

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

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

April 2, 2012
5:30 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:30 p.m.

Present: Micheál O'Leary, Mayor
Christopher Armenta, Councilmember
Jeffrey Cooper, Councilmember
Andrew Weissman, Councilmember

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Closed Session

The City Council adjourned to Closed Session to discuss the following items:

CS-1 Liability Claim

Claimant: Joan Mary Higgins
Agency Claimed Against: City of Culver City
Pursuant to Government Code Section 54956.95

CS-2 Conference with Real Property Negotiators

Re: 12337 to 12423 Washington Boulevard, 4061 to 4069 Centinela Avenue and 4064 Colonial
City Negotiators: John M. Nachbar, City Manager; Sol Blumenfeld, Community Development Director; Todd Tipton, Redevelopment Administrator; and Murray Kane, City Special Counsel

Other Parties Negotiator: Regency Centers Acquisition, LLC
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-3 Conference with Legal Counsel – Anticipated Litigation

Re: Initiation of Litigation – 1 Matter
Pursuant to Government Code Section 54956.9(c)

April 2, 2012

Closed Session
(continued)

CS-4 Conference with Legal Counsel – Anticipated Litigation
Re: Significant Exposure to Litigation – (1 item)
Pursuant to Government Code Section 54956.9(b)(1)

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Recess

The City Council recessed to Closed Session at 5:30 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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Closed Session Report

Mayor O'Leary 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 David Voncannon.

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April 2, 2012

Presentations

Item P-2
(out of sequence)

Presentation of a Certificate of Recognition to Gloriana Najarro, Family Self Sufficiency Program Graduate.

Mayor O'Leary presented a Certificate of Recognition to Gloriana Najarro and presented her with a check.

Gloriana Najarro thanked the City for their help and support.

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Item P-1

A Proclamation Declaring April, 2012 as DMV/Donate Life Month in Culver City.

Mayor O'Leary read the proclamation in its entirety.

Clive Grawe thanked the Mayor and the City for the proclamation on behalf of DMV/Donate Life; discussed his experience; and encouraged everyone to participate in the program.

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Community Announcements by City Council Members/Information Items from Staff

Councilmember Weissman discussed an article on fracking in the Los Angeles Times newspaper; the Culver City and Baldwin Hills Oil Fields; the PXP litigation; and he requested that the City Manager encourage the Governor to come to Culver City.

Mayor O'Leary discussed costs for a proper burial for a homeless man who passed away several years ago and requested that the City Council pay for it out of discretionary funds.

Councilmember Weissman indicated willingness to contribute his own money toward the cause but he did not feel it should be a City expense.

April 2, 2012

Adjourn in Memory

MOVED BY COUNCILMEMBER COOPER, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED THAT IT BE ADJOURNED IN MEMORY OF VERNE LARSEN, LONG-TIME CULVER CITY RESIDENT AND BUSINESS OWNER.

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Joint Public Comment - Items Not on the Agenda

Mayor O'Leary invited public comment.

The following members of the audience addressed the City Council:

Maxine Amondo, representing STAR Education, invited everyone to attend the STAR EcoStation "Children's Earth Day" celebration on April 22, 2012; and noted their many other public events during the year.

Jill Thomsen, Parks and Recreation Department, announced "National Volunteer Week" on April 15 - 22, 2012; and the "Third Annual Day at the Movies" at Pacific Theatres in Culver City; also discussed the Culver City RSVP program.

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Receipt of Correspondence

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

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April 2, 2012

Joint Consent Calendar

MOVED BY COUNCILMEMBER ARMENTA, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE JOINT CONSENT CALENDAR ITEMS JC-1 AND JC-2.

Item JC-1

JOINT CITY COUNCIL AND SUCCESSOR AGENCY AGENDA ITEM: (1) Approval of a Loan Agreement By and Between the City of Culver City and the Successor Agency to the Culver City Redevelopment Agency; and (2) Approval of Related Budget Amendments.

THAT THE CITY COUNCIL:

1. APPROVE A LOAN AGREEMENT BY AND BETWEEN THE CITY OF CULVER CITY AND THE SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY; AND,
2. APPROVE A BUDGET AMENDMENT INCREASING THE TRANSFER OUT IN FUND 485 (48599900.952558) BY \$3,000,000; AND
3. APPROVE A BUDGET AMENDMENT INCREASING THE TRANSFER OUT IN FUND 488 (48899900.952588) BY \$800,000; AND A BUDGET AMENDMENT REQUIRES 4 AFFIRMATIVE VOTES.
4. AUTHORIZE THE CITY ATTORNEY AND CITY SPECIAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
5. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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April 2, 2012

Item JC-2

JOINT CITY COUNCIL AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY AGENDA ITEM: (1) City Council Adoption of a Resolution Approving the Execution of a Cooperative Agreement for Advance and Reimbursement of Administrative, Overhead, and Other Expenses by and Between the City and the Successor Agency, and (2) Successor Agency Board Adoption of a Resolution Approving Proposed Administrative Budgets and Approving the Execution of a Cooperative Agreement for Advance and Reimbursement of Administrative, Overhead, and Other Expenses by and Between the City and the Successor Agency and Taking Certain Other Actions.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2012-R028 APPROVING THE COOPERATIVE AGREEMENT FOR ADVANCE AND REIMBURSEMENT OF ADMINISTRATIVE, OVERHEAD, AND OTHER EXPENSES BY AND BETWEEN THE CITY AND THE SUCCESSOR AGENCY.

