

MEETING DATE: April 11, 2011

AGENDA ITEM : Consideration of Various Changes/Updates for the Format of the City Council Agenda.

ATTACHMENTS

	<u>Pages</u>
1. Agenda from March 14, 2011 Meeting	1-6
2. Excerpts from the Brown Act	7-8
3. Table Reflecting Culver City's Compliance with the Brown Act	9-10



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
9770 CULVER BOULEVARD,
CULVER CITY, CALIFORNIA 90232-0507
CITY HALL Tel. (310) 253-6000
FAX (310) 253-6010

CHRISTOPHER ARMENTA, Mayor
MICHEÁL O'LEARY, Vice Mayor
JEFFREY COOPER, Councilmember
D. SCOTT MALSIN, Councilmember
ANDREW WEISSMAN,
Councilmember

John M. Nachbar, City Manager

CITY COUNCIL REGULAR MEETING Monday, March 14, 2011

PUBLIC COMMENT

The City Council will listen to the public on any item on the agenda or item of interest that is not on the agenda. The City Council cannot legally take action on any item not scheduled on the agenda. Such items may be referred for administrative action or scheduled on a future agenda.

If you wish to speak to the Council, please 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 by name when it is your turn to speak to the Council.

PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Persons wishing to speak on agenda items will be called at the time the agenda item is brought forward. Comments will generally be limited to five minutes per speaker; however, a three-minute limit may be declared by the Mayor for agenda items for which many Speaker Cards have been submitted.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

A total of twenty minutes shall be devoted to audience participation at the beginning of the agenda. Speakers will be called on in the order cards were received by the City Clerk. If additional time is needed, the Mayor will allow for same at the end of the agenda.

When the City Clerk calls your name, please advance to the podium and state your name and city of residence. Speakers must limit their comments to five minutes. A three-minute limit may be declared by the Mayor if there is a large number of individuals desiring to address the Council.

NOTE: AT OR ABOUT 11:00 P.M., COUNCILMEMBERS WILL 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.

CELL PHONES AND OTHER DISTRACTIONS

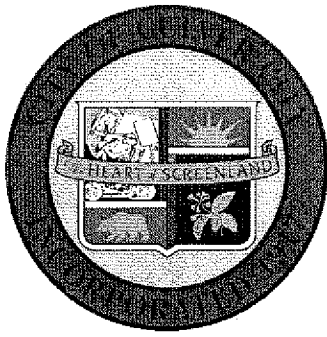
Use of cell phones, pagers and other communication devices is prohibited while the Council Meeting is in session. Please turn all devices off or place on silent alert and leave the Chambers to use. During the meeting, please refrain from applause or other actions that may be disruptive to the speakers or the conduct of City business.

MEETING INFORMATION

City Council meetings are regularly scheduled for the second and fourth Mondays of every month. City Council Agenda information is available 72 hours before each Council meeting via a tape recorded message by calling 310-253-6020. City Council/Agency/Commission meetings can be viewed live on Channel 35 by Time Warner subscribers. To view the Council meetings on line please visit <http://www.culvercity.org/webcast>.

ALD

Assisted Listening Devices are available through the City Clerk.



Culver CITY

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

AGENDA City Council REGULAR MEETING

Monday, March 14, 2011
5:00 PM (Closed Session)
7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

Mayor Christopher Armenta
Vice Mayor Micheál O'Leary
Councilmember Jeffrey Cooper
Councilmember D. Scott Malsin
Councilmember Andrew Weissman

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 – One Case
Pursuant to Government Code Section 54956.9(c)
- CS-2.** Conference with Real Property Negotiators
Re: Washington National TOD – Venice Properties at 8906, 8926 and 8936 Venice Boulevard City/ Agency Negotiators: John Nachbar, City Manager/ Executive Director; Sol Blumenfeld, Assistant Executive Director/ Community Development Director; Todd Tipton, Deputy Community Development Director /Redevelopment Administrator. Other Parties Negotiators: Bill Feldman (8906 Venice Boulevard), Rhodes Trust (8926 Venice Boulevard), Dawson Family trust (8936 Venice Boulevard) Kalmuk Marital Trust (8930 Venice Boulevard), and Segal Family Trust (8910 – 8918 Venice Blvd).
Under Negotiation: Price, terms of payment or both, including use restrictions, development obligations and other monetary related considerations.
Pursuant to Government Code Section 54956.8

