

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

July 8, 2013
5:30 p.m.

Call to Order & Roll Call

Mayor Cooper called the meeting of the City Council to order at 5:30 p.m.

Present: Jeffrey Cooper, Mayor
Meghan Sahli-Wells, Vice Mayor
Jim B. Clarke, Councilmember
Micheál O'Leary, Councilmember
Andrew Weissman, Councilmember

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Closed Session

At 5:30 p.m., the City Council recessed to Closed Session to discuss the following items:

CS-1 Conference with Real Property Negotiators

Re: 10745 Cranks Road and 11304 Segrell Way

City Negotiators: John Nachbar, City Manager;

Charles Herbertson, Public Works Director/City Engineer, Sol Blumenfeld, Community Development Director and Todd Tipton, Economic Development Administrator

Other Parties Negotiators: Keller-Williams, Remax, Cavanaugh Realtors, The Real Estate Group and Pearl Properties.

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-2 Conference with Legal Counsel - Anticipated Litigation

Re: Significant Exposure to Litigation - (1 item)

Pursuant to Government Code Section 54956.9(d)(2)

CS-3 Conference with Labor Negotiators

City designated representatives: City Manager John Nachbar, Director of Human Resources Serena Wright

Employee Organizations: Culver City Employees Association, Culver City Management Group, Culver City Police Officers'

Association, Culver City Police Management Group, Culver City Firefighters' Association Local 1927, AFL-CIO, Culver City Fire Management Group

Pursuant to Government Code Section 54957.6

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Reconvene

Mayor Cooper reconvened the City Council meeting at 7:11 p.m. with all Councilmembers present.

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Report on Action Taken in Closed Session

Mayor Cooper indicated there was nothing to report from 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 Fred Yglesias.

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Presentations

Item P-1

A Proclamation in Honor of July as "Parks Make Life Better" Month

Dan Hernandez, Parks, Recreation and Community Services Director, provided a presentation on City parks.

Councilmember O'Leary reported that the state had approved July 25th as Swimmable California Day and he noted that there were many activities available at the Plunge.

Mayor Cooper presented that proclamation in honor of July being "Parks Make Life Better" month.

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**Community Announcements By City Council Members/Information
Items From Staff**

Paul Condran, Fleet Services Manager, discussed the City's participation in a fleet certification and recognition program of the top performing municipal fleets in North America; the continuing pioneering efforts in Compressed Natural Gas vehicles; and he reported achieving a rank of #1 Best Fleet in North America.

Discussion ensued between staff and Mr. Condran regarding posting placards on City commercial vehicles indicating that Culver City is the #1 fleet in the country; displaying the banner for the Summer Music Festival; and commemorative coasters were provided to Councilmembers.

Captain Ron Iizuka, Culver City Police Department, announced National Night Out on August 6 and invited everyone to participate.

Discussion ensued between Councilmembers and Captain Iizuka regarding issues with using the High School football field for fireworks; whether the lack of a formal fireworks show had increased dollars expended on emergency services related to illegal activity this year; and it was agreed that information for National Night Out would be listed on the City website and on the cable feed.

Councilmember Clarke invited everyone to a luncheon by the Historical Society on July 20 at the California Club where he would re-enact the speech that Harry Culver gave 100 years ago outlining his vision for a new City.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED THAT IT BE ADJOURNED IN MEMORY OF DAVID BREGMAN.

Vice Mayor Sahli-Wells announced that on July 19 the Los Angeles Food Bank would be having their annual "Stuff a Truck" event at the Pavilions on Jefferson to benefit homeless people in the area; she reported attending the "Power Women, Power Tools" event at Sony in conjunction with Habitat for Humanity and she thanked Sony for hosting the event; and she expressed gratitude for the repeal of the Defense of Marriage Act and Proposition 8.

MOVED BY MAYOR COOPER, SECONDED BY VICE MAYOR SAHLI-WELLS AND

UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED THAT IT BE ADJOURNED IN MEMORY OF ALLISON PAPPERNY.

Mayor Cooper announced that the Cultural Affairs Foundation would be holding a fundraiser for Music in the Chambers at Akasha Restaurant on July 31 and encouraged everyone to attend; he announced the Culver City Music Festival on Thursday nights beginning July 11 through August 15; and he discussed the lack of a fireworks show in the City on the Fourth of July noting that West Los Angeles College was a possible venue for next year.

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Joint Public Comment - Items Not on the Agenda

Mayor Cooper invited public comment.

The following members of the audience addressed the City Council:

Dave Baker questioned the status of his application for a variance and a fee waiver for a permit on his home noting the length of the process and that he had met all the criteria for an exemption.

John Nachbar, City Manager, indicated that the matter was pending and he would provide a report to the City Council.

Robert Zirgulis discussed a 20,000 square foot Culver City School District swimming pool that has not been used since 1991; he reported a petition circulating to get the City Council and School District to work together to raise funds to fix the natatorium; he encouraged Councilmembers to read some of the comments regarding the pool included in the petition; he read a comment from Patricia McClellen; he suggested solutions to the problem; and he asked the City Council to consider helping the School District fix the pool.

