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

June 11, 2012
5:00 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:00 p.m.

Present: Andrew Weissman, Mayor
Jeffrey Cooper, Vice Mayor
Jim B. Clarke, Councilmember
Micheál O'Leary, Councilmember
Meghan Sahli-Wells, Councilmember

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Closed Session

At 5:01 PM, the City Council recessed to Closed Session to discuss the following items:

CS-1 Conference with Legal Counsel - Existing Litigation
Re: City of Palmdale, et al. vs. Ana Matosantos et al.
Case No. 34-2012-80001154
Pursuant to Government Code Section 54956.9(a)

CS-2 Conference with Legal Counsel - Anticipated Litigation
Re: Initiation of Litigation - 1 Matter
Pursuant to Government Code Section 54956.9(c)

CS-3 Conference with Real Property Negotiators
Re: 9300 Culver Boulevard. City Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Community Development Director/Assistant Executive Director; Todd Tipton, Economic Development Administrator; Murray Kane, City Special Counsel/Successor Agency Special Counsel
Other Parties Negotiators: Combined Properties Inc./Hudson Pacific 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-4 Conference with Legal Counsel - Anticipated Litigation
Re: Significant Exposure to Litigation - (1 item)

Pursuant to Government Code Section 54956.9(b)(1)

CS-5 Conference with Real Property Negotiators
Re: 10808 Culver Boulevard (former National Guard Armory Site)
City Negotiators: City Manager John Nachbar, Assistant City Manager Martin Cole, Director of PRCS Daniel Hernandez
Other Parties' Negotiators: The Wende Museum
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

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Reconvene

The City Council reconvened its meeting at 7:07 p.m. with all Councilmembers present.

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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 Linda Shahinian.

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Closed Session Report

Mayor Weissman indicated nothing to report from Closed Session.

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Presentations

Item P-1

Presentation of a Commendation to Didi Hirsch Mental Health Services in Celebration and Thanks for 70 Years of Service to the Culver City Community

Mayor Weissman presented the commendation to Kita Curry, President and CEO of Didi Hirsch Mental Health Services who described their services and thanked the City Council for the honor.

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Community Announcements By City Council Members/Information Items From Staff

None.

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

The following members of the audience addressed the City Council:

Tom Camarella welcomed new and reelected City Councilmembers; thanked the City for allowing the use of Council Chambers for the fracking hearing; discussed the statewide listening tour; requested that the City Council use their influence to allow additional time for public speaking at the hearing; invited all residents to attend the hearing as well as a discussion of fracking on June 13 at the Peace Center hosted by the Culver City Democratic Club; and he cited articles in the Los Angeles Times on water resources and on fracking.

Mayor Weissman encouraged people to attend the hearing, noting that overflow seating would be available in the City Hall courtyard where the hearing would be televised.

Jesús Reyes, Culver City Adult School, reported traffic issues on Overland, expressed concern with safety; discussed visibility; previous accidents and near accidents; increased enrollment; the Julian Dixon Library and affected residents; he asked that action be taken to create a crosswalk at the location; and he presented a petition to the City Council.

Discussion ensued between staff and the City Council regarding referring the matter to Pubic Works; County involvement due to proximity of the library; and receipt of the petition.

Ed Firth discussed the 4-way stop at Braddock and Elenda by Culver City High School; he invited everyone to observe the intersection in the afternoon; reported being hit repeatedly by bicycles that refuse to follow the rules; and he expressed concern with noise created by the Metro Rail and operating hours.

Mayor Weissman requested that Mr. Firth provide his contact information to staff and Councilmember Sahli-Wells offered to meet with Mr. Firth.

Rebecca Rona encouraged everyone to attend the Fracking Workshop in City Hall on June 12; she discussed fracking procedures and dangers involved with the process; she requested that the format of the meeting alternate between presentation and speakers rather than having the planned speakers monopolize the time; and she discussed motives of the state of California.

Mayor Weissman indicated that the City would do all they could to make the process as open to the public as possible but he was not sure how much influence they had over the actual program.

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Receipt of Correspondence

None.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF VIVIAN SILMAN, WIFE OF MURRAY SILMAN.

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Joint Action Items

Item JA-1
(Out of Sequence)

JOINT CITY COUNCIL/Housing Authority/Parking Authority/ Successor Agency AGENDA ITEM: Budget Study Session - City Manager's Proposed Budget for Fiscal Year 2012-2013: Presentation of the Results of a Ballot Measure Feasibility

Study and Presentation of 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, Fire Department, Police Department, Community Development Department [including the Parking Authority, Housing Authority and Successor Agency], and Public Works Department [including Capital Improvement Projects]

Sol Blumenfeld, Community Development Director, discussed the proposed Community Development Department budget for 2012-2013.

Discussion ensued between Councilmembers and staff regarding the elimination of redevelopment; impacts to the community; appreciation to staff for their work to maintain momentum; concern with funding for the arts and affordable housing; taking action through the legislative subcommittee; clarification that the rental assistance and homeless programs remain; properties to be sold; available proceeds; reductions in parking structure operations; affordable housing projects; commercial projects; location of funds; phantom savings; contracts run through the Agency; contractual services; funding for cultural programs; Art in Public Places; the Climate Action Plan; Federal funding; graffiti removal services; working with the school district; community service hours for high school students; the definition of family; AIP grant funding; the Jazz Bakery; assessment districts; and the Community Facilities District.

