

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

ADJOURNED REGULAR MEETING OF THE
CITY COUNCIL, CITY OF CULVER CITY,
CALIFORNIA

June 6, 2011
5:30 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:30 p.m.

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

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Closed Session

The City Council adjourned to Closed Session to discuss the following items:

CS-1 Conference with Legal Counsel - Anticipated Litigation
Initiation of Litigation - 1 Matter
Pursuant to Government Code Section 54956.9(c)

CS-2 Conference with Labor Negotiators
City designated representatives: City Manager John Nachbar;
Director of Human Resources Serena Wright
Employee Organization: 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-3 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)

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Closed Session
(continued)

CS-4 Conference with Legal Counsel - Anticipated Litigation
Re: Significant Exposure to Litigation - (2 items)
Pursuant to Government Code Section 54956.9(b) (1)

CS-5 Conference with Real Property Negotiators
Re: 10808 Culver Boulevard
City Negotiator: John M. Nachbar, City Manager; Martin R.
Cole, Assistant City Manager; Daniel Hernandez, Director of
Parks, Recreation, and Community Services
Other Parties' Negotiators: State of California
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

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Recess

The City Council recessed to Closed Session at 5:30 p.m.

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Reconvene

The City Council reconvened its meeting at 7:22 p.m. with all
Councilmembers present.

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Closed Session Report

Councilmember Malsin indicated there was nothing to report out
of Closed Session except that City Council Closed Session
Items CS-2 and CS-5 were continued to June 7, 2011.

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Invocation/Pledge of Allegiance

The Invocation was given by John Nachbar, City Manager, and
the Pledge of Allegiance was led by David Voncannon.

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June 6, 2011

Presentations

Item P-1

A Proclamation Declaring May 9, 2011 to June 20, 2011 a Time of Elder and Vulnerable Adults Awareness

Councilmember Malsin read the proclamation in its entirety.

Daniel Hernandez, Director of Parks, Recreation and Community Services, thanked the City for the proclamation and reminded everyone to attend the Parks, Recreation and Community Services Commission meeting for a discussion on senior and elder abuse issues at the Senior Center on June 7, 2011.

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Public Comment - Items Not on the Agenda

Councilmember Malsin invited public comment.

The following members of the audience addressed the City Council:

Susan Coss announced the "Eat Real Festival" at the Helms Bakery District on July 16-17, 2011 and she indicated that they were working with City staff on the event.

Councilmember Malsin encouraged Ms. Coss to return and provide more information and publicity for the event.

Stephanie Barger, Earth Resource Foundation, indicated that they would be working with the "Eat Real Festival" to zero waste their event; she discussed a Department of Labor grant regarding industry professional certification and classes in recycling resource management and zero waste; she noted that recycling created jobs locally; and she complimented the City on their green programming.

June 6, 2011

Public Comment
(continued)

Tim Messner, Culver City Rotary Club and Foundation, expressed support for the Juvenile Diversion Program and offered to provide funding to continue the program.

Councilmember Malsin questioned whether the program could be continued through the financial support of an outside institution.

Judith Martin-Straw, Culver City Crossroads, complimented the Police Department for their prompt response to an intruder in her back yard.

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Public Comment - Items on the Agenda

Councilmember Malsin invited public participation.

There was no response.

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Joint Consent Calendar

Item JC-1

Approval of an Assignment and Assumption Agreement between the Culver City Redevelopment Agency and the City of Culver City, and a Sixth Implementation Agreement with Axis Mundi RE II, LLC, for Development of the Baldwin Site (12803- 23 West Washington Boulevard).

Councilmember Malsin invited public comment.

There was no response.

June 6, 2011

Item JC-1
(continued)

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY MAYOR O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE AN ASSIGNMENT AND ASSUMPTION AGREEMENT TO ACCEPT THE RIGHTS AND OBLIGATIONS OF THE AGENCY UNDER THE DDA WITH AXIS MUNDI RE II, LLC FOR THE DEVELOPMENT OF THE BALDWIN SITE (12803-23 WEST WASHINGTON BOULEVARD); AND,
2. APPROVE A SIXTH IMPLEMENTATION AGREEMENT WITH AXIS MUNDI RE II, LLC FOR THE DEVELOPMENT OF THE BALDWIN SITE (12803-23 WEST WASHINGTON BOULEVARD); AND,
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Consent Calendar

Councilmember Malsin invited public comment.