Discussion ensued between staff and Councilmembers regarding whether the pool is on City property; whether the City has any power over what the School District does with their own facilities; and clarification that the natatorium is on a list of projects the School District plans to work on.

Rich Waters discussed confusion at the Senior Center regarding what belongs to the Association and what belongs to the City;

previous requests for a Memorandum of Understanding; and the California Public Records Act.

Discussion ensued between staff and Councilmembers regarding California non-profit corporations, and the Public Records Act.

Mike Meador, California Greenworks, presented an award to the City Council for their support of the California Greenworks Earth Fest California event and requested City support of the 2013 Earth Fest event.

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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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Joint Consent Calendar

Item JC-1

**JOINT CITY COUNCIL, HOUSING AUTHORITY AND SUCCESSOR AGENCY
AGENDA ITEM: Cash Disbursements**

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR JUNE 15, 2013 - JUNE 28, 2013.

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Consent Calendar

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-4 AND C-5.

Item C-4
(Out of Sequence)

**Adoption of a Resolution Authorizing the Destruction of
Examination Materials in the Human Resources Department Which
are More than Two (2) Years Old**

THAT THE CITY COUNCIL: ADOPT A RESOLUTION AUTHORIZING THE DESTRUCTION OF EXAMINATION MATERIALS IN THE HUMAN RESOURCES DEPARTMENT WHICH ARE MORE THAN TWO (2) YEARS OLD.

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Item C-5

(1) Authorization to File an Application for Funds Made Available Through the US Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) Program for Fiscal Year 2013

THAT THE CITY COUNCIL:

1. AUTHORIZE THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE US DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDS FY 2013; 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-1
(Out of Sequence)

Meeting Minutes

Vice Mayor Sahli-Wells indicated the need to abstain from the minutes of June 24, 2013 as she was not present at that meeting.

THAT THE CITY COUNCIL APPROVE MINUTES FOR THE SPECIAL MEETINGS OF JUNE 3, 2013 AND JUNE 4, 2013, AND THE REGULAR MEETINGS OF JUNE 10, 2013 AND JUNE 24, 2013. THE MOTION CARRIED UNANIMOUSLY, WITH VICE-MAYOR SHALI-WELLS ABSTAINING FROM THE JUNE 24, 2013 MINUTES.

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Item C-2

**Authorization to Submit a Highway Safety Improvement Program
Grant Application for the Protected/Permissive Left-Turn Phase
Upgrade Project**

Martin Cole, Assistant City Manager/City Clerk, read a written
comment submitted by:

Rich Waters

Discussion ensued between staff and Councilmembers regarding
clarification on the process to get funding; a suggestion to
notify members of the state legislature so they can advocate
for the City; and red light cameras.

THAT THE CITY COUNCIL:

1. AUTHORIZE THE CITY MANAGER TO SUBMIT AN APPLICATION FOR
HSIP GRANT FUNDING FOR THE PROTECTED/PERMISSIVE LEFT-TURN
PHASE UPGRADE PROJECT; 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-3

**Adoption of a Resolution Authorizing the Destruction of Certain
Documents in the Transportation Department Which are More Than
Three (3) Years Old**

Vice Mayor Sahli-Wells received clarification regarding keeping
digital records even if records are not being kept in a paper
form.

Discussion ensued between staff and Councilmembers regarding
incident reports; requirements; digital records; the process to
transform the record keeping system to a digital format; and
reducing the use of paper.

THAT THE CITY COUNCIL: ADOPT A RESOLUTION AUTHORIZING THE
DESTRUCTION OF CERTAIN FILES IN THE TRANSPORTATION DEPARTMENT
WHICH ARE MORE THAN THREE (3) YEARS OLD.

MOVED BY COUNCILMEMBER WEISSMAN AND SECONDED BY COUNCILMEMBER O'LEARY THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1, C-2 AND C-3. THE MOTION CARRIED UNANIMOUSLY WITH THE EXCEPTION OF ITEM C-1 WHERE VICE MAYOR SAHLI-WELLS ABSTAINED FROM VOTING ON THE MINUTES OF JUNE 24, 2013 DUE TO HER ABSENCE FROM THAT MEETING.

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Order of the Agenda

No changes were made.

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Action Items

Item A-1

Introduction of an Ordinance Amending Sections 3.05.015.D and 3.05.015.F of the Culver City Municipal Code Relating to Exemptions to the Classified Service as Recommended by the Civil Service Commission

Serena Wright, Human Resources Director, provided a summary of the material of record.

Mayor Cooper invited public participation.

The following member of the audience addressed the City Council:

Elena Sweda Neff discussed determining merit by competitive examination; skills assessment; ability and suitability; the Transportation Department; rewarding employees; 360 reviews; and customer service initiative.

