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UNTIL APPROVED BY THE
CITY COUNCIL

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

November 14, 2011
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
D. Scott Malsin, Vice 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 Conference with Real Property Negotiators
Re: 11042-11056 West Washington Boulevard
City Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Community Development Director/Assistant Executive Director, Tevis Barnes, Housing Administrator and Murray Kane, City Special Counsel/Agency General Counsel
Other Parties Negotiators: Los Angeles Housing Partnership, Inc., and Tilden Terrace, L.P.
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

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

CS-3 Conference with Legal Counsel – Existing Litigation
Re: Varga, Sandy v. City of Culver City
Case No. CV10-6578-JHN (FFMX)
Pursuant to Government Code Section 54956.9(a)

CS-4 Conference with Legal Counsel – Existing Litigation
Re: Damien Davis v. City of Culver City
L.A.S.C. Case No. SC110955
Pursuant to Government Code Section 54956.9(a)

CS-5 Conference with Real Property Negotiators
Re: 8511 Warner Drive and 8550 Higuera Street
City Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Community Development Director/Assistant Executive Director and Murray Kane, City Special Counsel/Agency General Counsel
Other Parties Negotiators: Conjunctive Points Warner Development (Samitaur Constructs) and Hackman Capital
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

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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 7:21 p.m. with all Councilmembers present.

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Invocation/Pledge of Allegiance

The Invocation was given by Martin Cole, Assistant City Manager, and the Pledge of Allegiance was led by Donna Thayer.

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Closed Session Report

Mayor O’Leary indicated there was nothing to report out from Closed Session.

Presentations

Item P-1

A Presentation of Certificates to Visitors from the Culver City Sister City of Iksan City, South Korea.

Mayor O'Leary and Vice Mayor Maslin presented the certificates to the delegation from Iksan City.

Mayor O'Leary presented the Vice Mayor of Iksan City, Korea with the key to Culver City, who in turn presented Culver City with a gift and thanked the City for their hospitality.

A Councilmember from Iksan City thanked the City and discussed the history between the two cities.

Barbara Honig, Culver City Sister Cities Committee, thanked the City Council for their support.

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Item P-2

A Presentation to the City Council from Southern California Edison.

Mark Olsen, Southern California Edison, thanked the City for allowing Edison to serve the City and spoke about Edison International celebrating its 125th anniversary. Mr. Olsen then presented the City with a Resolution of Appreciation.

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Community Announcements by City Council Members/Information Items from Staff.

Martin Cole, Assistant City Manager/City Clerk, reported that a letter of protest was filed for Consent Calendar Item C-6 [(1) Reject Bids submitted by Rafael 26 Construction, Inc. and Araghi Corporation; and (2) Award a Construction Contract to Hoffman Management and Construction Corporation for the Construction of Fire Station #1 Exterior Staircase Reconstruction Project, P-931] and requested that the City Council pull the item from the agenda.

Joint Public Comment – Items Not on the Agenda

Mayor O'Leary invited public comment.

There was no response.

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Receipt of Correspondence

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

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Joint Consent Calendar

Item JC-1

Award of a Contract to Padilla Paving to Construct a Public Parking Lot on City-Owned Property at 12601 Washington Boulevard.

MOVED BY COUNCILMEMBER COOPER, SECONDED BY COUNCILMEMBER ARMENTA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL AND AGENCY BOARD:

1. AWARD A CONSTRUCTION CONTRACT TO PADILLA PAVING, AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, TO COMPLETE THE NECESSARY WORK FOR PARKING LOT IMPROVEMENTS AT 12601 WASHINGTON BOULEVARD; AND

2. AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO APPROVE CHANGE ORDERS TOTALING A NOT-TO-EXCEED AMOUNT OF $25,000; AND

3. AUTHORIZE THE CITY ATTORNEY AND AGENCY GENERAL COUNSEL TO REVIEW/PREPARE NECESSARY DOCUMENTS; AND

4. AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE AGENCY.

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Item JC-2

(1) Waiver of a Minor Error in the Bid Submitted by Damon Inc., (2) Award of a Construction Contract to Damon Inc. for the Veterans Memorial Building Renovations and (3) Award of Contract to American Seating Company to Install Fixed Seats in the Lower Level of the Veterans Memorial Building Auditorium for the Veterans Memorial Building Renovation Project P-876.

MOVED BY COUNCILMEMBER COOPER, SECONDED BY COUNCILMEMBER ARMENTA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL AND AGENCY BOARD:

1. WAIVE A MINOR ERROR IN THE BID SUBMITTED BY DAMON INC.; AND,

2. AWARD A CONSTRUCTION CONTRACT TO DAMON INC., FOR THE VETERANS MEMORIAL BUILDING RENOVATIONS IN AN AMOUNT OF $146,454.00; AND

3. AUTHORIZE THE PUBLIC WORKS DIRECTOR AND THE PARKS, RECREATION, AND COMMUNITY SERVICES DIRECTOR TO EXPEND AN ADDITIONAL $25,000 FOR UNFORESEEN CONTINGENCIES OR ADDITIONAL PROJECT ENHANCEMENTS IF FUNDING IS AVAILABLE; AND

4. AWARD A CONTRACT TO AMERICAN SEATING COMPANY OF GRAND RAPIDS, MICHIGAN TO PROVIDE AND INSTALL 451 FIXED SEATS IN THE LOWER LEVEL OF THE VETERANS MEMORIAL BUILDING AUDITORIUM IN AN AMOUNT OF $180,188.03; AND

5. AUTHORIZE THE CITY ATTORNEY AND AGENCY GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND

6. AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY AND AGENCY.

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Consent Calendar

MOVED BY COUNCILMEMBER COOPER, SECONDED BY COUNCILMEMBER ARMENTA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-5 AND ITEMS C-7 THROUGH C-8.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES FOR THE REGULAR MEETING OF OCTOBER 10, 2011 AS AMENDED; AND APPROVE THE MINUTES FOR THE SPECIAL MEETING OF OCTOBER 24, 2011 AND THE MINUTES FOR THE REGULAR MEETING OF OCTOBER 24, 2011 AS SUBMITTED.

