

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

February 14, 2011
7:04 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 7:04 p.m.

Present: Christopher Armenta, Mayor
Micheál O'Leary, Vice Mayor
D. Scott Malsin, Councilmember
Andrew Weissman, Councilmember

Absent: Jeffrey Cooper, Councilmember - excused

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Announcement

Mayor Armenta noted that the Redevelopment Finance Authority Board of Directors was meeting concurrently with the City Council and the Redevelopment Agency.

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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 Vicki Daly Redholtz, member, Culver City Parks, Recreation and Community Services Commission.

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Closed Session Report

Mayor Armenta indicated there was nothing to report out of closed session.

At this time, Martin Cole, Assistant City Manager/City Clerk, announced that the Redevelopment Agency had appointed the City Clerk as the Redevelopment Agency Secretary Pro Tem during closed session and he requested that the City Council and Redevelopment Finance Authority adopt a similar motion.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER WEISSMAN, THAT THE CITY COUNCIL APPOINT THE CITY CLERK TO SERVE AS THE CITY COUNCIL AND REDEVELOPMENT FINANCE AUTHORITY SECRETARY PRO TEM.

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

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Presentation

Item P-1

Presentation of a Certificate of Recognition to the Academy of Visual and Performing Arts at Culver City High School in Honor of their Receipt of a First Place Award from the California Educational Theater Association for their Performance of "The Laramie Project".

Mayor Armenta presented the Certificate of Recognition to the Culver City High School Academy of Visual and Performing Arts.

Sheila Silver, Culver City High School Academy of Visual and Performing Arts, thanked the City and the School Board for their support for a controversial and important project.

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Item P-1
(continued)

At this time, Karlo Silbiger, member, Culver City School Board, clarified that there had been no backlash from the community for doing such a controversial play and he praised the arts programs in Culver City schools.

Councilmember O'Leary expressed appreciation for the value of arts in education.

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Public Comment - Items Not on the Agenda.

Mayor Armenta invited public comment.

The following members of the audience addressed the City Council:

Stuart Freeman discussed the Culver City Historical Museum; announced screenings of movies made in Culver City; reported receipt of a 40-inch flat screen TV and Blu Ray player from Sony; and he encouraged everyone to come visit.

At this time, Councilmember Weissman received clarification that Fred Yglesias was having health issues and he and the City Council wished Mr. Yglesias well.

Mary Ann Greene and Vicki Daly Redholtz, members, Parks, Recreation and Community Services Commission, reported on the success of the "Words Matter" presentation held on February 1, 2011 at the regular Commission meeting. They discussed the importance of the "Words Matter" presentation; noted the range of topics discussed by the Commission; and hoped that there would be additional presentations in the future.

Councilmember Malsin expressed appreciation to the Commissioners for the presentation.

Tom Camarella requested that Action Item A-1 on the Redevelopment Agency agenda be moved up.

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Adjourn in Memory

MOVED BY COUNCILMEMBER WEISSMAN AND SECONDED BY COUNCILMEMBER O'LEARY, THAT WHEN THIS MEETING IS ADJOURNED, IT BE ADJOURNED IN MEMORY OF PAULINE DOLCE, FORMER CITY CLERK; JOHN LATHROP, FORMER CITY ENGINEER; AND ELAINE MARIE WATKINS, MOTHER OF DONNA LE BLANC, ACTIVE COMMUNITY MEMBER.

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

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Consent Calendar

Martin Cole, Assistant City Manager/City Clerk, noted that "Ocean Avenue" should be corrected to read "Ocean Drive" wherever it is mentioned in Item C-7 [Approval of an Encroachment Permit Agreement with Andersen Environmental for Use of the Public Right-of-Way along Ocean Avenue (Adjacent to 5000 Overland Avenue) for Public Parking].