There was no response.

MOVED BY COUNCILMEMBER COOPER, SECONDED BY MAYOR O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-11.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES FOR THE REGULAR MEETING OF MAY 2, 2011 AS SUBMITTED.

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June 6, 2011

Item C-2

Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Levy of Annual Assessments therein, and Setting the Date, Time, and Place for the Public Hearing for the Landscape Maintenance District Number 1.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2011-R043: (1) APPROVING THE ENGINEER'S REPORT; (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICT NUMBER 1- FISCAL YEAR 2011/2012; AND (3) SETTING THE TIME, DATE, AND PLACE FOR A PUBLIC HEARING FOR JUNE 27, 2011, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-3

Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Annual Sewer User Service Charge, and Setting the Date, Time and Place for the Public Hearing to be Monday, June 27, 2011 at 7:00 PM in the City Council Chambers for the Sewer User's Service Charge.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2011-R044: (1) APPROVING THE ENGINEER'S REPORT; (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE SEWER USER SERVICE CHARGE - FISCAL YEAR 2011/2012; AND (3) SETTING THE TIME, DATE, AND PLACE FOR A PUBLIC HEARING FOR JUNE 27, 2011, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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June 6, 2011

Item C-4

Approval of an Amendment to the Existing Professional Services Agreement with Dr. David Eisner for Services as Medical Director of the City's Emergency Medical Services Program for an Additional Five Years.

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH DR. DAVID EISNER FOR SERVICES AS MEDICAL DIRECTOR OF THE EMERGENCY MEDICAL SERVICES PROGRAM EXTENDING THE TERM FOR AN ADDITIONAL FIVE YEARS (TO JUNE 30, 2016); AND,
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-5

Adoption of a Resolution (1) Approving the Engineer's Report; (2) Declaring the City Council's Intention to Order the Formation of and to Levy and Collect Assessments Pursuant Thereto; and (3) Setting the Date, Time and Place for the Public Hearing to be Monday, July 25, 2011 at 7:00 PM in the City Council Chambers for the Proposed West Washington Boulevard Benefit Assessment District Number 3.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2011-R045: (1) APPROVING THE ENGINEER'S REPORT; (2) DECLARING ITS INTENTION TO FORM THE WEST WASHINGTON BOULEVARD ASSESSMENT DISTRICT NUMBER 3; (3) SETTING THE DATE, TIME AND PLACE FOR THE PUBLIC HEARING FOR MONDAY, JULY 25, 2011 AT 7:00 PM IN THE CITY COUNCIL CHAMBERS; AND (4) DIRECTING THE CITY CLERK TO PUBLISH THE NOTICE AND SEND OUT THE NOTICE AND BALLOT TO ALL RECORD PROPERTY OWNERS WITHIN THE PROPOSED DISTRICT IN COMPLIANCE WITH PROPOSITION 218 AND ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION.

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June 6, 2011

Item C-6

Adoption of an Ordinance Repealing and Replacing Subchapter 15.02.100 of the Culver City Municipal Code and Adopting by Reference the 2010 California Building Standards Administrative Code, 2010 California Building Code, 2010 California Residential Building Code, 2010 California Electrical Code, 2010 California Mechanical Code, 2010 California Plumbing Code, 2010 California Energy Code, 2010 California Historical Building Code, 2010 Existing Building Code, 2010 California Green Building Standards Code, and 2010 California Reference Standards Code.

THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 2011-004 BY TITLE ONLY, REPEALING AND REPLACING SUBCHAPTER 15.02.100 OF THE CULVER CITY MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2010 CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE, 2010 CALIFORNIA BUILDING CODE, 2010 CALIFORNIA RESIDENTIAL BUILDING CODE, 2010 CALIFORNIA ELECTRICAL CODE, 2010 CALIFORNIA MECHANICAL CODE, 2010 CALIFORNIA PLUMBING CODE, 2010 CALIFORNIA ENERGY CODE, 2010 CALIFORNIA HISTORICAL BUILDING CODE, 2010 EXISTING BUILDING CODE, 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE AND 2010 CALIFORNIA REFERENCE STANDARDS CODE WITH LOCAL AMENDMENTS, AND WAIVE FURTHER READING.

