



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
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MICHEÁL O'LEARY, Mayor
CHRISTOPHER ARMENTA, Councilmember
JEFFREY COOPER, Councilmember
ANDREW WEISSMAN, Councilmember

John M. Nachbar, City Manager

CITY COUNCIL SPECIAL MEETING Monday, February 06, 2012

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 Request to Speaker 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 Request to Speaker 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 Request to Speak 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/fiostv/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
SPECIAL MEETING

Monday, February 6, 2012
6:30 PM (Closed Session)
7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

Mayor Micheál O'Leary
Councilmember Christopher Armenta
Councilmember Jeffrey Cooper
Councilmember Andrew Weissman

City Manager John M. Nachbar

CLOSED SESSION - 6:30 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: Brian Fitzpatrick v. City of Culver City et al.
USDC case no: CV11-6616 JFW (CWx)
Pursuant to Government Code Section 54956.9(a)
- CS-2.** Conference with Real Property Negotiators
Re: 9814 Washington Boulevard
Agency Negotiators: John M. Nachbar, City Manager; Sol Blumenfeld, Community Development Director;
Todd Tipton, Deputy Community Development Director; and
Murray Kane, City Special Counsel
Other Parties Negotiators: The Jazz Bakery
Under Negotiation: Both Price and Terms, including use restrictions, development obligations, and other monetary related considerations.
Pursuant to Government Code Section 54956.8

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 AND PARKING AUTHORITY AGENDA ITEM: Award of a Contract to American Lighting Supply as the Lowest Responsive and Responsible Bidder for the Lighting Upgrade Project at the City Hall and Cardiff Parking Structures as Part of the City's Energy Efficiency and Conservation Block Grant Administered by the Federal Department of Energy.](#)

FOR BOTH THE CITY COUNCIL AND THE PARKING AUTHORITY BOARD: Award contract, authorize the City Attorney/Authority Counsel to review/prepare the necessary documents, and authorize the City Manager/Executive Director to execute such documents on behalf of the City/Parking Authority.

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. [Receive and File Year-End Report and Audit Summary and the Audited Financial Statements for the Fiscal Year Ending June 30, 2011.](#)

Receive and file the Year-End Report and Audit Summary and the audited financial statements for the Fiscal Year ending June 30, 2011.

- C-2. [Approval of an Amendment to the Existing Professional Services Agreement with Hanson Bridgett LLP to Establish a Health Reimbursement Arrangement for Retiree Medical Payments in an Amount Not-To-Exceed \\$25,000.](#)
Approve an amendment to the existing professional services agreement with Hanson Bridgett LLP to establish a Health Reimbursement Arrangement for retiree medical payments in an amount not to exceed \$25,000 (for a total not-to-exceed contract amount of \$37,500); 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-3. [Award of a Contract to Fleming Environmental, Inc., as the Lowest Responsive and Responsible Bidder, for the Construction of the Culver City Park Playground, P-916.](#)
Award a contract to Fleming Environmental, Inc., as the lowest responsive and responsible bidder, for the Culver City Park Playground Project, P-916, in the amount of \$237,373.00, based on its base bid; authorize the Parks Division Manager to approve change orders in the amount not-to-exceed \$11,868.65 (5%), if necessary; 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-4. [Adopt a Resolution Approving an Encroachment Agreement with AboveNet, Inc. for Use of the Underground Public Right-of-Way on Bristol Parkway \(at Slauson Avenue\).](#)
Adopt a resolution approving the Encroachment Agreement with AboveNet for the installation of Fiber Optic cable as shown on the attached System Exhibit; authorize the City Attorney to review/prepare the necessary documents; and authorize the City Manager to execute the 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.

PUBLIC HEARINGS

- PH-1. [Adoption of a Resolution Approving a Tentative Tract Map to Subdivide the Property at 11957 Washington Boulevard into 31 Airspace Units for the Development of a 3-Story Mixed-Use Development \(Retail and Residential\).](#)
Adopt resolution.

ACTION ITEMS

- A-1. [\(1\) Approval of a Commitment Letter with Red Barn/Regency Centers for the Sale and Redevelopment of City Owned Property at the Northerly Corners of the Washington Boulevard and Centinela Avenue Intersection, and \(2\) Approval of an Agreement with International Parking Design to Design, Bid, and Oversee Construction of a Public Parking Structure to Satisfy the Parking Requirements of the Washington Boulevard/Centinela Avenue Market Hall Project.](#)
Approve the Commitment Letter, approve the Agreement, authorize the City Attorney to review/prepare the necessary documents, and authorize the City Manager to execute such documents on behalf of the City.

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
February 13, 2012
7:00 PM**

Upcoming Public Meeting Tentative Schedule – February 2012

Date	Day	Time	Location
City Council			
<i>February 6</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>February 13</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>February 27</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Parks and Recreation Commission			
<i>February 7</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Cultural Affairs Commission			
<i>February 14</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Planning Commission			
<i>February 8</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>February 22</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Civil Service Commission			
<i>No meeting scheduled for February</i>			
• <i>Times and dates may be changed.</i> • <i>Meetings may be added or changed</i>			

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.