

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

June 7, 2010  
6:00 p.m.

**Call to Order & Roll Call**

The meeting of the City Council was called to order at 6:00 p.m.

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

o0o

**Closed Session**

The City Council will adjourn to Closed Session to discuss the following item:

**CS-1 Public Employment**

Title: City Manager  
Pursuant to Government Code Section 54957

o0o

**Recess**

The City Council recessed to Closed Session at 6:00 p.m.

o0o

**Reconvene**

The City Council reconvened its meeting at 7:06 p.m. with all Councilmembers present.

o0o

June 7, 2010

### **Closed Session Report**

Councilmember O'Leary indicated nothing to report out from Closed Session.

o0o

### **Pledge of Allegiance**

The Invocation was given by Martin Cole, Assistant City Manager/City Clerk, and the Pledge of Allegiance was led by Ron Carter.

o0o

### **Presentations**

Item P-1

### **Swearing-in of Chris Sellers as Fire Chief**

Mayor Armenta provided background on Chris Sellers, announced his appointment as Fire Chief, and administered the Oath of Office.

Fire Chief Chris Sellers thanked everyone for their support.

o0o

### **Adjourn in Memory**

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, IT BE ADJOURNED IN MEMORY OF FORMER MAYOR ALBERT VERA.

The City Council expressed regret at the passing of Albert Vera and offered condolences to his family.

o0o

June 7, 2010

**Public Comment - Items Not on the Agenda**

Mayor Armenta invited public participation.

The following members of the audience addressed the City Council:

Bob Pine, Culver City Amateur Radio Emergency Services (CCARES), congratulated the Fire Chief, Assistant Chief and Battalion Chief, and he encouraged the Council to meet with CCARES at Fire Station 1 on June 26-27, 2010 for the National Field Day for Amateur Radio.

Ken Ruben expressed concern that Culver City buses would not be serving West Los Angeles College anymore.

Discussion ensued between the City Council and staff regarding changes in service; neighborhood complaints with regard to noise issues; the impact of the weight of the bus on college streets; wheel chair passengers; and ADA equipped shuttle buses.

Richard Rownak encouraged the City to explore alternatives such as natural gas and solar panels to minimize petroleum use; he pointed out that the City Council had allegedly agreed to agendize a discussion regarding his request for an appeal; he expressed concern that the rights of neighbors around West Los Angeles College were being respected but the rights of his neighbors were not; he questioned whether the City Council had received documents he was not aware of; he indicated that he allegedly had not been notified of his rights; and he requested that his appeal be honored and agendized.

Councilmember O'Leary reported that the City Attorney had indicated that a legal justification for the City Council to consider an appeal did not exist and he stated that Mr. Rownak could pursue other legal avenues open to him.

Ronnie Jayne thanked those who attended Artwalk Culver City; invited everyone to the Culver City Democratic Club meeting on June 9, 2010 to discuss the new Arizona immigration law; encouraged everyone to vote on Election Day; and announced auditions for teen bands to perform at Fiestapolluza at Veterans Auditorium on June 12, 2010.

June 7, 2010

Public Comment  
(continued)

Bill Wynn invited everyone to the Film Independent film festival in Los Angeles from June 17 - June 27, 2010 at L.A. Live, noting that he would be hosting at the Regal Theatre on June 26, 2010.

Rich Waters reported concern among citizens regarding the separation of residents and government and a feeling that citizens don't have representation on a grassroots level, and he suggested that staff be challenged to think outside the box.

Patricia Siever [Culver City School Board member] clarified that the School Board had discussed the possibility of holding their meetings in the Council Chambers but had not voted on it.

