

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

February 27, 2012
6:30 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 6:30 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 Conference with Legal Counsel - Anticipated Litigation
Re: Exposure to Litigation - (One Item)
Pursuant of Government Code Section 54956.9(b)

CS-2 Conference with Real Property Negotiators
Re: Most Easterly Corner of Culver City Park (Site of Cable Television Antenna)
City Negotiators: John M. Nachbar, City Manager; Martin R. Cole, Assistant City Manager
Other Parties' Negotiators: Time-Warner Cable
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

CS-3 Conference with Legal Counsel - Existing Litigation
Re: Austin, Janis v. City of Culver City, Case No. SC111708
Pursuant to Government Code Section 54956.9(a)

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Recess

The City Council recessed to Closed Session at 6:30 p.m.

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Reconvene

The City Council reconvened its meeting at 7:15 p.m. with all Councilmembers present.

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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 Paul Ehrlich.

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Closed Session Report

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

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Community Announcements by City Council Members/Information Items from Staff

No action was taken on this item.

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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:

Charles Deen presented a bat, a ball, and photo of Gary Carter wearing a Culver City High School baseball cap, noting that the former professional baseball player had recently passed away.

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Public Comment
(continued)

Susan Deen reported that Gary Carter had been born in Culver City and she read a quote from former Baseball Commissioner Angelo Bartlett Giamatti.

Mayor O'Leary discussed baseball and indicated that he would be present for the opening day of the Culver City Little League.

Dave Baker described his experiences with City Code Enforcement staff with regard to his converted garage and he requested a variance.

Discussion ensued between the City Council, staff and Mr. Baker regarding the Culver City Municipal Code; the variance request; clarification that there is no method in the code for a permanent waiver; clarification that the current situation can remain but when title is transferred the garage will have to become compliant; the covenant; deferred compliance; clarification that transfer of title is the trigger point; public policy; protecting intra-family transfers; fairness; and the possibility of further consideration.

David Voncannon announced a City Council Candidates Forum on March 1, 2012 at the King Fahad Mosque Event Center.

Fred Yglesias announced that The Museum of Flying was now open at the Santa Monica Airport.

Paula Keating, Fox Hills Neighborhood Association, thanked the City for their past support; reported a fundraising campaign for new equipment for the Fox Hills Park; the availability of scholarships to high school students in the spring; and she announced the annual community meeting for residents at the end of the summer.

Neil Rubenstein thanked Daniel Hernandez, Director of Parks, Recreation and Community Services for his quick action to rectify the alleged lack of maintenance of the Gold Star Mothers Rose Garden at the Senior Center.

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Public Comment
(continued)

Paul Ehrlich discussed fair benefits; payment of benefits; family benefits; proposals; layoffs; the lack of City reserves; and he suggested an internal and external study.

Meghan Sahli-Wells thanked Councilmember Weissman for publicly stating that he would like to end lifetime benefits for Councilmembers, noting that the motivation to serve as a Councilmember was for public service rather than to receive benefits.

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Receipt of Correspondence

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

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Consent Calendar

John Nachbar, City Manager, reported a revision to Successor Agency Item C-2 regarding the Recognized Obligations Payment Schedule.

Councilmember Cooper spoke regarding Consent Calendar Item C-5 [Award of a Contract for a Turn-key Construction Project to ACCO Engineered Systems for the Replacement of the Existing Air Conditioning and Heating Equipment for the West Wing of the Veterans Memorial Building] noting that the Veterans Auditorium was the oldest building in the City and these types of actions were similar to putting on expensive band-aids; he discussed the importance of existing infrastructure; the shelf life of buildings; and the possibility of a new building with a state of the art entertainment facility in the future.

Mayor O'Leary received clarification regarding the schedule of reopening the Auditorium and he expressed hope that if the opening is delayed that those scheduled to use the facility be contacted as soon as possible.

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Consent Calendar
(continued)

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

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES FOR THE REGULAR MEETING OF JANUARY 23, 2012 AS SUBMITTED.

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Item C-2

Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FROM FEBRUARY 4, 2012 - FEBRUARY 17, 2012.

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Item C-3

Adoption of a Resolution Authorizing the City Manager or Designee to Perform 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.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2012-R023 AUTHORIZING THE CITY MANAGER OR DESIGNEE TO PERFORM 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.