Charles Herbertson, Public Works Director, provided an overview of the proposed Public Works Department budget for 2012-2013.

Discussion ensued between staff and Councilmembers regarding funding sources; praise for the graffiti removal program and other work done; the SC Energy Leadership Partnership; Ballona Creek Restoration funding; measuring the success of the new parking meters; establishing a resident sustainability committee; the transfer station; curbside programs; street permits; the food waste program; coordination with the school district; rain gardens; grant funding; Safe Routes to School; bike thefts near the Expo Line; bike lockers; backward beekeepers; the sidewalk study; ADA requirements; Blair Hills Park drainage; the proposed crosswalk at Jefferson and Hetzler; location signage at Ballona Creek; beverage container recycling; notification to residents when work is being done and why; contractual services; parking maintenance; frequency of going out to bid; the new parking policies in Santa Monica; Fire Station #3; Expo noise on the east end; monitoring Expo; ideas to direct visitors from the Expo to stores and restaurants; the timeliness of project completion; staffing levels; mural maintenance; landscaping and lighting districts; installation of new lights; energy efficiency; and appreciation to Mr. Herbertson for actions on the Schaefer Street trees.

Martin Cole, Assistant City Manager/City Clerk, explained that Consent Calendar item C-2 needed to be considered before moving on.

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Item C-2
(Out of Sequence)

Adoption of a Resolution Approving and Adopting the Annual Appropriations Limit for Fiscal Year 2012/2013

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2012/2013.

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Item J-2
(Out of Sequence)

JOINT CITY COUNCIL/HOUSING AUTHORITY/PARKING AUTHORITY/ SUCCESSOR AGENCY AGENDA ITEM: Adoption of a Resolution Adopting the Fiscal Year 2012/2013 Budget for the City of Culver City, the Housing Authority, the Parking Authority, and the Successor Agency

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF NOTICE AND ALL CORRESPONDENCE RECEIVED IN RESPONSE TO THE PUBLIC HEARING NOTICES.

MOVED BY COUNCILMEMBER SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Mayor Weissman invited public comment.

There was no response.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL AND BOARDS: ADOPT RESPECTIVE RESOLUTIONS APPROVING THE FISCAL YEAR 2012/2013 BUDGET FOR THE CITY OF CULVER CITY, HOUSING AUTHORITY, PARKING AUTHORITY, AND SUCCESSOR AGENCY.

Mayor Weissman thanked staff for their extraordinary efforts on the budget.

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Consent Calendar

Item C-1

Cash Disbursements

MOVED BY COUNCILMEMBER SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR APRIL 28, 2012 - JUNE 1, 2012.

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Item C-3
(Out of Sequence)

Approval of a Lease with Trader Joe's to Memorialize the Use of the Shopping Cart Storage Area, Outdoor Selling Area, and Memorialize and Expand the Storage Area in the Ince Parking Structure

MOVED BY COUNCILMEMBER SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE A LEASE WITH TRADER JOE'S TO MEMORIALIZE THE USE OF THE SHOPPING CART STORAGE AREA, OUTDOOR SELLING AREA, AND MEMORIALIZE AND EXPAND THE STORAGE AREA IN THE INCE PARKING STRUCTURE; AND

2. AUTHORIZE THE CITY ATTORNEY AND CITY SPECIAL COUNSEL 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-4

(1) Acceptance of Work Performed by Hoffman Management and Construction Corporation, and (2) Authorization to File a Notice of Completion, for the Fire Station #1 Exterior Staircase Reconstruction Project, P-931

MOVED BY COUNCILMEMBER SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY HOFFMAN MANAGEMENT AND CONSTRUCTION CORPORATION FOR THE FIRE STATION #1 EXTERIOR STAIRCASE RECONSTRUCTION PROJECT, P-931; AND

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY RECORDER'S OFFICE.

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Item C-9
(Out of Sequence)

Adoption of a Resolution Approving an Encroachment Agreement with Time Warner Cable for Use of the Public Rights-of-Way on Hayden Avenue and Higuera Street

MOVED BY COUNCILMEMBER SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH TIME WARNER CABLE; AND,

2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,

3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE DOCUMENTS ON BEHALF OF THE CITY.

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Item C-10

Adoption of a Resolution Approving an Encroachment Agreement with XO Communications for Use of the Public Right-of-Way on Overland Avenue

MOVED BY COUNCILMEMBER SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH XO COMMUNICATIONS; 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
(Out of Sequence)

Award of a Construction Contract to Griffith Company, as the Lowest Responsive and Responsible Bidder, for the Construction of the Jefferson Boulevard Pedestrian and Bicycle Access Improvements Project at Hetzler Road, P-956

Councilmember Sahli-Wells noted the inability to come to an agreement on a design to continue the bike path and she asked about ways to help.

