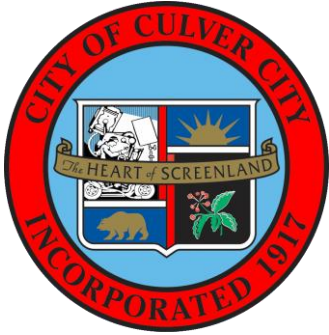




Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
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CULVER CITY, CALIFORNIA 90232-0507
CITY HALL Tel. (310) 253-6000
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REVISION #2

ANDREW WEISSMAN, Mayor
JEFFREY COOPER, Vice Mayor
JIM B. CLARKE, Councilmember
MICHEAL O'LEARY, Councilmember
MEGHAN SAHLI-WELLS, Councilmember

John M. Nachbar, City Manager

CITY COUNCIL REGULAR MEETING Monday, February 25, 2013

PUBLIC COMMENT: At the times provided on the Agenda, the City Council will receive comments from the public on any item of interest to the public (not listed on the agenda) that is within the subject matter jurisdiction of the City Council. The City Council cannot legally take action on any item not appearing on the agenda. Such items may be referred for administrative action or scheduled on a future agenda. If you wish to address the City Council, the City Clerk requests you 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 when it is your turn to address the City Council. Providing your name and other information requested on the Speaker's Card is voluntary and is requested only to provide a reasonable means to notify persons when their opportunity to address the City Council has arrived. All persons may attend the meeting regardless of whether a person signs, registers, or completes a speaker's card. For specific items listed on the agenda, requests to address the City Council must be made prior to the calling for a vote on that particular item by the presiding officer. Each speaker may address the City Council for up to three minutes (up to four minutes if time is ceded). Persons who are present in the City Council Chambers may cede one minute of time to one other person who is present and wishes to address the City Council by presenting a Speaker's Card to the City Clerk. Public comments on items on the agenda are taken at the time that particular agenda item is considered by the City Council.

AUTHORITY OF PRESIDING OFFICER: Section 611 of the City Charter provides that during any public meeting, all persons shall have the right to address the City Council, and any City commission, board or committee, subject to reasonable rules of decorum and time limits established by ordinance or the presiding officer. Therefore the presiding officer may, from time to time, establish different time limits than those listed in this Agenda in order to effectively conduct City business.

AVAILABILITY OF AGENDA PACKETS AND CONSERVATION OF RESOURCES: Copies of the Agenda and a binder that includes a copy of all regular session staff reports and attachments are available on the table in the rear of the Council Chambers. Members of the public may inspect (at no cost) and/or obtain copies (upon payment of the City's current copying fee) of any regular session item by visiting the City Clerk's Office at City Hall. The City also posts this information on its website (www.culvercity.org) as a courtesy. In order to conserve resources, paper copies of joint items (including JOINT CONSENT CALENDAR, JOINT PUBLIC HEARINGS, and JOINT ACTION ITEMS) are provided only with the City Council agenda packet.

CELL PHONES AND OTHER DISTRACTIONS: Use of cell phones, pagers and other communication devices is prohibited while the meeting is in session. Please turn all devices off or place on silent alert and leave the City Council 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 AND ACCOMMODATION: City Council meetings are regularly scheduled for the first, second and fourth Mondays of every month. City Council Agenda information is available at least 72 hours before each City Council meeting. City Council/Agency Board/Commission meetings can be viewed live in Culver City on Channel 35 by Time Warner subscribers and on Channel 37 by Verizon FIOS subscribers. To view meetings on line please visit <http://www.culvercity.org/webcast>. Additionally, you may access <http://www22.verizon.com/residential/fios/tv/channels.htm> and enter your zip code to see the channel listing. Any person needing reasonable accommodation related to disabilities, including assisted listening devices, is welcome to contact the City Clerk's Office at 310-253-5851 or see the City Clerk at the meeting.

NOTE: AT OR ABOUT 11:00 P.M., COUNCIL MEMBERS MAY 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.



Agendas are
Available on the web at
www.culvercity.org

AGENDA CITY COUNCIL REGULAR MEETING

Revision #2

Monday, February 25, 2013

5:00 PM (Closed Session)

7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

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

City Manager John M. Nachbar

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 – EXISTING LITIGATION

Re: Rush Pacifica vs. Culver City Redevelopment Agency, et. al.