Councilmember Malsin requested additional information regarding Item C-2 [Adoption of an Ordinance Amending Section 5.01.080 of the Culver City Municipal Code (CCMC) to Delegate Certain Authority for the Approval of Waivers of Late Charges for Delinquent Refuse Accounts] such as consideration of modifying penalty fees and when payment is considered late and penalties take effect; and the possibility of accepting credit cards to pay for these type of services.

Councilmember Weissman suggested that a discussion of those items could be held during the budget process.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER MALSIN, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-8.

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

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Item C-1

Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FROM JANUARY 15, 2011 TO FEBRUARY 4, 2011.

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Item C-2

Adoption of an Ordinance Amending Section 5.01.080 of the Culver City Municipal Code (CCMC) to Delegate Certain Authority for the Approval of Waivers of Late Charges for Delinquent Refuse Accounts.

THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 2011-001 AMENDING SECTION 5.01.080 OF THE CULVER CITY MUNICIPAL CODE TO DELEGATE CERTAIN AUTHORITY FOR THE APPROVAL OF WAIVERS OF LATE CHARGES FOR DELINQUENT REFUSE ACCOUNTS.

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Item C-3

Approval of a Professional Services Agreement with AT&T Telecommunications (Los Angeles, CA) for the Support and Maintenance of Cisco Components that Comprise the City's Telephone and Data Network Systems.

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH AT&T TELECOMMUNICATIONS (LOS ANGELES) FOR SUPPORT AND MAINTENANCE OF THE CISCO COMPONENTS OF THE CITY'S TELEPHONE AND DATA NETWORK IN AN AMOUNT NOT TO EXCEED \$40,209.12 FOR FISCAL YEAR 2011/2012 AND AN AMOUNT NOT TO EXCEED A 10% INCREASE PER YEAR FOR UP TO THREE YEARS THEREAFTER (A TOTAL OF A FOUR YEAR TERM); 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-4

(1) Acceptance of Work Performed by Ortco, Inc.; (2) Authorization to File a Notice of Completion; and, (3) Authorization to Release the Retention Payment for the Veterans' Memorial Park Playground for Children Ages 2-5, P-924, After the Expiration of the 35-Day Lien Period.

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY ORTCO, INC. FOR THE VETERANS' MEMORIAL PARK PLAYGROUND FOR CHILDREN AGES 2-5, P-924; AND,
2. AUTHORIZE THE PARKS DIVISION MANAGER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY RECORDER'S OFFICE; AND,
3. AUTHORIZE THE CITY MANAGER TO RELEASE \$2,975.00 IN RETENTION FUNDS TO ORTCO, INC. AFTER THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-5

(1) Acceptance of Work Performed by FS Construction; (2) Authorization to file a Notice of Completion; and, (3) Authorization to Release the Retention Payment for the Veterans' Memorial Park ADA Accessible Path of Travel, P-924, after the Expiration of the 35-Day Lien Period.

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY FS CONSTRUCTION FOR THE VETERANS' MEMORIAL PARK ACCESSIBLE PATH OF TRAVEL, P-924; AND,
2. AUTHORIZE THE PARKS DIVISION MANAGER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY RECORDER'S OFFICE; AND,
3. AUTHORIZE THE CITY MANAGER TO RELEASE \$2,160.00 IN RETENTION FUNDS TO FS CONSTRUCTION AFTER THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-6

Approval of the Final Plans and Specifications and Authorization to Advertise for Construction Bids for the El Marino Park Playground Project, P-899.

THAT THE CITY COUNCIL APPROVE THE FINAL PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISING FOR CONSTRUCTION BIDS FOR THE EL MARINO PARK PLAYGROUND PROJECT, P-899.

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Item C-7

Approval of an Encroachment Permit Agreement with Andersen Environmental for Use of the Public Right-of-Way along Ocean Drive (Adjacent to 5000 Overland Avenue) for Public Parking.

