councilmember
ANDREW WEISSMAN,
Councilmember

Jerry B. Fulwood, City Manager

CITY COUNCIL REGULAR AGENDA Monday, February 9, 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

Monday, February 09, 2009
5:00 P.M. (Closed Session)
7:00 P.M. (Regular Session)

CALL TO ORDER & ROLL CALL:

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

City Manager Jerry B. Fulwood

CLOSED SESSION - 5:00 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 – Anticipated Litigation
Re: Significant Exposure to Litigation – (3 items)
Pursuant to Government Code Section 54956.9(b)(1)

CS- 2. Conference with Legal Counsel – Anticipated Litigation
Re: Initiation of Litigation – 1 Matter
Pursuant to Government Code Section 54956.9(c)

CS- 3. Conference with Labor Negotiator
Agency designated representative: Jack Hoffman
Employee organizations: 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.
Pursuant to Government Code Section 54954.5(f)

CS- 4. Public Employee Appointment
Title: City Manager
Pursuant to Government Code Section 54957

REGULAR SESSION - 7:00 PM

INVOCATION By Jerry Fulwood, City Manager

PLEDGE OF ALLEGIANCE

PRESENTATIONS

- P- 1. Presentation of Certificates to the Members of the Dr. Martin Luther King, Jr. Event Planning Committee.
- P- 2. A presentation to the City Council from the Dr. Martin Luther King, Jr. Event Planning Committee.

PUBLIC COMMENT - Items NOT On The Agenda

PUBLIC COMMENT - Items On The Agenda

PUBLIC HEARING:

- PH- 1. [PUBLIC HEARING – Introduction of an Ordinance Amending the Zoning Code to Allow Car Washes as an Ancillary Use to Fueling Stations within a Portion of the East Washington Boulevard Overlay \(EW\) Zone.](#)
Determine that no additional environmental information is needed based on the Planning Commission’s adoption of a Negative Declaration finding that Zoning Code Amendment, ZCA P-2008115 will not have a significant adverse impact on the environment; and introduce an Ordinance amending Title 17, Zoning, of the Culver City Municipal Code, Section 17.260.035, East Washington Boulevard Overlay (EW) Zone Table 2-11 (Allowed Uses), to allow car washes ancillary to vehicle fueling stations located east of Ballona Creek, subject to approval of a Conditional Use Permit.

LEGISLATION AND LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS

- L- 1. [League of California Cities Priority Focus Editions #3 dated January 23, 2009 and #4 dated January 30, 2009.](#)
Receive verbal 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 Adjourned Regular Meeting of December 15, 2008; the Regular Meeting of December 22, 2008; and the Regular Meeting of January 12, 2009.
Approve minutes.

- C- 3. [Cash Disbursements for January 17, 2009 – January 30, 2009.](#)
Approve cash disbursements.
- C- 4. [Approval of an Agreement with SanCon Engineering Inc. to Rehabilitate Sewer Manholes Throughout Culver City.](#)
Approve an agreement with SanCon Engineering, Inc. to rehabilitate 27 sewer manholes at a cost not to exceed \$158,100; authorize the Public Works Director/City Engineer to negotiate change orders, if necessary; authorize the City Attorney to review/prepare the necessary documents; and authorize the City Manager to execute such documents on behalf of the City.
- C- 5. [Approval of a Professional Services Agreement with Advanced Critical Care and Internal Medicine \(ACC&IM\) for Emergency Veterinary Services.](#)
Approve a professional services agreement contract, not to exceed two years upon commencement of the City's pilot Animal Services program, with ACC&IM for emergency veterinary 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- 6. [Adoption of a Resolution \(i\) Granting an Appeal in Part and Modifying the Planning Commission's Approval of Site Plan Review, SPR P2007116; ; \(ii\) Approving Tentative Tract Map TTM-P2007117; and \(iii\) Adopting a CEQA Mitigated Negative Declaration Finding, for the Construction of a Mixed-Use Building with 28 Residential Condominium Units and 1,403 Square Feet of Office Space Located at 4043 Irving Place.](#)
Adopt a Resolution i) granting an appeal in part and modifying the Planning Commission's Approval of Site Plan Review, SPR P-2007116 and Administrative Use Permit, AUP P-2007115; (ii) approving Tentative Tract Map No. 69709, TTM P-2007117; and (iii) adopting a CEQA Mitigated Negative Declaration finding, for the construction of a mixed use building with 28 residential condominium units and 1,403 square feet of office space located at 4043 Irving Place.
- C- 7. [Adoption of an Ordinance \(Zoning Code Amendment ZCA P-2009001\) Amending Title 17, Zoning, of the Culver City Municipal Code, Section 17.220.035 "Commercial Downtown \(CD\) District Requirements" to Increase the Quantitative Parking Requirements for Restaurant Uses Within the CD Zone.](#)
Adopt an Ordinance (Zoning Code Amendment ZCA P-2009001) amending Title 17, Zoning, of the Culver City Municipal Code, Section 17.220.035 "Commercial Downtown (CD) District Requirements" to increase the quantitative parking requirements for restaurant uses within the CD Zone.