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Consent Calendar

MOVED BY COUNCILMEMBER ARMENTA, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1, AND C-3 THROUGH C-8.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES FOR THE REGULAR MEETING OF FEBRUARY 27, 2012 AS SUBMITTED.

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April 2, 2012

Item C-3

Approval of Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for the Construction of Sewer Main Lining Rehabilitation Project (Phase III), P-906 and Lining of Abandoned Force Main on Braddock Drive Project, P-939.

THAT THE CITY COUNCIL APPROVE THE FINAL PLANS AND SPECIFICATIONS AND AUTHORIZE PUBLICATION OF A NOTICE INVITING BIDS FOR THE CONSTRUCTION OF SEWER MAIN LINING REHABILITATION PROJECT (PHASE III), P-906 & LINING OF ABANDONED 10" FORCE MAIN ON BRADDOCK DR., P-939.

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Item C-4

(1) Rejection of the Bid Submitted by Mode Engineering as Non-Responsive; and (2) Award of a Construction Contract to J.D.C. Inc. for the Ballona Creek Rain Garden Project, P-497.

THAT THE CITY COUNCIL:

1. REJECT THE BID SUBMITTED BY MODE ENGINEERING AS NON-RESPONSIVE; AND,
2. AWARD A CONTRACT TO J.D.C. INC. FOR THE BALLONA CREEK RAIN GARDEN PROJECT, P-497, IN THE AMOUNT OF \$280,646.50, BASED ON ITS BASE BID; AND,
3. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED \$42,000, IF NECESSARY; AND,
4. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
5. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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April 2, 2012

Item C-5

Approval of an Amendment to Extend the Existing Professional Services Agreement with Imagery Video Productions to Provide Video Operations Services to Broadcast and Videotape Meetings of the City Council, and City Commissions, and Special Meetings or Events, for an Additional Three-Year Term and an Optional Two-Year Extension.

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF CULVER CITY AND IMAGERY VIDEO PRODUCTIONS TO EXTEND THE TERM OF THE AGREEMENT UNTIL JUNE 30, 2015, WITH AN OPTIONAL TWO-YEAR EXTENSION, AT THE RATE OF \$200 FOR THREE HOURS AND \$40 PER HOUR THEREAFTER, FOR A MAXIMUM AMOUNT OF \$25,000 ANNUALLY; 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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April 2, 2012

Item C-6

FOUR-FIFTHS VOTE REQUIREMENT - Adoption of Budget Amendments Re-Appropriating Bond Funds.

THAT THE CITY COUNCIL:

1. APPROVE BUDGET AMENDMENTS APPROPRIATING BOND FUNDS AS FOLLOWS:

BUSINESS UNIT	DESCRIPTION	BUDGET INCREASE/(DECREASE)	TOTAL ADJUSTED BUDGET
48692720	EXPO AERIAL STATION	(1,017,756)	0
48692800	SEISMIC REHAB	(500,000)	0
48693900	PARCEL B	2,550,000	2,550,000
48792900	PARCEL B	1,000,000	1,000,000
48893900	PARCEL B	425,000	425,000
48792610	WASHINGTON/CENTINELA	(1,045,000)	7,255,000
48793500	PUBLIC WORKS STREET IMPROVEMENTS	(500,000)	978,454
48892620	WASHINGTON/NATIONAL	2,260,000	2,260,000
48892695	WASHINGTON BLVD AIP	1,501,500	1,501,500
48894130	HAYDEN TRACT PARKING STRUCTURE	(2,850,000)	5,650,000
48695100	PARKING PARTICIPATION	(300,000)	0
48795100	PARKING PARTICIPATION	200,000	200,000
48895100	PARKING PARTICIPATION	100,000	100,000
48994110	HAYDEN TRACT SPUR MOU	136,500	1,186,500

A CITY BUDGET AMENDMENT REQUIRES A 4/5THS VOTE.

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Item C-7

Adoption of a Resolution Authorizing the City Manager to Submit a Grant Application through the California Department of Transportation's Bicycle Transportation Account Grant Program to Fund Bicycle Parking.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2012-R030 AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION THROUGH THE BICYCLE TRANSPORTATION ACCOUNT FOR BICYCLE PARKING.