THAT THE CITY COUNCIL:

1. APPROVE AN ENCROACHMENT PERMIT AGREEMENT WITH ANDERSEN ENVIRONMENTAL FOR USE OF THE PUBLIC RIGHT-OF-WAY ALONG OCEAN DRIVE (ADJACENT TO 5000 OVERLAND AVENUE) FOR PUBLIC PARKING; 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-8

Approval of a Budget Amendment to Appropriate \$485,000.00 for a United States Environmental Protection Agency Reimbursement Grant.

THAT THE CITY COUNCIL APPROVE A BUDGET AMENDMENT APPROPRIATING OF \$485,000.00 FOR A UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REIMBURSEMENT GRANT.

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Joint Item

Item J-1

Receipt and Filing of the Fiscal Year 2010/2011 Mid Year Financial Monitoring Report and Approval of Related Budget Amendments.

Jeff Muir, Chief Financial Officer, provided a summary of the material of record which included an overview of the Fiscal Year 2010-2011 Mid-Year General Fund Revenues, Expenditures, Other Funds and the General Fund Reserve and Five Year Forecast.

Mayor Armenta invited public participation.

There was no response.

Discussion ensued between the City Council and staff regarding a five year projection versus a 6 year projection; an observation that tax levels do not grow as much as local business does; appreciation for the information; and maintaining levels of service.

MOVED BY COUNCILMEMBER MALSIN AND SECONDED BY COUNCILMEMBER O'LEARY THAT THE CITY COUNCIL:

1. RECEIVE AND FILE THE PRESENTATION OF THE FISCAL YEAR 2010/2011 MID YEAR FINANCIAL MONITORING REPORT; AND
2. APPROVE PROPOSED BUDGET AMENDMENTS AS SHOWN IN ATTACHMENT 1 OF THE STAFF REPORT. A BUDGET AMENDMENT REQUIRES A 4/5THS VOTE.

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

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Public Comment for Items Not on the Agenda - continued.

Mayor Armenta invited public participation.

The following members of the audience addressed the City Council:

Cary Anderson provided his perspective on various City issues.

Tony Pappas expressed concern with the time allotted for addressed the City Council; he submitted a copy of a letter which appeared in an on-line newspaper from a retired policeman expressing concern with actions of Jerry Fulwood, former City Manager, and Carol Schwab, City Attorney; and expressed concerns regarding the Pacific Theater.

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Receipt of Correspondence

MOVED BY COUNCILMEMBER WEISSMAN AND SECONDED BY COUNCILMEMBER O'LEARY, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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

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Items from Staff

Items Presented by Martin Cole, Assistant City Manager/City Clerk:

- Requested that the City Council adjourn to Thursday, February 17, 2011 at 8 p.m. in order to allow the 72 hours after the posting of the agenda.

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Items from the City Council

Items Presented by Mayor Armenta:

- Discussed email received from Tompkins Way and Hetzler Road residents regarding who bears responsibility for signage and pedestrians using the roadway.

Discussion ensued between the City Council and staff regarding the joint use of the private road with the state park; heavy pedestrian foot traffic; clarification regarding legal responsibility; and concern with perception regarding use of the area.

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Adjournment

There being no further business, at 9:17 p.m., the City Council adjourned its meeting in memory of Pauline Dolce, former City Clerk; John Lathrop, former City Engineer and Elaine Marie Watkins, mother of Donna Le Blanc, active community member, to a meeting to be held on Thursday, February 17, 2011 at 8:00 p.m.

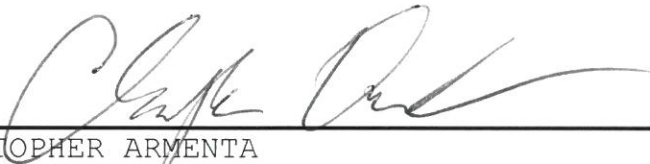
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Ela Valladares

DEPUTY CITY CLERK of the City of Culver City, California
EX-OFFICIO CLERK of the City Council, City of Culver City,
California

APPROVED March 7, 2011



CHRISTOPHER ARMENTA

MAYOR of the City of Culver City, California