



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
9770 CULVER BOULEVARD
CULVER CITY, CALIFORNIA 90232-0507
CITY HALL Tel. (310) 253-6000
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Revision #1 CITY COUNCIL REGULAR AGENDA Monday, September 08, 2008

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

Jerry B. Fulwood, City Manager

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.



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

**Revision #1
AGENDA
City Council
Regular Meeting**

Monday, September 08, 2008
5:30 PM (Closed Session)
7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

**Mayor D. Scott Malsin
Vice Mayor Gary Silbiger
Councilmember Christopher Armenta
Councilmember Micheál O'Leary
Councilmember Andrew Weissman**

City Manager Jerry B. Fulwood

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. Public Employee Performance Evaluation

Title: City Manager

Pursuant to Government Code Section 54957

CS- 2. Conference with Labor Negotiators

City designated representatives: Serena Wright, Human Resources Director

Employee Organization: City Manager

Pursuant to Government Code Section 54957.6

REGULAR SESSION - 7:00 PM

INVOCATION By Jerry Fulwood, City Manager

PLEDGE OF ALLEGIANCE

PRESENTATIONS

- P- 1. Presentation of Certificates of Appreciation to the Chair and Committee Members for the 2008 Fiesta La Ballona.
- P- 2. A Proclamation in Honor of Patriot Day and Those who have Served and are Serving in the Conflicts in Iraq and Afghanistan.

PUBLIC COMMENT - Items NOT On The Agenda

PUBLIC COMMENT - Items On The Agenda

LEGISLATION AND LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS

- L- 1. [League of California Cities Priority Focus Editions #33 and #34.](#)
Receive verbal report and direct staff as deemed appropriate.

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. Clerk's Report.
Approve report.
- C- 2. [Cash Disbursements for August 16, 2008 – August 29, 2008.](#)
Approve cash disbursements.
- C- 3. [Approval of the Minutes of the Adjourned Regular Meeting of June 2, 2008 and the Regular Meeting of June 9, 2008.](#)
Approve minutes.
- C- 4. [Approval of an Amendment \(Change Order #3\) to an Existing Professional Services Agreement with Utility Systems Science and Software for the Update to Components of the Sewer Emergency Notification System and Sewer Flow Monitoring System.](#)
Approve Change Order #3, approve amendment to Change Order #2, authorize the City Attorney to review/prepare the necessary documents, and authorize the City Manager to execute such documents.
- C- 5. [Adoption of an Ordinance Amending Various Sections of the Culver City Municipal Code to Reflect the Name Change of the "Parks and Recreation Commission" to the "Parks, Recreation and Community Services Commission."](#)
Adopt ordinance.
- C- 6. [\(1\) Waiver of the Competitive Bidding Procedures Pursuant to Section 3.07.065 of the Culver City Municipal Code and \(2\) Approval of an Enterprise Agreement with Microsoft Corporation \(Dell, Inc. LAR\) for PC Operating System, Office Professional software, Client Access Licenses, and Server Licenses.](#)
Waive competitive bidding procedures, award Enterprise Agreement to Microsoft Corporation, authorize the City Attorney to review/prepare the necessary documents, and authorize the City Manager to execute such documents.

ACTION ITEMS:

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

- A- 1. [Adoption of a Resolution Initiating Proceedings for the Formation of Benefit Assessment District West Washington Boulevard No. 1, the Levy of Annual Assessments therein and Ordering the Preparation of an Assessment Engineer's Report.](#)
Adopt resolution.
- A- 2. [Introduction of an Ordinance Amending Chapter 9.11 of the Culver City Municipal Code Relating to Smoking Regulations to 1\) Add New Regulations Prohibiting Smoking in Outdoor Dining Areas; 2\) Relocate Existing Regulations Prohibiting Smoking in City Parks from Subchapter 9.10.500, et seq. to Chapter 9.11; and 3\) Update Existing Regulations Contained in Chapter 9.11 to be Consistent with State Law.](#)
Introduce ordinance.
- A- 3. [Approval of a Professional Services Agreement with MuniServices for Business Tax Compliance Services.](#)
Approve professional services agreement, authorize the City Attorney to review/prepare the necessary documents, and authorize the City Manager to execute such documents.
- A- 4. [Discussion of Various Development Related Taxes and Impact Fees in the Culver City Municipal Code.](#)
Receive and file report and direct staff as deemed appropriate.
- A- 5. [Re-creation of the City Council Sister City Subcommittee and Appointment of Two Councilmembers Thereto.](#)
Re-create the Sister City Subcommittee and appoint two Councilmembers to serve on said Subcommittee.
- A- 6. [1\) Adoption of a Resolution Granting a Five Year Extension of an Existing Oil Pipeline Franchise Agreement with ExxonMobil; and \(2\) Adoption of a Resolution Declaring the City Council's Intent to Consider Granting an Oil Pipeline Franchise to ExxonMobil and Setting the Time and Place for the Related Public Hearing.](#)
Adopt resolution granting the third and final five year extension to the Existing Oil Pipeline Franchise Agreement and adopt Resolution of Intention.

PUBLIC COMMENT - Items NOT On The Agenda (Continued)

RECEIPT OF CORRESPONDENCE

ITEMS FROM STAFF

ITEMS FROM COUNCIL

ADJOURN

Next City Council Meeting
September 22, 2008
7:00 PM

Upcoming Public Meeting Tentative Schedule — September 2008

Date	Day	Time	Location
City Council			
<i>September – 8</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>September – 22</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Redevelopment Agency			
<i>September – 15</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Parks and Recreation Commission			
<i>September – 2</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Cultural Affairs Commission			
<i>September – 9</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Planning Commission			
<i>September–10</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Civil Service Commission			
<i>September –3</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<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.