Mayor Armenta noted that the City Council was aware that the School Board had not voted on it but was going to discuss the possibilities.

oOo

**Public Hearings**

Item PH-1

**Consideration of Directing Staff to Prepare a Resolution Approving (1) an Administrative Use Permit for Tandem Parking and (2) an Administrative Modification to Allow a Reduction of Parking Stall Widths and (3) Amending a Public Parking Covenant to Permit Tandem Parking and on an Existing Surface Parking Lot at 8511 Warner Drive.**

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CONTINUE THIS PUBLIC HEARING TO MONDAY, JUNE 28, 2010 AT 7:00 PM.

oOo

June 7, 2010

**Consent Calendar**

Item C-2  
(out of sequence)

**(1) Waiver of Formal Competitive Bidding Procedures for Purchase of Traffic Signal Hardware and Related Devices and (2) Approve a Purchase Agreement with McCain Inc., for the Purchase of Traffic Signal Hardware and Related Devices as a Part of the Fox Hills Area Signal Synchronization Project, P-852.**

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. PURSUANT TO CULVER CITY MUNICIPAL CODE SECTION 3.07.065(D), WAIVE THE FORMAL COMPETITIVE BIDDING REQUIREMENTS FOR THIS PURCHASE; AND,
2. APPROVE A PURCHASE AGREEMENT WITH MCCAIN INC. IN AN AMOUNT OF \$109,433.50; AND,
3. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN THE AMOUNT OF \$749.50 IF NECESSARY; AND,
4. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
5. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

June 7, 2010

**Public Hearings - continued**

Item PH-2

**(1) Approval of a Negative Declaration and (2) Approval of General Plan Element Amendment, GPE-P2010038 Regarding the 2008-2014 Housing Element.**

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY MAYOR ARMENTA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE AFFIDAVITS OF PUBLICATION AND POSTING OF NOTICE OF THE PUBLIC HEARING AND CORRESPONDENCE RECEIVED IN RESPONSE TO THE PUBLIC HEARING NOTICES.

Councilmember O'Leary declared the public hearing open.

The following members of the audience addressed the City Council:

Rich Waters expressed concern with allegedly biased information; pointed out that California was running out of water; felt the list of places to develop was unreasonable; asserted that developers should be required to pay for the services they want; and he felt the current system was not working and the City needed to think out side of the box.

Discussion ensued between the City Council and staff regarding clarification that the Housing Element was not specific to projects but an indicator that the City would address needs of all housing sectors in the City; multi family guidelines; certification that there is sufficient land available to accommodate all the housing needs under the Regional Housing Needs Assessment; and clarification that nothing was circumvented and each project would have to go through the normal entitlement process.

Audience participation continued:

Cary Anderson discussed a provision to reduce the City's off-street parking requirements at the developers' request, and 4043 Irving Place.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY MAYOR ARMENTA AND UNANIMOUSLY CARRIED, THAT THE PUBLIC HEARING BE CLOSED.

June 7, 2010

Item PH-2  
(continued)

Further discussion ensued between the City Council and staff regarding thanks to staff and the consultant for their work; concern that the City had not built any affordable housing for many years; inclusion of the public in the lengthy process; the Affordable Housing Set Aside Fund; the Comprehensive Housing Strategy; and clarification that the taking of funds by the State could affect the housing objectives.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ADOPT A NEGATIVE DECLARATION BASED ON THE INITIAL STUDY FINDING THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT; AND,
2. ADOPT RESOLUTION NO. 2010-R053 APPROVING THE PROPOSED GENERAL PLAN ELEMENT AMENDMENT REGARDING THE 2008-2014 HOUSING ELEMENT.

oOo

**Consent Calendar - continued**

Item C-1

**Approval of a Budget Amendment to Allocate Funds to the City's Legal Services Account to Cover Non-Budgeted and Unanticipated Costs of Legal Services for Fiscal Year 2009-2010.**

The following members of the audience addressed the City Council:

Desmond Burns, representing the Culver City Employees Association (CCEA), indicated that he would share his concerns during the budget item.

Wendell Phillips, CCEA, indicated that he would hold his remarks until the budget item was considered.

June 7, 2010

Item C-1  
(continued)

Paul Ehrlich expressed confidence in the City's legal services but concern that the 2010-2011 budget would be affected and he questioned whether the budget should be revised; he expressed concern with legal fees relating to PXP, questioned how much had been paid out so far and what future costs would be, and he asked whether a risk management cost benefit analysis of the fees was necessary; he questioned why the item was on the Consent portion of the agenda; and he noted that reserves were to be used only in case of emergency.