Case No. Los Angeles Superior Court No. SC113332

Pursuant to Government Code Section 54956.9(a)

CS-2. Public Employee Performance Evaluation

Title: Fire Chief

Pursuant to Government Code Section 54957

CS-3. Conference with Labor Negotiators

City designated representatives: City Manager John M. Nachbar; Human Resources Director Serena Wright

Employee Organization: Culver City Employees Association; Culver City Management Group; Culver City Police Officers Association; Culver City Fire Fighters Association; Culver City Police Management Group; Culver City Fire Management Association; City Attorney

Pursuant to Government Code Section 54957.6

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

CS-5. Conference with Legal Counsel – Anticipated Litigation
Re: Initiation of Litigation – 1 Matter
Pursuant to Government Code Section 54956.9(c)

REGULAR SESSION - 7:00 PM

INVOCATION By John M. Nachbar, City Manager

PLEDGE OF ALLEGIANCE

REPORT ON ACTION TAKEN IN CLOSED SESSION

**COMMUNITY ANNOUNCEMENTS BY CITY COUNCIL
MEMBERS/INFORMATION ITEMS FROM STAFF**

JOINT PUBLIC COMMENT - Items NOT on the Agenda

Note: All requests to address the City Council (and all other bodies in session) on items of interest to the public that are within the subject matter jurisdiction of the City Council (and all other bodies in session) and NOT on the agenda must file a speaker's card with the City Clerk prior to the calling of this item by the presiding officer. This public comment period shall have an aggregate duration of up to 20 minutes for all bodies in session. Each speaker may address the City Council (and all other bodies in session) for up to three minutes. Speakers who have filed a speaker's card requesting to speak but are unable to be accommodated at this time may be accommodated at a second public comment period at the end of the meeting as announced by the presiding officer.

RECEIPT AND FILING OF CORRESPONDENCE

Note: The City Council shall consider a motion to receive and file all written correspondence related to agenda items appearing on this evening's agenda and for all other written documents (including e-mails) on subjects not appearing on the agenda that were received by the City Clerk's Office no later than 4:00 PM on the day of the meeting.

JOINT CONSENT CALENDAR

Note: Joint Consent and Consent Calendar items are considered to be routine in nature and may be approved by one motion. All requests to address the City Council under these items must be filed with the City Clerk before the Consent Calendar and Joint Consent Calendar are called by the presiding officer.

JC-1. [JOINT CITY COUNCIL/CULVER CITY HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY AGENDA ITEM: Cash Disbursements for February 2, 2013 – February 15, 2013.](#)
Approve Disbursements.

JC-2. [JOINT CITY COUNCIL AND SUCCESSOR AGENCY BOARD AGENDA ITEM: Conditional Approval of a Settlement Agreement with Rush Pacifica LLC Relating to Termination of Disposition and Development Agreement Related to Parcel B.](#)

Approve a Settlement Agreement between the City, the Successor Agency, and Rush Pacifica LLC containing the terms and amounts indicated in this staff report (with the Successor Agency's approval being conditional upon approval of the Oversight Board and the State Department of Finance); Authorize the City Special Counsel/Successor Agency Special Counsel to review/prepare the necessary documents; and Authorize the City Manager/Executive Director to execute such documents on behalf of the City and Successor Agency, respectively.

CONSENT CALENDAR

Note: Joint Consent and Consent Calendar items are considered to be routine in nature and may be approved by one motion. All requests to address the City Council under these items must be filed with the City Clerk before the Consent Calendar and Joint Consent Calendar are called by the presiding officer.

- C-1. [Approval of Minutes for the Regular Meeting of January 28, 2013, Special Meeting of February 4, 2013, and Regular Meeting of February 11, 2013.](#)
Approve Minutes.
- C-2. [Adoption of a Resolution Authorizing the City Manager or Designee to Execute Any Actions Necessary for the Purpose of Obtaining Financial Assistance Provided by the California Emergency Management Agency Under the Proposition 1B Transit Security Grant Program](#)
Adopt a resolution authorizing the City Manager or Designee to execute any actions necessary for the purpose of obtaining financial Assistance provided by the California Emergency Management Agency under the Proposition 1B Transit Security Grant Program.
- C-3. [Approval of Final Plans and Specifications and Authorization to Advertise for Bids for the Citywide Sidewalk Repair Project, P-428.](#)
Approve the final plans and specifications and authorize advertising for bids for construction for the Citywide Sidewalk Repair Project, PZ-428.
- C-4. [Adoption of a Resolution Approving an Encroachment Agreement with Time Warner Cable for Use of the Public Rights-of-Way on Slauson Avenue, Jefferson Boulevard, and Selmaraine Drive.](#)
Adopt a resolution approving an Encroachment Agreement with Time Warner Cable; 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. [Adoption of a Resolution Authorizing the Destruction of Certain Documents in the Police Department.](#)
Adopt a Resolution authorizing the Police Department to destroy certain obsolete records as listed in Exhibit A of the proposed Resolution.
- C-6. [Approval of a Purchase Order with Hewlett Packard for Hardware, Software and Service Support for the Smart Bus Network Upgrade in an Amount Not to Exceed \\$132,440.](#)
Approve a Purchase Order with Hewlett Packard in an amount not to exceed \$132,440 (\$120,400 plus \$12,440 in 10% contingency) for the purchase of hardware, software and maintenance support for the Smart Bus Network Upgrade and Authorize the Purchasing Officer to execute the purchase order on behalf of the City.