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Item C-7

Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Levy of Annual Assessments, and Setting the Date, Time and Place for the Public Hearing to be Monday, June 27, 2011 at 7:00 PM in the City Council Chambers for the Albright Avenue Street Lighting Assessment District.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2011-R046: (1) APPROVING THE ENGINEER'S REPORT; (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE ALBRIGHT AVENUE STREET LIGHTING ASSESSMENT DISTRICT - FISCAL YEAR 2011/2012; AND (3) SETTING THE TIME, DATE, AND PLACE FOR A PUBLIC HEARING FOR JUNE 27, 2011, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

June 6, 2011

Item C-8

Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Levy of Annual Assessments therein, and Setting the Date, Time and Place for the Public Hearing to be Monday, June 27, 2011 at 7:00 PM in the City Council Chambers for the Higuera Street Landscaping and Lighting Maintenance District.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2011-R047: (1) APPROVING THE ENGINEER'S REPORT; (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE HIGUERA STREET LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT - FISCAL YEAR 2011/2012; AND (3) SETTING THE TIME, DATE, AND PLACE FOR A PUBLIC HEARING FOR JUNE 27, 2011, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-9

Adoption of a Resolution (1) Approving the Engineer's Report; (2) Declaring the City Council's Intention to Order the Levy of Annual Assessments for Fiscal Year 2011/2012; and (3) Setting the Date, Time and Place for the Public Hearing to be Monday, June 27, 2011 at 7:00 PM in the City Council Chambers for the West Washington Boulevard Benefit Assessment District Number 1.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2011-R049: (1) APPROVING THE ENGINEER'S REPORT; (2) DECLARING ITS INTENTION TO ORDER THE LEVY FOR WEST WASHINGTON BOULEVARD ASSESSMENT DISTRICT NO. 1; AND (3) SETTING THE TIME AND PLACE FOR THE PUBLIC HEARING TO BE MONDAY, JUNE 27, 2011 AT 7:00 PM IN THE CITY COUNCIL CHAMBERS IN COMPLIANCE WITH PROPOSITION 218 AND ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION.

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June 6, 2011

Item C-10

Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Levy of Annual Assessments, and Setting the Date, Time, and Place for the Public Hearing to be Monday, June 27, 2011 at 7:00 PM in the City Council Chambers for the West Washington Boulevard Benefit Assessment District No. 2.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. R048 APPROVING THE ENGINEER'S REPORT, DECLARING ITS INTENTION TO ORDER THE LEVY OF ANNUAL ASSESSMENTS AND SETTING A PUBLIC HEARING FOR JUNE 27, 2011 AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-11

Approval of the Submission of the Family Self Sufficiency (FSS) Program Coordinator Grant to the United States Department of Housing and Urban Development (HUD).

THAT THE CITY COUNCIL:

1. APPROVE THE SUBMISSION OF THE FAMILY SELF SUFFICIENCY PROGRAM GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND,
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS, INCLUDING ANY REQUIRED BUDGET TRANSFER(S), SHOULD THE GRANT BE AWARDED, ON BEHALF OF THE CITY; AND,
4. AUTHORIZE THE ELIMINATION OF THE FAMILY SELF SUFFICIENCY PROGRAM COORDINATOR POSITION (A CONTRACT POSITION) IN THE EVENT THE GRANT FUNDING IS LOST OR TERMINATED AT ANY TIME.

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June 6, 2011

Joint Action Items

Item J-1

Budget Study Session - City Manager's/Executive Director's Proposed Budget for Fiscal Year 2011/2012: Presentation on the Proposed Budgets for the City Council, City Manager's Office, City Clerk's Office, City Attorney's Office, Information Technology Department, Human Resources Department, Finance Department, Transportation Department and Parks, Recreation & Community Services Department (Scheduled to Be Considered on June 6, 2011), Fire Department, Police Department, Community Development Department [including the Redevelopment Agency], and Public Works Department [including Capital Improvement Projects] (Scheduled to be Considered on June 7, 2011).

Martin Cole, Assistant City Manager/City Clerk, presented a summary of the proposed City Council, City Clerk and City Manager's Office budgets.

At this time, Councilmember Malsin invited public comment.