Cary Anderson questioned why an outside agency had contacted him to reimburse him for his expenses related to being disconnected from the City sewer.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE A BUDGET AMENDMENT APPROPRIATING \$340,000.00 FROM GENERAL FUND UNAPPROPRIATED RESERVES TO THE CITY ATTORNEY'S LEGAL SERVICES ACCOUNT NO. 10113100.611300 TO COVER THE COSTS OF NON-BUDGETED LEGAL SERVICES THROUGH THE END OF THE CALENDAR YEAR (A BUDGET AMENDMENT REQUIRES A 4/5THS VOTE).

o0o

June 7, 2010

**Joint Item**

Item J-1

**Budget Study Session - City Manager's Proposed Budget for Fiscal Year 2010-11: Presentation on the Proposed Budgets for the City Council, City Manager's Office, City Clerk's Office, Human Resources Department, Finance Department, Information Technology Department, and the City Attorney's Office (Transportation Department; Community Development Department (including the Redevelopment Agency); Parks, Recreation, and Community Services Department; and Public Works Department (including Capital Improvement Projects) are Scheduled for June 8, 2010 and a General Budget Discussion and Follow-Up Departmental Discussions are Scheduled for June 9, 2010 - if Needed.)**

P. Lamont Ewell, Interim City Manager, provided a summary of the material of record.

Jeff Muir, Chief Financial Officer, provided a summary of adjustments to the proposed budget.

Serena Wright, Director of Human Resources, summarized proposed budget eliminations.

P. Lamont Ewell, Interim City Manager, noted the importance of reducing the expenditure base and outlined efforts to look out for the interests of the employees.

The following members of the audience addressed the City Council:

Steve Rose, representing the Culver City Chamber of Commerce, agreed with the City Manager's assessment of the economy and discussed early retirements; statements by the State Controller regarding deficits; the City's structural deficits; General Fund revenues; areas to be looked at; City billing issues; CALPERS; the need to create partnerships; suggested reviewing the method of collecting taxes and fees; clarified that policy was determined by the City Council; and noted that economic development was creating opportunity for businesses, not running marketing for them.

June 7, 2010

Item J-1  
(continued)

Desmond Burns, CCEA, discussed service representatives in the City; clarified that the lowest paid employees in the City contribute to retirements; questioned attorney fees and fees for outside consultants; noted there were no reductions in the City Attorney's office; and suggested having department heads meet with their employees to come up with creative budget solutions.

Wendell Phillips, CCEA, noted the importance of all City employees and discussed the seniority system.

Neil Rubenstein discussed the use of outside contractors.

Goren Erickson, representing the Culver City Chamber of Commerce, indicated willingness to work with the City and contribute to help the process.

Discussion ensued between the City Council and staff regarding temporary and contract employees; which areas took the brunt of the cuts; thanks and appreciation to the employee organizations; concern with monies taken by the State; creativity with working out problems; a request for help from Culver City employees; appreciation to the Chamber of Commerce for their offer of help; the ongoing structural deficit; and projections for the amount of money the State will take from the City next year.

Budget presentation began:

City Manager and City Clerk Departments:

Martin Cole, Assistant City Manager/City Clerk, provided an overview of the proposed budgets for the City Council, City Manager and City Clerk's Offices.

Discussion ensued between the City Council and staff regarding staffing the City Clerk counter and a suggestion to use interns and volunteers.

oOo

June 7, 2010

Item J-1  
(continued)

Human Resources Department:

Serena Wright, Director of Human Resources, provided a presentation on the proposed budget for the Human Resources department for Fiscal Year 2010-2011.

Discussion ensued between the City Council and staff regarding appreciation to staff for their efforts; whether the expenditure side of the budget is realistic; the five bargaining groups; the Human Resources Analyst position; and encouragement to stand firm in the negotiating process.

o0o

Finance Department:

Jeff Muir, Chief Financial Officer, presented the proposed 2010-2011 budget for the Finance Department.

Discussion ensued between the City Council and staff regarding centralizing or better coordinating billing; concerns with billings that have not gone out; missed revenue sources; accounts receivables; disparate billing systems; outsourced billing; formulating a global aging report; sanitation billing and penalties; honoring the postmark as the date a bill is paid; a gross receipts tax; enterprise funded positions; the cost of post employment benefits; charging the true cost of service; film production in the City; collection software; cross-departmental synergies; the contract for scanning services; re-examining the business tax calculation; global ramifications to changes made; efficiency of taxation; and financial system replacement.

o0o

June 7, 2010

Item J-1  
(continued)

Information Technology:

John Richo, Director of Information Technology, presented an overview of the proposed 2010-2011 budget for the Information Technology Department.