April 2, 2012

Item C-8

Award of a Contract to FS Construction Company as the Lowest Responsive and Responsible Bidder, for the Construction of Robertson Boulevard Pedestrian/Transit Connection Improvements Project, P-943.

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT TO FS CONSTRUCTION COMPANY, AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE ROBERTSON BOULEVARD PEDESTRIAN/TRANSIT CONNECTION IMPROVEMENTS PROJECT, P-943, IN THE AMOUNT OF \$205,209, BASED ON ITS BASE BID; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN THE AMOUNT NOT-TO-EXCEED \$17,275, 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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The following Consent Calendar item was discussed and voted on separately:

Item C-2

Adoption of a Resolution Directing the Chief of Police to Suspend until July 10, 2012 (1) the Enforcement of Extended Hours of Operation for the Metered Parking in the Culver City Downtown Areas and (2) the Filling of Two Parking Enforcement Officers and Two Community Services Officers.

Discussion ensued between the City Council and staff regarding combining the rollback of hours with foregoing the two new parking enforcement officers; the multiple parking zones; meter enforcement; the workload; loss of revenue implications; other meters and zones; taking a chance to stop and reassess; dividing the item; improving efficiency and enforcement.

April 2, 2012

Item C-2
(continued)

Mayor O'Leary invited public comment.

The following members of the audience addressed the City Council:

Cary Anderson discussed the parking study; restaurant owner concerns; the candidates forum; the Top 20 Most Walkable Cities in America; the politics of parking; enforcement issues; a survey of expired meters; the goal of the policy to create turnover; concerns of the neighborhood; and concern with special favors.

Elena Sweda Neff expressed support for the rollback of the hours of operation for parking meters; she noted that she would like to see better enforcement; and she felt that downtown meters should be treated the same as meters everywhere else in the City.

Discussion ensued between the City Council and staff regarding support for delaying the extension of metered hours pending an evaluation but going forward with the hiring of two parking enforcement officers; conducting an analysis in the interim; communicating that hours and days of enforcement would revert back to the original times; sign replacement; clarification that parking meters are intended to promote parking turnover; different types of parking; convenience; pricing; employee parking; the two-hour parking limit; the goal of 85% occupancy for on-street parking; Sunday parking patterns; and a note to restaurateurs to encourage employees not to park on the street or in the neighborhoods.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2012-R029 DIRECTING THE CHIEF OF POLICE TO SUSPEND UNTIL JULY 10, 2012 ENFORCEMENT OF EXTENDED HOURS OF OPERATION FOR METERED PARKING FROM 6:00 PM TO 11:00 PM AND ALL DAY ON SUNDAYS.

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April 2, 2012

Order of the Agenda

No changes were made.

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Public Hearings

Item PH-1

Adoption of a Resolution Approving a Tentative Tract Map to Subdivide the Property at 11957 Washington Boulevard into 31 Airspace Units for the Development of a 3-Story Mixed-Use Development (Retail and Residential.)

MOVED BY COUNCILMEMBER ARMENTA, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF MAILING OF PUBLIC NOTICE.

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

Mayor O'Leary invited public comment.

There was no response.

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

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2012-R031 APPROVING TENTATIVE TRACT MAP, TTM P-2011163 (TENTATIVE TRACT MAP NO. 71799) TO SUBDIVIDE THE PROPERTY INTO 30 RESIDENTIAL CONDOMINIUM AIRSPACE UNITS AND ONE COMMERCIAL/RETAIL CONDOMINIUM AIRSPACE UNIT, SUBJECT TO THE RECOMMENDED CONDITIONS OF APPROVAL CONTAINED IN THE RESOLUTION.

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April 2, 2012

Action Items

Item A-1

Consideration of an Amendment to the Commitment Letter with Regency Centers Acquisition LLC for the Sale and Redevelopment of City Owned Property at the Northerly Corners of the Washington Boulevard and Centinela Avenue Intersection.

Mayor O'Leary invited public comment.

There was no response.

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

1. APPROVE AN AMENDMENT TO THE COMMITMENT LETTER WITH REGENCY CENTERS ACQUISITION, LLC EXTENDING THE DUE DILIGENCE PERIOD FROM 45 DAYS TO 105 DAYS; AND
2. AUTHORIZE CITY SPECIAL COUNSEL/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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Public Comment for Items Not On the Agenda (Continued)

Mayor O'Leary invited public participation.

There was no response.

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April 2, 2012

Items from the City Council

Items Presented by Councilmember Cooper:

- Expressed gratitude to Councilmember Armenta for his service to the City.

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Items Presented by Mayor O'Leary:

- Presented a poster from the 1958 City Council election and donated it to the Historical Society.

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April 2, 2012

Adjournment

There being no further business, at 7:54 p.m., the City Council adjourned its meeting in memory of Verne Larsen, long-time Culver City resident and business owner, to a meeting to be held on April 23, 2012.

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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 _____

ANDREW N. WEISSMAN
MAYOR of the City of Culver City, California