JOINT ITEM

- J- 1. [JOINT ITEM - Fiscal 2007-08 Year-end Financial Monitoring Report for the City and Redevelopment Agency.](#)
That the City Council receive and file the presentation of the 2007-08 Fiscal Year-end Financial Monitoring Report from the Chief Financial Officer.
That the Culver City Redevelopment Agency receive and file the presentation of the 2007-08 Fiscal Year-end Financial Monitoring Report from the Chief Financial Officer
- J- 2. [JOINT ITEM - Fiscal 2008-09 Mid-Year Budget Report and Adoption of Proposed Budget Amendments.](#)
That the City Council: (1) Receive the presentation of the Fiscal 2008-09 Mid Year Financial Monitoring Report; and (2) adopt proposed amendments to the Fiscal 2008-09 Budget.
That the Culver City Redevelopment Agency: (1) Receive the presentation of the Fiscal 2008-09 Mid Year Financial Monitoring Report; and (2) adopt proposed amendments to the Fiscal 2008-

ACTION ITEMS:

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

- A- 1. [Discussion of Allowing Dogs in Culver City Parks and Direction to Staff as Deemed Appropriate.](#)
Consider staff recommendations; and direct staff as deemed appropriate.
- A- 2. [Introduction of an Ordinance Amending Subchapter 9.10.600 of the Culver City Municipal Code to Allow Dogs on Leashes on Designated Dog Paths within Culver City Park for Dog Park Users.](#)
Consider staff recommendations; and direct staff as deemed appropriate.
- A- 3. [Consideration of Implementation of Supervision at the Culver City Skate Park, Approval of Budget Amendment\(s\) for Staffing Costs Related to Supervision and/or Additions to the Skate Park Facility, and Adoption of a Resolution Establishing User Fees at the Culver City Skate Park.](#)
Consider staff recommendations; and direct staff as deemed appropriate.
- A- 4. [Introduction of an Ordinance Amending Chapter 3.07, Finance and Revenue, of the Culver City Municipal Code to Add a New Subchapter 3.07.400, et seq., Entitled "Budget Restrictions," Relating to Regulating the Adoption of Balanced City Budgets and the Use of Reserve Funds.](#)
Consider staff recommendations; and direct staff as deemed appropriate.
- A- 5. [FOUR-FIFTHS VOTE: Approval of an Agreement with Duncan Parking Technologies to Purchase and Install Pay-by-Space Parking Meters on Main Street in Downtown Culver City and Approval of a Related Budget Amendment.](#)
Approve an agreement with Duncan Parking Technologies to purchase and install pay-by-space parking meters and all applicable accessories and options on Main Street at a cost not to exceed \$34,386; authorize the Public Works Director/City Engineer to negotiate change orders, if necessary, and the necessary budget amendment; authorize the City Attorney to review/prepare the necessary documents; and authorize the City Manager to execute such documents on behalf of the City.
- A- 6. [Adoption of a Resolution \(i\) Denying an Appeal of the Planning Commission's Approval of Site Plan Review, SPR P-2007183, and Administrative Use Permit, AUP P-2008110, thereby Approving said Applications; \(ii\) Approving Height Exception, HTEX P-2008111, and Tentative Tract Map No. 69769, TTM P-2007184; and \(iii\) Adopting a CEQA Negative Declaration Finding for the Construction of an Office Building at 8665 Hayden Place.](#)
Adopt a Resolution (i) denying an appeal of the Planning Commission's approval of Site Plan Review, SPR P-2007183, and Administrative Use Permit, AUP P-2008110, thereby approving said applications; (ii) approving Height Exception, HTEX P-2008111, and Tentative Tract Map No. 69769, TTM P-2007184; and (iii) adopting a CEQA Negative Declaration finding for the construction of an office building at 8665 Hayden Place.

PUBLIC COMMENT - Items NOT On The Agenda (Continued)

RECEIPT OF CORRESPONDENCE

ITEMS FROM STAFF

ITEMS FROM COUNCIL

ADJOURN

**Next City Council Meeting
February 23, 2009
7:00 PM**

Upcoming Public Meeting Tentative Schedule —February 2009

Date	Day	Time	Location
City Council			
<i>February – 9</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>February - 23</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Redevelopment Agency			
<i>February – 2</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>February - 17</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Parks and Recreation Commission			
<i>February– 3</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Cultural Affairs Commission			
<i>February –10</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Planning Commission			
<i>February – 11</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Civil Service Commission			
<i>February – 4</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
• <i>Times and dates may be changed.</i> • <i>Meetings may be added or changed</i>			

Compliance with Government Code Section 54957.5: Any writing determined to be a public record under subdivision 54957.5(a), which relates to an agenda item for an open session of a regular meeting of the legislative body of a local agency that was distributed less than 72 hours prior to that meeting, shall be made available for public inspection at the time the writing is distributed to all, or a majority of all, of the members of the legislative body. Such documents are available at the Office of the City Clerk, City of Culver City, City Hall, 9770 Culver Boulevard, Culver City, CA 90232 and may be inspected by members of the Public during normal business hours. Such documents may also be made available on the City's Website:

www.culvercity.org.