Discussion ensued between the City Council and staff regarding communication; strategic plan interviews; and RNM software licensing.

o0o

City Attorney Department:

Carol Schwab, City Attorney, presented the proposed 2010-2011 budget for the City Attorney Department.

Discussion ensued between the City Council and staff regarding kudos to staff and the department; the reduction in outside expenditures; the PXP issue; charter implementation; senior management analyst duties; the minimal increase in regular part-time clerk hours; RDA billings and housing funds; impacts to the General Fund; handling more items in-house; decreases in expenditures for legal services for land use; the number of attorneys and comparability with other cities; the caseload and importance of maintaining an up-to-date City code; and efforts to reduce dependency on outside contractors.

o0o

At this time, discussion ensued between the City Council and staff regarding a proposed City Council retreat; the use of the state lobbyist; support for involvement in regional organizations; and concern with upcoming negotiations with employee groups.

o0o

June 7, 2010

**Action Items**

Item A-2  
(out of sequence)

**(1) Adoption of a Resolution (a) Providing Additional Service Credit Pursuant to Government Code Section 20903 for Local Miscellaneous Members of the California Public Employees Retirement System (CalPERS); (b) Designating the Window Period as June 8, 2010 to September 8, 2010; and (c) Specifying the Eligible Group of Members; and (2) Authorize the Mayor to Execute the Certification of Compliance with Government Code Section 20903.**

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ADOPT RESOLUTION NO. 2010-R039 (A) PROVIDING ADDITIONAL SERVICE CREDIT PURSUANT TO GOVERNMENT CODE SECTION 20903 FOR LOCAL MISCELLANEOUS MEMBERS OF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS); (B) DESIGNATING THE WINDOW PERIOD AS JUNE 8, 2010 TO SEPTEMBER 8, 2010; AND (C) SPECIFYING THE ELIGIBLE GROUP OF MEMBERS; AND
2. AUTHORIZE THE MAYOR TO EXECUTE THE CERTIFICATION OF COMPLIANCE WITH GOVERNMENT CODE SECTION 20903.

oOo

Item A-1

**Receipt and Filing of Public Comments Regarding the City Manager Recruitment.**

The following members of the audience addressed the City Council:

Neil Rubenstein expressed support for promoting Martin Cole to serve as City Manager, citing his previous experience and effectiveness.

Cary Anderson discussed the hard work and commitment of former City Manager Mark Scott, noting the importance of not keeping the status quo.

June 7, 2010

Item A-1  
(continued)

Councilmember O'Leary clarified that the recruiter would re-do the process without cost to the City due to the short time Mark Scott served as City Manager.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY MAYOR ARMENTA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE PUBLIC COMMENT REGARDING THE CITY MANAGER RECRUITMENT AND DIRECT STAFF AS DEEMED APPROPRIATE.

o0o

**Public Comment for Items Not on the Agenda - continued:**

Mayor Armenta invited public comment.

There was no response.

o0o

**Receipt of Correspondence**

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

o0o

June 7, 2010

**Items from Staff**

**Items Presented by Martin Cole, Assistant City Manager/City Clerk:**

- Suggested that the City Council adjourn to June 8, 2010 at 5:30 p.m. noting that if they chose to do so, a notice of adjournment would be posted outside pursuant to Government Code 54955.

o0o

**Items from Council**

**Items Presented by Councilmember O'Leary:**

- Pointed out that the Invocation was missing from the Redevelopment Agency agenda.

o0o

June 7, 2010

**Adjournment**

There being no further business, at 10:55 p.m., the City Council adjourned its meeting in memory of former Mayor Albert Vera to an Adjourned Regular Meeting to be held on June 8, 2010.

o0o

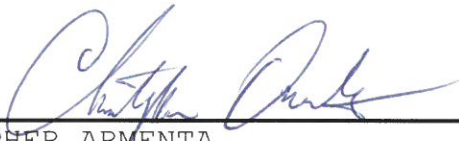


---

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 July 12, 2010



---

CHRISTOPHER ARMENTA

MAYOR of the City of Culver City, California