



Culver CITY

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

JEFFREY COOPER, Mayor
MEGHAN SAHLI-WELLS, Vice Mayor
JIM B. CLARKE, Councilmember
MICHEÁL O'LEARY, Councilmember
ANDREW WEISSMAN, Councilmember

John M. Nachbar, City Manager

CITY COUNCIL REGULAR MEETING Monday, August 26, 2013

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 ACCOMODATION: City Council meetings are regularly scheduled for the 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, on Channel 37 by Verizon FIOS subscribers and, for AT&T Uverse subscribers, by going to Channel 99. To view meetings on line please visit <http://www.culvercity.org/webcast>. Additionally, you may access <http://www22.verizon.com/residential/fiosv/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
www.culvercity.org

AGENDA CITY COUNCIL REGULAR MEETING

Monday, August 26, 2013
5:00 PM (Closed Session)
7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

Mayor Jeffrey Cooper
Vice Mayor Meghan Sahli-Wells
Councilmember Jim B. Clarke
Councilmember Micheál O'Leary
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 – 1 Matter
Pursuant to Government Code Section 54956.9(d)(4)
- CS-2.** Conference with Real Property Negotiators
Re: 9300 Culver Blvd. (Parcel B)
City Negotiators: John Nachbar, City Manager/Executive Director;
Sol Blumenfeld, Community Development Director/Assistant Executive Director, and Todd Tipton, Economic Development Administrator
Other Parties Negotiators: Stand Up to Cancer and DogTown CrossFit.
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 Legal Counsel – Existing Litigation
Re: Joan Mary Higgins v. City of Culver City
Case No. SC116786
Pursuant to Government Code Section 54956.9(d)(1)
- CS-5.** Conference with Legal Counsel – Existing Litigation
Re: Simplis, Kandace et al. v. City of Culver City (Case No. CV-9497 JHN (MANx))
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

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. Comments received in writing will be distributed to the City Council Members before consideration of an item on the agenda and become part of the official record 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 August 3, 2013 – August 16, 2013.
Approved Disbursements.](#)

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 August 12, 2013.](#)
Approve Minutes.
- C-2. [Adoption of a Resolution Approving an Updated Executive Compensation Plan.](#)
Adopt a Resolution approving an updated Executive Compensation Plan.
- C-3. [Adoption of an Ordinance Amending Sections 3.05.015.D and 3.05.015.F of the Culver City Municipal Code Relating to Exemptions to the Classified Service.](#)
Adopt an ordinance amending Sections 3.05.015.D and 3.05.015.F of the Culver City Municipal Code relating to exemptions to the classified service.
- C-4. [Adoption of a Resolution Accepting the 2013 Citywide Engineering and Traffic Speed Zone Study.](#)
Adopt a resolution accepting the accepting the August, 2013 engineering and traffic survey speed zone study, and rescinding Resolution No. 2003-R073 and Authorize the City Clerk to certify a copy of the “2013 Citywide Engineering and Traffic Survey” and submit it to the court.
- C-5. [Award of a Contract to All American Asphalt as the Lowest Responsive and Responsible Bidder for the Construction of the 2013 Pavement Overlay Project, PZ-863, PZ-903 in the Base Bid Amount of \\$1,203,866 with a Contingency of up to \\$125,386 \(for a Total Authorization Not-to-Exceed \\$1,329,252\).](#)
Award a construction contract to All American Asphalt, as the lowest responsive and responsible bidder, for the 2013 Pavement Overlay Project, PZ-863, PZ-903, in the amount of \$1,203,866, based on its base bid; Authorize the Public Works Director/City Engineer to approve change orders in the amount not-to-exceed \$125,386, 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-6. [Approval of a Purchase Order with Mallory Safety & Supply for the Purchase of Disaster Preparedness Equipment.](#)
Approve a purchase order with Mallory Safety & Supply to purchase emergency preparedness equipment in an amount not-to-exceed \$99,982.69; Authorize the Chief Financial Officer 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.** [Adoption of a Resolution \(a\) Approving the Certification of Conformance with the Congestion Management Program \(CMP\) for Los Angeles County and \(b\) Adoption of the CMP Local Development Report.](#)
Adopt a resolution finding the City to be in conformance with the Congestion Management Program (CMP) and adopting the CMP Local Development Report for 2013

JOINT ACTION ITEMS

- J-1.** [JOINT CITY COUNCIL/SUCCESSOR AGENCY BOARD AGENDA ITEM: \(1\) Consideration of the Amount of In-Kind Assistance for and Possible City Sponsorship of the Los Angeles Antiques Art + Design Show Event; and \(2\) \(If Desired\) Approval of a Related License Agreement for the Event.](#)
Determine what level of in-kind financial assistance to provide to Dolphin Promotions related to the 2013 Los Angeles Antiques Art + Design Show Event in an amount of \$ _____ or \$_____ (some other amount determined by the City Council); and (In the case such in-kind financial assistance is determined to be at least \$1,000), consider designating the 2013 Los Angeles Antiques Art + Design Show Event as a City Sponsored Event.

ACTION ITEMS

- A-1.** [Consideration of City Sponsorship of the 8th Annual EarthFest LA at West Los Angeles College on September 28, 2013 and Approval of Memorandum of Understanding Related thereto.](#)
Consider designating the 2013 EarthFestLA as a City sponsored event contingent upon California Greenworks agreeing to identify the City in their promotional activities and documents as a sponsor of the event and approve a MOU related thereto; Authorize the City Attorney to review/prepare the necessary documents; and Authorize the City Manager to execute such documents on behalf of the City OR Take no action (in which case the City would not be a sponsor of the 2013 EarthFest LA.)
- A-2.** [Discussion of Regulating Smoking in Multi-Unit Housing and Direction to Staff.](#)
Discuss regulating smoking in multi-unit housing and provide direction to staff as deemed appropriate.

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
September 09, 2013
7:00 PM**

Upcoming Public Meeting Tentative Schedule

Date	Day	Time	Location
City Council			
September 9, 2013	Monday	7:00 PM	Council Chambers
September 23, 2013	Monday	7:00 PM	Council Chambers
Parks and Recreation Commission			
September 3, 2013	Tuesday	7:00 PM	Council Chambers
Cultural Affairs Commission			
September 10, 2013	Tuesday	7:00 PM	Council Chambers
Planning Commission			
August 28, 2013	Wednesday	7:00 PM	Council Chambers
Civil Service Commission			
September 19, 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