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Item C-2

Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR OCTOBER 15, 2011 TO NOVEMBER 4, 2011.

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Item C-3

Acceptance of Work Performed by Gold Arc, Inc. (dba Pasco Doors) for the Veteran's Memorial Park Facilities Americans with Disabilities Act Door Improvement Project (Community Development Block Grant Project #601317-10) and Authorization of Release of Retention After Expiration of 35-Day Lien Period

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY THE CONTRACTOR, GOLD ARC, INC. (DBA PASCO DOORS), FOR THE VETERAN'S MEMORIAL PARK FACILITIES AMERICANS WITH DISABILITIES ACT DOOR IMPROVEMENT PROJECT (COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT #601317-10); AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY RECORDER'S OFFICE FOR RECORDATION; AND,

3. AUTHORIZE THE RELEASE OF $4,336.60 TO GOLD ARC, INC. (DBA PASCO DOORS) FOLLOWING EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-4

Approval of a Professional Services Agreement with ESRI (Redlands, CA) to Support the City's Enterprise Geographical Information Systems (GIS) Program.

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH ESRI IN AN AMOUNT NOT TO EXCEED $38,500 FOR ONE YEAR OF ESRI'S SOFTWARE MAINTENANCE; AND,

2. AUTHORIZE THE CHIEF INFORMATION OFFICER TO ISSUE THE ANNUAL MAINTENANCE PAYMENT EACH YEAR TO ESRI (REDLANDS, CA) FOR AN ADDITIONAL THREE YEARS UNLESS THE RESPECTIVE SOFTWARE SUPPORT IS DEEMED UNNECESSARY; 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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Item C-5

Approval of a Professional Services Agreement with CelPlan, Inc. for the Jail Surveillance System Upgrade Project to the Police Department.

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH CELPLAN, INC. IN AN AMOUNT NOT TO EXCEED $132,000 FOR THE INSTALLATION OF A SECURITY CAMERA SYSTEM AND UPGRADE IN THE POLICE DEPARTMENT; 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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Item C-7

Reject All Bids for the Construction of Sewer Main Lining Rehabilitation Project (Phase II), P-906 & Lining of Abandoned 10" Force Main on Braddock Dr., P-984.

THAT THE CITY COUNCIL REJECT ALL BIDS SUBMITTED FOR THE CONSTRUCTION OF SEWER MAIN LINING REHABILITATION PROJECT (PHASE II), P-906 & LINING OF ABANDONED 10" FORCE MAIN ON BRADDOCK DR., P-984.

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Item C-8

Adoption of a Resolution Approving a Four (4) Year Memorandum of Understanding with the Culver City Police Management Group for the Period of January 1, 2012 through December 31, 2015.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2011-R092 APPROVING A FOUR (4) YEAR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE CULVER CITY POLICE MANAGEMENT GROUP FOR THE PERIOD OF JANUARY 1, 2012 THROUGH DECEMBER 31, 2015.

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Action Items

Item A-1

(1) Review and Approval of the Downtown Culver City Business Improvement District Advisory Board’s Annual Work Program and Budget, and (2) Adoption of a Resolution of Intent to Levy the Downtown Business Improvement District Assessment for 2012.

Councilmember Weissman recused himself from this item and left the Council Chambers at 7:47 P.M.

Mayor O’Leary invited public comment.

The following member of the audience addressed the City Council:

Cary Anderson expressed concerns with employer accountability and where employees park; maintenance; and the Clean Team.

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

1. APPROVE THE BID ADVISORY BOARD’S 2012 ANNUAL WORK PROGRAM AND BUDGET AS FILED WITH THE CITY CLERK; AND,

2. ADOPT RESOLUTION OF INTENT NO. 2011-R093 TO LEVY ASSESSMENTS AND SET DECEMBER 12, 2011, AS THE DATE FOR A PUBLIC HEARING TO CONSIDER THE CONTINUATION OF THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT FOR CALENDAR YEAR 2012.

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

Councilmember Weissman returned to the dais at 7:52 P.M.

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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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Items from the City Council

Items Presented by Mayor O'Leary:

- Announced that Small Business Saturday, sponsored by American Express, will be held on November 26, 2011 and Chubby's Cruisers in Culver City will be participating.

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Items Presented by Councilmember Weissman:

- Wished Councilmember Armenta a Happy Birthday.

- Expressed good luck wishes to his wife Doneil and Carol Schwab, City Attorney, as they will be participating in the two day breast cancer walk in San Diego on November 19-20, 2011.

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Items Presented by Councilmember Cooper:

- Announced that he was growing a moustache to help raise awareness for men's health and prostate cancer during the month of November.

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Items Presented by Councilmember Armenta:

- Wished everyone a Happy Thanksgiving.

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Adjournment

There being no further business, at 7:56 p.m., the City Council adjourned its meeting to a meeting to be held on December 5, 2011.

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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 ______________________________________

MICHEÁL O'LEARY
MAYOR of the City of Culver City, California