- CS-3.** Public Employee Performance Evaluation
Title: City Attorney
Pursuant to Government Code Section 54957
- CS-4.** Conference with Labor Negotiators
City designated representatives: Serena Wright, Director of Human Resources
Employee Organization: City Attorney
Pursuant to Government Code Section 54957.6
- CS-5.** Conference with Legal Counsel – Existing Litigation
Re: Community Health Councils, Inc., City of Culver City, et al., v. County of Los Angeles
Case No. BS118018 (Re County Community Standards District for Oil Drilling Operations)
Pursuant to Government Code Section 54956.9(a)
- CS-6.** Conference with Legal Counsel-Existing Litigation
Re: Alan Schuchman v. City of Culver City
LASC Case No. SC 107097
Pursuant to Government Code Section 54956.9(a)

REGULAR SESSION - 7:00 PM

INVOCATION By John M. Nachbar, City Manager

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT - Items NOT On The Agenda

PUBLIC COMMENT - Items On The Agenda

JOINT CONSENT CALENDAR

1. Approval of an Amendment to the Memorandum of Understanding with the Downtown Business Association for Maintenance Services in Downtown Culver City for Fiscal Year 2011/2012.
FOR BOTH THE CITY COUNCIL AND AGENCY BOARD: Approve amendment; authorize the City Manager/Executive Director to pre-pay the remainder of Fiscal Year 2010/2011; authorize the City Attorney and Agency General Counsel to review/prepare the necessary documents; and authorize the City Manager/Executive Director to execute such documents.
2. Adoption of Resolutions Assigning Any and All Outstanding Redevelopment Agency Agreements and Contracts to the City of Culver City.
FOR BOTH THE CITY COUNCIL AND AGENCY BOARD: Adopt resolutions; FOR THE CITY COUNCIL: Authorize Kane, Balmer and Berkman to continue to act as lead legal counsel on all redevelopment related matters identified in the Cooperation Agreements and the Agreements.
3. FOUR-FIFTHS VOTE REQUIREMENT - Approve Budget Amendments Related to Transfer of Cash Assets from the Redevelopment Agency to the City.
FOR BOTH THE CITY COUNCIL AND AGENCY BOARD: Approve budget amendments (a City budget amendment requires a four-fifths vote); and authorize the City Manager/Executive Director and Chief Financial Officer to create additional Special Revenue Funds and administratively transfer appropriations between Special Revenue Funds, if necessary, as needed to implement this action and the various agreements.

CONSENT CALENDAR

Note: Consent Calendar items are considered to be routine in nature and may be approved by one motion. Public requests to discuss Consent Calendar items must be filed with the Clerk before the Consent Calendar is called.

- C-1.** Cash Disbursements for February 19, 2011 – March 4, 2011.
Approve disbursements.
- C-2.** Authorization to Publish Notice Inviting Bids for the Veterans Memorial Park Facilities Americans with Disabilities Act Door Improvement Project (Community Development Block Grant Project # 601317-10)
Authorize Staff to publish a notice inviting bids for the Veterans Memorial Park Facilities ADA Door Improvement Project (CDBG Project # 601317-10).
- C-3.** Approval of a Professional Services Agreement with CR&R to Transport Refuse and Recyclable Material from the City's Transfer Station.
Approve a Professional Services Agreement with CR&R to transport refuse and recyclable material from the City's Transfer Station for a five-year period between March 15, 2011 through March 14, 2016, with the option to exercise two, two-year extensions (with the approval of the Director of Public Works/City Engineer), for the per-ton rates provided in Attachment 1 (Bid Sheet) of CR&R RFP response; and, authorize the City Attorney to review/prepare the necessary documents; and authorize the City Manager to execute such documents on behalf of the City.

JOINT ITEM

- J-1.** FOUR FIFTHS VOTE REQUIREMENT - 1) Consideration of Agency Purchase of a \$12,000 Sponsorship Package for the Eighth Annual Culver City Car Show; 2) Approval of a License Agreement for the Car Show; 3) Consideration of Designation of the Eighth Annual Culver City Car Show as a City-Sponsored and/or Agency-Sponsored Event; and 5) Determination of the Appropriate Level of Staffing for Public Works Traffic and Engineering for the Car Show and (4) City Council Approval of a Budget Amendment Related Thereto.
FOR THE CITY COUNCIL: Designate the Car show a City sponsored event; approve license agreement; authorize Exchange Club use of the GEM car; determine the appropriate level of Public Works Department staffing for the event; accept transfer of funds from the Agency; and approve related budget amendment (a budget amendment requires a four-fifths vote). FOR THE AGENCY BOARD: Approve purchase of sponsorship package; designate the Car Show and Agency sponsored event; and authorize transfer of funds to the City.

