



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
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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 Tuesday, March 26, 2013 REVISION #1

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



Agendas are
Available on the web at
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**AGENDA
CITY COUNCIL
REGULAR MEETING**

REVISION #1

Tuesday, March 26, 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 – Anticipated Litigation
Re: Initiation of Litigation – (1)
Pursuant of Government Code Section 54956.9(c)
- CS-2.** Conference with Legal Counsel – Anticipated Litigation
Re: Significant Exposure to Litigation – (2 Items)
Pursuant of Government Code Section 54956.9(d)
- CS-3.** Conference with Labor Negotiators
City Designated Representatives: City Manager John M. Nachbar; Human Resources Director Serena Wright
Employee Organizations: 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
Pursuant to Government Code Section 54957.6

- CS-4.** Conference with Legal Counsel – Existing Litigation
Re: Administrative Appeal to State Water Resources Control Board of NPDES MS4 Permit;
SWRCB/OCC File A-2236
Pursuant to Government Code Section 54956.9(a)

REGULAR SESSION - 7:00 PM

INVOCATION By John M. Nachbar, City Manager

PLEDGE OF ALLEGIANCE

REPORT ON ACTION TAKEN IN CLOSED SESSION

PRESENTATIONS

- P-1.** Presentation of Proclamation in Honor of Cesar Chavez Day.

**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 March 2, 2013 – March 15, 2013.](#)
Approve Disbursements.

- JC-2.** [JOINT CITY COUNCIL AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY AGENDA ITEM: Conditional Approval of a Proposed Settlement with Ugo Pascarella, DBA Ugo's Cafe.](#)
Conditionally approve the proposed settlement of City of Culver City v. Ugo Pascarella dba

Ugo's Cafe, et al. (LASC Case No. SC115351), pursuant to the terms and conditions outlined herein (subject to the approval of the Oversight Board of the Successor Agency to the Culver City Redevelopment Agency and the State Department of Finance); Authorize the City Attorney/Successor Agency General Counsel and City/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 Council and Successor Agency.

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 February 25, 2013 and Regular Meeting of March 11, 2013.](#)
Apaprove Minutes.
- C-2. [Authorization to Issue a Request for Qualifications \(RFQ\) for Brokerage Services Related to the Disposition of City-Owned Property Located 10745 Cranks Road and 11304 Segrell Way \(Former Fire Station #3\).](#)
Approve the Issuance of a Request for Qualifications for Brokerage Services Related to the Disposition of City-Owned Property Located 10745 Cranks Road and 11304 Segrell Way.
- C-3. [Adoption of an Ordinance Amending Chapter 15.06, New Development Fees, of the Culver City Municipal Code, by Repealing and Replacing Sections 15.06.100 through 15.06.175 with New Sections 15.06.100 through 15.06.180, Relating to the Art in Public Places Program.](#)
Adopt the proposed Ordinance, amending Chapter 15.06, New Development Fees, of the Culver City Municipal Code, by repealing and replacing Sections 15.06.100 through 15.06.175 with new Sections 15.06.100 through 15.06.180, relating to the Art in Public Places Program.
- C-4. [Adoption of an Ordinance Amending Title 17, Zoning, of the Culver City Municipal Code, Section 17.400.100 – Residential Uses – Accessory Residential Structures and Section 17.610.020 – Nonconforming Structures \(Zoning Code Amendment ZCA P-2011100\).](#)
Adopt the proposed Ordinance (Attachment No. 1) amending Title 17, Zoning (the “Zoning Code”), of the Culver City Municipal Code (CCMC) Section 17.400.100 – Residential Uses – Accessory Residential Structures and Section 17.610.020 – Nonconforming Structures (Zoning Code Amendment ZCA P-2011100).
- C-5. [Adoption of an Ordinance Amending Title 17, Zoning, of the Culver City Municipal Code Section 17.220.0015, Table 2-5; Section 17.230.015, Table 2-8; Section 17.260.035, and Table 2-11 to Add “Food Retail” To the List of Permitted Uses in the Commercial and Industrial Zones; Section 17.320.020.H, Table 3-3B to Establish Parking Requirements for “Food Retail”; and Section 17.700.010 to Add a Definition for “Food Retail” \(Zoning Code Amendment, ZCA P-201170\).](#)
Adopt the proposed Ordinance amending Title 17, Zoning (the “Zoning Code”), of the Culver City Municipal Code (CCMC) Section 17.220.0015, Table 2-5; Section 17.230.015, Table 2-8; Section 17.260.035, and Table 2-11 to add “Food Retail” to the list of permitted uses in the Commercial and Industrial Zones; Section 17.320.020.H, Table 3-3B to establish parking requirements for “Food Retail”; and Section 17.700.010 to add a Definition for “Food Retail” (Zoning Code Amendment, ZCA P-201170).