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Item C-4

Approval of an Amendment to the Existing Professional Services Agreement with Bellur Devaraj to Provide General City Engineering Support for the Engineering Division.

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH BELLUR DEVARAJ TO PROVIDE PART-TIME GENERAL CIVIL ENGINEERING SUPPORT FOR A NOT-TO-EXCEED AMOUNT OF \$54,000, 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-5

Award of a Contract for a Turn-key Construction Project to ACCO Engineered Systems for the Replacement of the Existing Air Conditioning and Heating Equipment for the West Wing of the Veterans Memorial Building.

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT TO ACCO ENGINEERED SYSTEMS FOR THE REPLACEMENT OF THE EXISTING AIR CONDITIONING AND HEATING EQUIPMENT FOR THE WEST WING OF THE VETERANS MEMORIAL BUILDING IN AN AMOUNT OF \$122,780.53; AND;
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXPEND AN ADDITIONAL \$15,000 FOR UNFORESEEN CONTINGENCIES OR ADDITIONAL PROJECT ENHANCEMENTS.
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-7

(1) Acceptance of Work Performed by Sialic Contractors Corporation dba Shawnan, (2) Authorization to File a Notice of Completion, (3) Authorization for the Release of Retention Funds after the Expiration of the 35-Day Lien Period for the Construction of the Sepulveda Boulevard Widening Project, P-881, and (4) Approval of the Final Plans and Specifications and Authorization to Advertise for Bids for the Sepulveda Boulevard Widening Project (Phase II), Street Lighting Upgrade, P881.

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY THE CONTRACTOR, SIALIC CONTRACTORS CORPORATION DBA SHAWNAN, FOR THE SEPULVEDA BOULEVARD WIDENING PROJECT, P-881; 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 RETENTION FUNDS TO SIALIC CONTRACTORS CORPORATION DBA SHAWNAN FOLLOWING THE EXPIRATION OF THE 35-DAY LIEN PERIOD; AND,
4. APPROVE THE PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISING FOR BIDS FOR THE SEPULVEDA BOULEVARD WIDENING PROJECT (PHASE II), STREET LIGHTING UPGRADE, P-881.

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The following Consent Calendar Items were discussed and voted on separately:

Item C-6

Approval of a Request from the Los Angeles Philharmonic Association to Receive Free Parking at the Ince Parking Structure and at Four Metered Spaces on Canfield Avenue in Support of the Hollywood Bowl Park and Ride Program.

Staff read written comments submitted by:

Kevin Lachoff

Discussion ensued between the City Council and staff regarding consistency; consideration of another fee waiver request; making use of unused parking spaces; clarification that there is no loss of revenue to the City; having a holistic discussion on the nature of fee waivers; concern with a potential loss of revenue; the length of the program; reputation of the City; concern with the ad hoc nature of the fee waiver consideration; the request for free bus parking; using the Watseka parking structure versus the Ince parking structure; location of bus parking; the previous practice of parking along Venice Boulevard; concern with waiving fees for people to attend an event outside of the City; and a suggestion that the Philharmonic pay the going rate for the utilization of parking in the structure and park the buses along Venice Boulevard.

Councilmember Cooper moved that parking be left as is and that the meters not be hooded.

Further discussion ensued regarding finding a compromise and clarification that the meters would not be hooded but rather signage would be posted.

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Item C-6
(continued)

Following discussion, the following motion was voted on:

MOVED BY COUNCILMEMBER COOPER AND SECONDED BY COUNCILMEMBER WEISSMAN, THAT PARKING STRUCTURE FEES FOR THE PARK & RIDE PROGRAM NOT BE WAIVED AND THAT BUSES BE PERMITTED TO PARK FOR FREE IN METERED PARKING SPACES DURING PICK UP AND DROP OFF TIMES.

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

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Item C-8

Adoption of a Resolution Establishing Two Preferential Parking Districts (West Triangle Residential Parking District and Globe-Sawtelle Residential Parking District) and Rescinding Resolution No. 2011-R015.

Mayor O'Leary invited public input.

The following members of the audience addressed the City Council:

Robert M. Pine expressed support for the West Triangle Residential Parking District and he thanked the City for their help.

Cary Anderson noted that the Police Department would have to absorb enforcement for the area; and he discussed reactive enforcement versus proactive enforcement

Todd Jerry expressed support for the new permit parking program.