ACTION ITEMS:

Public requests to discuss Action Items must be filed with the Clerk before the item is called.

- A-1.** Appointments to the Los Angeles International Airport (LAX) Advisory Committee.
Appoint up to two members to the LAX Advisory Committee.

PUBLIC COMMENT - Items NOT On The Agenda (Continued)

RECEIPT OF CORRESPONDENCE

ITEMS FROM STAFF

ITEMS FROM COUNCIL

ADJOURN

**Next City Council Meeting
March 21, 2011
7:00 PM**

Upcoming Public Meeting Tentative Schedule — March 2011

Date	Day	Time	Location
City Council			
<i>March 7</i>	<i>Monday</i>	7:00 PM	<i>Council Chambers</i>
<i>March 14</i>	<i>Monday</i>	7:00 PM	<i>Council Chambers</i>
<i>March 28</i>	<i>Monday</i>	7:00 PM	<i>Council Chambers</i>
Redevelopment Agency			
<i>March 7</i>	<i>Monday</i>	7:00 PM	<i>Council Chambers</i>
<i>March 14</i>	<i>Monday</i>	7:00 PM	<i>Council Chambers</i>
<i>March 28</i>	<i>Monday</i>	7:00 PM	<i>Council Chambers</i>
Parks and Recreation Commission			
<i>March - 1</i>	<i>Tuesday</i>	7:00 PM	<i>Council Chambers</i>
Cultural Affairs Commission			
<i>March - 8</i>	<i>Tuesday</i>	7:00 PM	<i>Council Chambers</i>
Planning Commission			
<i>March 9</i>	<i>Wednesday</i>	7:00 PM	<i>Council Chambers</i>
Civil Service Commission			
<i>March 2</i>	<i>Wednesday</i>	7:00 PM	<i>Council Chambers</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.

Excerpts from the Ralph M. Brown Act
California Government Code

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

54954.3. (a) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2. However, the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item, unless the item has been substantially changed since the committee heard the item, as determined by the legislative body. Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

City of Culver City
Table Reflecting Culver City's Compliance with the Brown Act
Page 1 of 2

Government Code Section	Minimum Requirements	Culver City's Practices
54954.2(a)(1)	Posting of Agenda at least 72 hours before a regular meeting	Culver City often posts its agenda on the Wednesday evening before the Monday meeting (some 120 hours before a regular meeting). Further, Culver City also makes information available on the City's website and at the local library
54954.2(a)(1)	Brief general description of items generally need not exceed 20 words	Culver City often exceeds this 20 word guideline to further assist members of the public in obtaining information on items considered by the City Council
54954.2(a)(1)	Agenda made available in alternative formats to persons with disabilities (upon request); include information on how, to whom, and when a request for accommodation for persons with disabilities	The agenda contains the information as required
54954.2(a)(2)	No action or discussion shall be undertaken on any item not appearing on the posted agenda	Culver City complies with this requirement
54954.2(b)	Ability to take action on items not appearing on the posted agenda under limited circumstances	Culver City complies with this requirement
54954.3(a)	Every agenda for a regular meeting shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public that is within the legislative body's subject matter jurisdiction, before or during the legislative body's consideration of the item	Culver City exceeds this requirement as such an opportunity for public comment is included on special meeting agendas in addition to regular meeting agendas.
54954.3(a)	Specific exemption to opportunity for members of the public to address the legislative body on any item considered by a	Culver City exceeds this requirement as the City Council has not, to the best of staff's knowledge, ever invoked this exemption. The City Council has traditionally provided an opportunity for the

	committee (where members of the public are able to comment during the committee's consideration of the item)	public to address the City Council on all items appearing on the posted agenda and on items not on the agenda that are within the subject matter jurisdiction of the City Council.
54954.3(b)	The legislative body may adopt reasonable regulations to ensure the intent of 54954.3 (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker	Culver City has implemented such regulations. In many respects, Culver City exceeds the average time provided by other Westside cities. Examples of what other nearby cities have adopted as "reasonable regulations:" Beverly Hills: Limits comments to 3 minutes per speaker for items not on the agenda. Santa Monica: Remarks from members of the public are limited to a maximum of 6 minutes per Council meeting (regardless of which item(s) the speaker chooses to comment on), with a maximum of two minutes and a minimum of one minute per item. Public comment is permitted on ordinances for introduction and first reading. No public discussion is permitted on ordinances for second reading and adoption. West Hollywood: Limits comments to 2 minutes per speaker for items not on the agenda. Total comments are limited to 20 minutes for the items not on the agenda period at the beginning of the meeting. A second period is allowed for those persons who could not be accommodated under the first period.