- C-6. [Adoption of a Resolution Approving an Encroachment Agreement with Freedom Telecommunications, Inc. for Use of the Public Rights-of-Way on Selmaraine Drive.](#)
Adopt a Resolution Approving an Encroachment Agreement with Freedom Telecommunications.

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. [\(1\) Presentation and Discussion of an Overview of Proposed Legislation \(Bills\) for the 2013-2014 State Legislative Session and \(2\) Direction to the City Manager Related Thereto.](#)
Receive and file the Overview of Legislation for the 2013-2014 Legislative Session; and Discuss the new proposed legislation and direct the City Manager as deemed appropriate.
- A-2. [Consideration and \(If Desired\) Taking of a Position to Approve or Reject Two Proposed Amendments to the League of California Cities Bylaws Pertaining to \(1\) Submission of Resolutions to the League's General Assembly and \(2\) League Board Approval of Positions on Statewide Initiatives.](#)
Consider the two amendments presented by the League of California Cities Board of Directors, and (if desired): Take a position to approve (YES) or reject (NO) the amendment of Article VI, Section 2 of the League's Bylaws relating to submission of resolutions to the League's General Assembly; and/or Take a position to approve (YES) or reject (NO) the addition of Article VII, Section 16 to the League's Bylaws relating to setting the League Board vote threshold to 2/3rds for taking positions on statewide ballot measures.
- A-3. [\(1\) Consideration of the Amount of In-Kind Assistance for and Possible City Sponsorship of the Culver City Exchange Club 2013 Car Show; \(2\) \(If Desired\) Approval of Street Closures Related Thereto; and \(3\) Approval of a Related License Agreement.](#)
Determine what level of in-kind financial assistance to provide to the Exchange Club related to the 2013 Car Show in an amount of \$7,711 or \$_____ (some other amount determined by the City Council); (In the case such in-kind financial assistance is determined to be at least \$1,000), consider designating the 2013 Car Show as a City Sponsored event; Approve the full street closures of Main Street from Culver Boulevard to Venice Boulevard, Culver Boulevard and Washington Boulevard between Canfield Avenue and Duquesne/Hughes Avenue; partial street closures of Delmas Terrace, Watseka Avenue, Cardiff Avenue and Canfield Avenue; and street closures at the north end of Lafayette Place, Irving Place, and Van Buren Place at Culver Boulevard; Approve a License Agreement between the City and the Exchange Club for the use of City public rights-of-way, property, and equipment as part of the 2013 Car Show; 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
April 08, 2013
7:00 PM**

Upcoming Public Meeting Tentative Schedule

Date	Day	Time	Location
City Council			
April 8, 2013	Monday	7:00 PM	Council Chambers
April 22, 2013	Monday	7:00 PM	Council Chambers
Parks and Recreation Commission			
April 2, 2013	Tuesday	7:00 PM	Council Chambers
Cultural Affairs Commission			
April 9, 2013	Tuesday	7:00 PM	Council Chambers
Planning Commission			
April 10, 2013	Wednesday	7:00 PM	Council Chambers
Civil Service Commission			
April 3, 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