Discussion ensued between staff and Councilmembers regarding employees with civil service protection; current and future employees applying for positions outside of the civil service; new classifications established in the future; concern with both civil service and non-civil service positions reporting to the same department head; anomalies; the process to make changes; and appreciation to staff and the Civil Service Commission.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: INTRODUCE AN ORDINANCE AMENDING SECTIONS 3.05.015.D AND 3.05.015.F OF THE CULVER CITY MUNICIPAL CODE RELATING TO EXEMPTIONS TO THE CLASSIFIED SERVICE AS RECOMMENDED BY THE CIVIL SERVICE COMMISSION.

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Item A-2

(1) Discussion of the Designation of one Adjudicated Newspaper (Also Known as a Newspaper of General Circulation) for Publication of Notices and Other Matters for the City; (2) (If Desired) Authorization to Staff to Obtain Competitive Quotations for Newspaper Advertising Rates; and (3) Designation of the Three Official Posting Places in the City to be Used for Posting of Notices as Required by Law

Mayor Cooper invited public input.

The following member of the audience addressed the City Council:

Robert Zirgulis suggested consideration of an online newspaper.

Martin Cole, Assistant City Manager/City Clerk, clarified that the Government Code does not allow cities to use an online newspaper for official publications.

Discussion ensued between staff and Councilmembers regarding a bill in the legislature to clarify language that failed last year; the availability of newspapers for out of town visitors; the designation at Vets as a western location in the City; Culver West Alexander Park; the minimum number of locations required by law; Google search results for a Culver City newspaper query; adding information to the City website regarding the newspaper of general publication; business license requirements; distribution requirements; paid subscribers vs. circulation numbers; the judicial process to certify a newspaper as a newspaper of general circulation; clarification that the statute was written in the 1940s; concern with legal issues; making a choice between two newspapers of general publication; clarification that the law requires the City Council to choose one; a

suggestion that if an additional location is chosen for distribution, that only three are chosen as official locations; Section 621 of the City Charter; whether the City is bound by government limitations; adding qualifying requirements to help choose between two newspapers; helping the public to find the City newspaper; a suggestion to add the Senior Center and Culver West Alexander Park as additional locations; types of notifications; adding information to clarify what a newspaper of general circulation means; circulation; getting the community involved; placement of notifications in the newspaper; online newspapers; reaching the largest audience; significant money in advertising; court designation of the newspaper of general circulation; requiring the newspaper to prove that they continue to satisfy requirements; filing a petition to have the adjudication revoked; the Los Angeles Times; reasonable criteria related to ensuring that proper notice was achieved; newspapers distributed in the City; the RFQ; and the adjudication process.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. DISCUSS THE DESIGNATION OF ONE NEWSPAPER AS A "NEWSPAPER OF GENERAL CIRCULATION" FOR THE CITY; AND,
2. AUTHORIZE THE CITY MANAGER TO OBTAIN COMPETITIVE QUOTATIONS FOR NEWSPAPER PUBLICATION SERVICES FROM "NEWSPAPERS OF GENERAL CIRCULATION" IN THE CITY; AND,
3. DISCUSS THE DESIGNATION OF THREE OFFICIAL POSTING LOCATIONS WITHIN THE CITY; AND,
4. DIRECT THE CITY MANAGER TO PRESENT A PROPOSED RESOLUTION DOCUMENTING THE DESIGNATION OF THE SELECTED NEWSPAPER AND OFFICIAL POSTING LOCATIONS, WITH THE RESOLUTION TO RETURN TO THE CITY COUNCIL AT THE TIME IT CONSIDERS THE QUOTATIONS FOR NEWSPAPER PUBLICATION SERVICES.

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Public Comment - Items Not on the Agenda

Mayor Cooper invited public comment.

There was no response.

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Items from the City Council

Items from Councilmember O'Leary

- Reported that he would be out of town at the end of September

Items from Councilmember Clarke

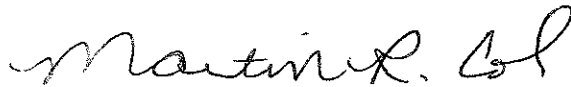
- Reported that he might need to be absent for the meeting of August 12

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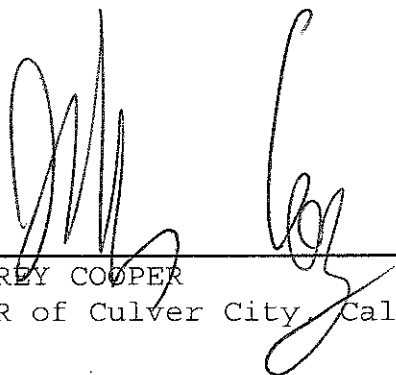
Adjournment

There being no further business, at 8:42 p.m., the City Council adjourned its meeting in memory of David Bregman and Allison Papperny to a meeting on Monday, July 22 2013 at 7:00 p.m.

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Martin R. Cole
CITY CLERK of the City of Culver City, California
EX-OFFICIO CLERK of the City Council
Culver City, California



JEFFREY COOPER
MAYOR of Culver City, California