



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
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ANDREW WEISSMAN, Mayor
JEFFREY COOPER, Vice Mayor
JIM B. CLARKE, Council Member
MICHEÁL O'LEARY, Council Member
MEGHAN SAHLI-WELLS, Council Member

John M. Nachbar, City Manager

CITY COUNCIL REGULAR MEETING MONDAY, July 23, 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 ACCOMODATION: 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 REGULAR MEETING

Monday, July 23, 2012
5:30 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 - 5:30 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 Real Property Negotiators Re: 12803-23 West Washington Boulevard

Agency Negotiator: Agency Negotiator: John Nachbar, City Manager, Sol Blumenfeld, Community Development Director, Todd Tipton, Economic Development Administrator, Murray Kane, City Special Counsel

Other Parties Negotiators: Axis Mundi RE II, LLC

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-2. Conference with Real Property Negotiators Re: 9300 Culver Blvd. (Parcel B)

City Negotiators: John Nachbar, City Manager;
Sol Blumenfeld, Community Development Director, and Todd Tipton, Economic Development Administrator

Other Parties Negotiators: Upper Ground Enterprises, Inc.

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. Conference with Legal Counsel – Anticipated Litigation
Re: Significant Exposure to Litigation – (1)
Pursuant to Government Code Section 54956.9(b)
- CS-4. Conference with Legal Counsel – Existing Litigation
Re: Lisa Lujan v. City of Culver City et al.
Case No. BC465942
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

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 June 30, 2012 – July 13, 2012.](#)
Approve disbursements.
- JC-2. [JOINT CITY COUNCIL/CULVER CITY HOUSING AUTHORITY: \(1\) Adoption of a City Council Resolution Approving the Transfer to the Culver City Housing Authority of the Rights and Obligations Under the Section 8 Annual Contributions Contract between the City](#)

[of Culver City and the United States Department of Housing and Urban Development; and \(2\) Adoption of a Resolution by the Culver City Housing Authority Board Approving the Transfer to the Housing Authority of the Rights and Obligations of the City of Culver City Under the Section 8 Annual Contributions Contract between the City of Culver City and the United States Department of Housing and Urban Development.](#)

Adopt a resolution approving the transfer to the Housing Authority of the rights and obligations of the City under the Section 8 ACC with HUD.

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.** [FOUR-FIFTHS VOTE REQUIREMENT – 1\) Consideration to Authorize the Acceptance and Appropriation of \\$24,150 in Grant Funds from the 2010 State Homeland Security Grant Program for the Purchase of Three Public Safety Portable Radios; and 2\) Approval of a Related Budget Amendment.](#)

Authorize the acceptance of the 2010 Homeland Security Grant Program funds; Approve a budget amendment appropriating \$24,150 in grant funds for purchasing public safety portable radios (A 4/5ths affirmative vote is required to approve the budget amendment); 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.

PUBLIC HEARINGS

- PH-1.** [Consideration of an Appeal of the Municipal Code Appeal Committee's Decision on May 16, 2012 to Require Removal of the Kitchen Cabinets Installed in an Illegal Garage Conversion as a Condition of Approval Granting Deferred Compliance.](#)

(Staff's recommendation) Deny the appeal and affirm the MCAC's decision to require removal of the kitchen cabinets as a condition of deferred compliance.

- PH-2.** [Adoption of a Resolution Confirming the Assessment and Ordering the Levy for West Washington Benefit Assessment District No. 1 for Fiscal Year 2012/2013.](#)

Adopt a resolution confirming the assessment and ordering the levy for the West Washington Benefit Assessment District No. 1 for Fiscal Year 2012/2013.

- PH-3.** [Adoption of a Resolution Confirming the Assessment and Ordering the Levy for West Washington Benefit Assessment District No. 2 for Fiscal Year 2012/2013.](#)

Adopt a resolution confirming the assessment and ordering the levy for West Washington Benefit Assessment District No. 2 for Fiscal Year 2012/2013.

- PH-4.** [Adoption of a Resolution Confirming the Assessment and Ordering the Levy for the Albright Avenue Street Lighting Assessment District - Fiscal Year 2012/2013 \(Note: Staff Recommendation is to Continue this Public Hearing to August 6, 2012\).](#)

Take no action and continue this item to August 6, 2012.

- PH-5.** [Adoption of a Resolution Confirming the Assessment and Ordering the Levy for the Higuera](#)

[Street Landscape and Lighting Assessment District - Fiscal Year 2012/2013 \(Note: Staff Recommendation is to Continue this Public Hearing to August 6, 2012\).](#)

Take no action and continue this item to August 6, 2012.

- PH-6. [Adoption of a Resolution Confirming the Assessment and Ordering the Levy for Landscaping Maintenance District No. 1 - Fiscal Year 2012/2013. \(Note: Staff Recommendation is to Continue this Public Hearing to August 6, 2012\).](#)

Take no action and continue this item to August 6, 2012.

- PH-7. [Adoption of a Resolution Confirming the Assessment and Ordering the Levy for the Sewer User's Service Charge - Fiscal Year 2012/2013. \(Note: Staff Recommendation is to Continue this Public Hearing to August 13, 2012\).](#)

Take no action and continue this item to August 13, 2012.

ACTION ITEMS

- A-1. [Consideration of 1\) a Request to Designate an Upcoming Hydraulic Fracturing \("Fracking"\) Symposium as a City-Sponsored Event; 2\) a Fee Waiver and Use of the Mike Balkman Council Chambers and 3\) the Recording, Broadcast, and Rebroadcast of the Event and Placement of the Recording on the City's Website.](#)

Consider the proposal and direct the City Manager as deemed appropriate.

- A-2. [Adoption of a Resolution Approving the Argument in Favor of the Question Designated as Measure Y -- Enactment of a Half-Cent Sales Tax \(which Automatically Expires after 10 Years\) to be Considered by the Voters at the Special Municipal Election of November 6, 2012.](#)

Adopt a Resolution approving the argument in favor of the Question designated as Measure Y -- Enactment of a Half-Cent Sales Tax (which automatically expires after 10 years) to be Considered by the Voters at the Special Municipal Election of November 6, 2012.

- A-3. [Consideration of a Policy Position on Assembly Bill 298 – Solid Waste: Single-Use Carryout Bags.](#)

Consider AB 298, and, if desired, take a policy position to support, support if amended, or oppose the bill; and Direct the City Manager to prepare a letter for the Mayor's signature consistent with the policy position, if any, taken by the City Council.

- A-4. [Consideration of a Policy Position on Assembly Bill 1446 – The Los Angeles County Metropolitan Transportation Authority: Transactions and Use Tax.](#)

Consider AB 1446, and, if desired, take a policy position to support, support if amended, or oppose the bill; and Direct the City Manager to prepare a letter for the Mayor's signature consistent with the policy position, if any, taken by the City Council.

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
August 06, 2012
7:00 PM**

Upcoming Regularly Scheduled Meeting Schedule

Date	Day	Time	Location
City Council			
<i>August 6</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>August 13</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>September 10</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Parks and Recreation Commission			
<i>August 7</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Cultural Affairs Commission			
<i>August 14</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Planning Commission			
<i>July 25</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Civil Service Commission			
<i>August 1</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
• <i>Regularly scheduled meetings may be canceled and Special Meetings may be called</i> • <i>Times and dates may be changed.</i> • <i>Meetings may be added or changed</i> • <i>The Successor Agency to the Culver City Redevelopment Agency, Culver City Housing Authority and Culver City Parking Authority meet on an as needed basis.</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.