- C-7. [Approval of a First Amendment to the Disposition and Development Agreement and Grant Deed Covenant for the Property Located at 5640 Sepulveda Boulevard.](#)
Approve a First Amendment to the Disposition and Development Agreement and Grant Deed Covenant affecting 5640 Sepulveda Boulevard in order to reduce the minimum floor area requirement for an alternate use from 12,500 sq. ft. to 8,500 sq. ft.; Authorize the City Attorney to review/prepare the necessary documents; and Authorize the City Manager to execute such documents on behalf of the City.

ORDER OF THE AGENDA

Note: The City Council may consider reordering the sequence in which items appearing on this evening's agenda will be considered by the City Council.

ACTION ITEMS

- A-1. [Discussion of the City's Proposed Participation in the Upcoming CicLAVia Event Scheduled for April 21, 2013, including Potential Allocation of City Resources and/or Funds, and Direction to City Manager.](#)
Discuss the City's proposed participation in this event, including the potential allocation of City resources and/or funds, and direct the City Manager as deemed appropriate.
- A-2. [Appointment of Members to the Finance Advisory Committee.](#)
Appoint _____ to fill Resident Office #1 for a term, expiring June 30, 2016; Appoint _____ to fill Resident Office #2 for a term expiring June 30, 2016; Appoint _____ to fill Resident Office #3 for a term expiring June 30, 2014; Appoint _____ to fill Business Community Office #1 for a term, expiring June 30, 2016; Appoint _____ to fill Business Community Office #2 for a term expiring June 30, 2016; Appoint _____ to fill Business Community Office #3 for a term expiring June 30, 2014; Appoint Desmond Burns to fill the Staff Level Bargaining Group Office for a term expiring June 30, 2014; Appoint Allan Azran to fill the Management Level Bargaining Group Office for a term expiring June 30, 2014; and Appoint Sean Kearney to fill the CCUSD Office for a term expiring June 30, 2014.
- A-3. [Appointments of Members to the Fiesta La Ballona Committee.](#)
Appoint _____ to fill Office #1 for a term, expiring June 30, 2016; Appoint _____ to fill Office #2 for a term expiring June 30, 2016; Appoint _____ to fill Office #3 for a term expiring June 30, 2016; Appoint _____ to fill Office #4 for a term expiring June 30, 2016; Appoint _____ to fill Office #5 for a term expiring June 30, 2014; Appoint _____ to fill Office #6 for a term expiring June 30, 2014; Provide direction to the City Manager regarding filling of the remaining office (Office #7).
- A-4. [Discussion of a Request from the City Council's Appointees to the City Council/CCUSD Board Liaison Committee Related to Direction Regarding the Use of the Mike Balkman Council Chambers by the Culver City Unified School District Board of Education and Direction to City Manager.](#)
Consider and discuss the topic of the CCUSD Board's use of the City Council Chambers as requested by the City Council appointees to the City Council/CCUSD Board Liaison Committee and direct the City Manager as deemed appropriate.

PUBLIC COMMENT - Items NOT On The Agenda (continued)

ITEMS FROM CITY COUNCIL MEMBERS

Note: At this time, City Council Members may: (1) make individual comments on matters not on the agenda, (2) request the City Manager to report back to the City Council concerning a particular matter, (3) provide brief reports on official travel taken since the last City Council meeting or other activities, or (3) provide direction to the City Manager to place items on a future agenda for consideration by the City Council.

ADJOURN

Note: At this time, the City Council shall consider adjourning the meeting. In the case a date and time is not included as part of the motion of adjournment, then the next meeting of the City Council shall be held at the date and time and in the place specified in the agenda posted for that meeting.

**Next City Council Meeting
March 11, 2013
7:00 PM**

Upcoming Public Meeting Tentative Schedule

Date	Day	Time	Location
City Council			
March 11, 2013	Monday	7:00 PM	Council Chambers
March 26, 2013	Tuesday	7:00 PM	Council Chambers
April 8, 2013	Monday	7:00 PM	Council Chambers
Parks and Recreation Commission			
March 5, 2013	Tuesday	7:00 PM	Council Chambers
Cultural Affairs Commission			
March 12, 2013	Tuesday	7:00 PM	Council Chambers
Planning Commission			
March 13, 2013	Monday	7:00 PM	Council Chambers
Civil Service Commission			
March 6, 2013	Wednesday	7:00 PM	Council Chambers
- Regularly scheduled meetings may be canceled and Special Meetings may be called - Times and dates may be changed. - Meetings may be added or changed - The Successor Agency to the Culver City Redevelopment Agency, Culver City Housing Authority and Culver City Parking Authority meet on an as needed basis.			

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