The following members of the audience addressed the City Council:

Paul Ehrlich suggested that costs could be reduced by eliminating polling places and instituting online or by mail voting; he felt the 2% reduction did not reduce the deficit and he wanted to see a 4% reduction; he doubted the passage of the hotel tax; he expressed concern with redevelopment properties in the City and the lack of goals and priorities for redevelopment in the City; and he indicated that it was time to get rid of the Fire Department.

Goran Eriksson, Chamber of Commerce, warned against making the City less welcoming to businesses; cautioned against increased costs; discussed revenue opportunities and increasing revenue; he urged implementation of parking meters; indicated that businesses were willing to support improved business license enforcement; and he felt that pensions, medical benefits and salaries should also be adjusted.

June 6, 2011

Item J-1
(continued)

Budget presentations continued:

Carol Schwab, City Attorney, provided an overview of the proposed budget for the City Attorney's Office.

John Richo, Chief Information Officer, provided a brief overview of the proposed budget for the Information Technology Department.

Discussion ensued between the City Council and staff regarding online payments of City fees; permits; replacement of billing software; and additional information about services.

Serena Wright, Director of Human Resources, provided an overview of the proposed budget for the Human Resources Department.

Jeff Muir, Chief Financial Officer, provided an overview of the proposed budget for the Finance Department.

Discussion ensued between the City Council and staff regarding the difference between revenues and expenditures; longevity of the new financial system; elimination of a business tax inspector position; unfunded retiring medical benefit liability; labor negotiations; and maintaining City services.

Art Ida, Transportation Director, presented the proposed budget for the Transportation Department.

Discussion ensued between the City Council and staff regarding fare increases; the base fare; transportation grant funds; alternatives to gain more fare revenue; advertising revenue; use of a money counting service; a proposed shuttle service to begin when the Metro project is completed; and the real time bus arrival information system.

Daniel Hernandez, Director of Parks, Recreation and Community Services, presented the proposed budget for the Parks, Recreation and Community Services Department.

June 6, 2011

Item J-1
(continued)

Discussion ensued between the City Council and staff regarding revenue generation; equitable fee implementation; developing new program ideas; potential fees for advertising events; fundraising opportunities; the Angel City Derby Girls rental of City facilities; water conservation measures; the fee assessment analysis; maintenance and replacement; subsidized programs; and public/private partnerships with churches, the YMCA and schools.

Further discussion ensued regarding the joint use agreement with the Culver City Unified School District; revisions to the current CCUSD agreement; an upcoming agenda item regarding extension of the existing joint use agreement; services provided to the school district by the City; revenue reductions and decreased costs; Senior Center rental; plans to close Veterans Auditorium for renovation in 2012; the Green Space Plan; the grant received by North East Trees; funding sources for Paratransit services; and appreciation for the cleanliness of the parks.

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Public Comment for Items Not on the Agenda - Continued.

Councilmember Malsin invited public participation.

The following member of the audience addressed the City Council:

Meghan Sahli-Wells requested continued support from the City Council for the statewide ban on polystyrene food containers; she thanked Susan Obrow for Artwalk Culver City and discussed the Culver City Bicycle Coalition Bike Valet; and she extended an invitation to attend a tour of Long Beach with the Culver City Bicycle Coalition on June 10, 2011.

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June 6, 2011

Receipt of Correspondence

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY MAYOR O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Items from Staff

No action was taken on this item.

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Items from the City Council

Items Presented by Mayor O'Leary:

- Reported attending the League of California Cities County Division Pension Reform meeting.

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Items Presented by Councilmember Malsin:

- Complimented the Artwalk Culver City event.
- Reported meeting with the CFO and Vice Mayor of Beverly Hills regarding their strategy for an alternative retiring medical program.

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Announcement

Martin Cole, Assistant City Manager/City Clerk, indicated that this meeting would be adjourned to June 7, 2011 and he discussed continued items, the notice of adjournment, the agenda, posting, and government code requirements.

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June 6, 2011

Adjournment

There being no further business, at 9:33 p.m., the City Council adjourned its meeting to a meeting to be held on June 7, 2011.

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Ela Valladares
DEPUTY CITY CLERK of the City of Culver City, California
EX-OFFICIO CLERK of the City Council, City of Culver City,
California

APPROVED _____

MICHEÁL O'LEARY
MAYOR of the City of Culver City, California