Marsha Berkowitz expressed opposition to the proposal noting that now she would have to pay to park in front of her house.

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Item C-8
(continued)

Mayor O'Leary indicated that Ms. Berkowitz would have to convince 25% of her street to prevent the implementation.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2012-R024 ESTABLISHING TWO PREFERENTIAL PARKING DISTRICTS (WEST TRIANGLE RESIDENTIAL PARKING DISTRICT AND GLOBE-SAWTELLE PARKING DISTRICT) AND RESCINDING RESOLUTION NO. 2011-R015.

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Order of the Agenda

No changes were made.

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Action Items

Item A-1

Approval of a Memorandum of Understanding with Boulevard Music to Produce a Minimum of Four Concerts during the 2012 Summer Months for the Culver City Boulevard Music Festival in the Courtyard of City Hall.

Staff provided a summary of the material of record.

Mayor O'Leary invited public comment.

The following members of the audience addressed the City Council:

Gary Mandell, Boulevard Music, indicated that he was available to answer any questions.

Hope Jacobson expressed opposition to a zoning code amendment regarding accessory structures and received clarification that the matter would not be coming forward for several months.

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Item A-1
(continued)

Meghan Sahli-Wells reported over \$1,000 in community pledges; she discussed community support for the concert series and cultural programming in the City; and she was looking forward to a public discussion to address arts funding on a holistic level.

Discussion ensued between the City Council, staff and Mr. Mandell regarding support for the series; audio for the series; the Sony donation; responsibility for the cost of putting up and removing the chairs; storage of chairs; use and management of the courtyard and City Hall facilities; manifestation of shared responsibilities; the steam cleaning schedule and costs; staff time allocated to the concerts; volunteer efforts; supervision; charge back options; clarification that the burden is on Mr. Mandell to keep things clean; financials for the event; the process for sponsorships and contributions; the process for parceling the money out to Mr. Mandell; additional staff costs if additional concerts are put on; instituting a cap on staff time expenses; the number of volunteers needed per event; and the name for the concert series.

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

1. DESIGNATE THE 2012 CULVER CITY BOULEVARD MUSIC FESTIVAL AS A CITY SPONSORED EVENT, CONTINGENT UPON BOULEVARD MUSIC AGREEING TO IDENTIFY THE CITY IN THEIR PROMOTIONAL ACTIVITIES AND DOCUMENTS AS A SPONSOR OF THE EVENT AND APPROVE A MOU RELATED THERETO; 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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Public Comment for Items Not On the Agenda (Continued)

Mayor O'Leary invited public participation.

There was no response.

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Adjourn in Memory

MOVED BY COUNCILMEMBER ARMENTA, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED THAT IT BE ADJOURNED IN MEMORY OF GARY CARTER, CULVER CITY NATIVE AND MEMBER OF THE BASEBALL HALL OF FAME.

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Items from the City Council

Items Presented by Councilmember Weissman:

- Reported that on July 22, 1974 the City Council agreed that Councilmembers would receive the same benefits as Management employees; discussed Councilmember salaries and recent negotiations with employee groups regarding pension and benefit liabilities; and he felt that the City Council should have a discussion regarding the nature of Councilmember benefits

Discussion ensued between the City Council and staff regarding the timing of the consideration of this item; Councilmember salaries; benefits for sitting Councilmembers; the importance of leading by example; current fiscal challenges; the reduction of Councilmember benefits during the last negotiating season; a feeling that the item should be considered after the election; whether the issue is an election tactic; impact on newly elected Councilmembers; relevance of the issue; whether removing the benefits would reduce the pool of candidates; and City Council consensus to bring the item forward for discussion on March 12, 2012.

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Items from Councilmember Armenta

- Discussed the success of the Animal Control program and received City Council consensus to recognize the program.

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Adjournment

There being no further business, at 8:56 p.m., the City Council adjourned its meeting in memory of Gary Carter, Culver City native and member of the Baseball Hall of Fame, to a meeting to be held on March 12, 2012.

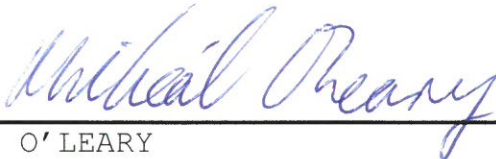
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Ela Valladares

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

APPROVED April 2, 2012



MICHEÁL O'LEARY

MAYOR of the City of Culver City, California