Discussion ensued between staff and Councilmembers regarding the Los Angeles Department of Transportation; design; jurisdiction; liability; the Higuera Street Bridge;

connectivity between COG cities; the Westside Council of Governments; the Bicycle and Pedestrian Master Plan; clarification that Culver City continued the path a block past the City border; and Councilmembers offered to help facilitate discussions and encouraged continued work with Los Angeles.

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

1. AWARD A CONSTRUCTION CONTRACT TO GRIFFITH COMPANY, AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN THE AMOUNT OF $532,444 FOR THE JEFFERSON BOULEVARD PEDESTRIAN AND BICYCLE ACCESS IMPROVEMENTS PROJECT AT HETZLER ROAD, P-956; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS AS NECESSARY, FOR A NOT-TO-EXCEED AMOUNT OF $80,174; 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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Item C-6

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 25, 2012 at 7:00 PM in the City Council Chambers for the Albright Avenue Street Lighting Assessment District

Councilmember Sahli-Wells received clarification regarding where assessment districts begin and normal City services end, and specific information regarding the assessment districts in items C-6, C-7 and C-8.

A discussion ensued between staff and the City Council regarding a parcel on Albright that is paid off, and clarification that a majority of residents must agree before a district is formed.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION (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 2012/2013, AND (3) SETTING THE TIME, DATE AND PLACE FOR A PUBLIC HEARING FOR JUNE 25, 2012, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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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 therein, and Setting the Date, Time, and Place for the Public Hearing to be Monday, June 25, 2012 at 7:00 PM in the City Council Chambers for the Higuera Street Landscaping and Lighting Maintenance District

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION (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 2012/2013, AND (3) SETTING THE TIME, DATE, AND PLACE FOR A PUBLIC HEARING ON JUNE 25, 2012, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-11

Approval of an Amended and Restated Agreement for the Joint Use of Properties, Facilities, and Assets by and between the City of Culver City and the Culver City Unified School District

Councilmember Sahli-Wells thanked everyone for finding a solution that worked for the entire community.

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

1. APPROVE AN AMENDED AND RESTATED JOINT USE AGREEMENT WITH THE CULVER CITY UNIFIED SCHOOL DISTRICT; 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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A discussion ensued between staff and the City Council regarding the assessment hearings; the June 25, 2012 City Council meeting; Community Conversations; and upcoming meetings.

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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 25, 2012 at 7:00 PM in the City Council Chambers for the Landscape Maintenance District Number 1

Vice Mayor Cooper indicated that he had to recuse himself from consideration of the item as he lives within the district and he exited the dais.

MOVED BY COUNCILMEMBER CLARKE AND SECONDED BY COUNCILMEMBER O'LEARY THAT THE CITY COUNCIL: ADOPT A RESOLUTION (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 2012/2013, AND (3) SETTING THE DATE, TIME, AND PLACE FOR A PUBLIC HEARING FOR JUNE 25, 2012, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES:	NONE
RECUSED:	COOPER
ABSTAIN:	NONE

Vice Mayor Cooper returned to Council Chambers.

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Order of the Agenda

No changes were made.

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Action Items

Item A-1

Declaration of June 20, 2012 as a "Free Fare Day" on Culver CityBus Lines 1 and 7 as Part of the City's Welcoming of the Exposition Light Rail Line to Culver City and the Grand Opening of the Culver City Station

Art Ida, Transportation Director, provided a summary of the material of record.

Discussion ensued between staff and Councilmembers regarding publicizing the event.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DECLARE JUNE 20, 2012 AS "FREE FARE DAY" ON CULVER CITYBUS LINES 1 AND 7 TO COMMEMORATE THE OPENING OF THE CULVER CITY EXPO LIGHT RAIL STATION.

Martin Cole, Assistant City Manager/City Clerk, discussed events to commemorate the Expo Opening on June 20, 2012.

Discussion ensued between staff and Councilmembers regarding ongoing information available to the public to direct them to shops and restaurants in the City, and a suggestion to have music for the opening.

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Public Comment for Items NOT On the Agenda (Continued)

Mayor Weissman invited public input.

There was no response.

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Items from the City Council

Items from Councilmember Sahli-Wells

- Expressed excitement about the Expo Line opening and indicated that she would attend

Items from Vice Mayor Cooper

- Expressed condolences to the Silman family

Items from Councilmember O'Leary

- Announced the Expo Phase 2 Light Rail Line Subcontractor Outreach Event on June 14 at the Kirk Douglas Theater

- Reported attending the SCAG Transportation Committee meeting and the Expo Board meeting

- Discussed the sprinklers on National Boulevard

- Addressed the issue of bicycle thieves near the Expo station and public awareness

- Announced an upcoming Brown Act enforcement educational forum

Items from Councilmember Clarke

- Reported representing the Mayor and the City Council at the retirement of Jerry Chabola, Athletic Director at the High School, and presenting a certificate to Kids Are First at the Second Annual Family Safety and Fun Festival

Items from Mayor Weissman

- Received clarification regarding the location of the June 18, 2012 City Council meeting

Martin Cole, Assistant City Manager/City Clerk, thanked Superintendent Patti Jaffe of the School District for assistance with arranging locations for the upcoming Community

Conversation meetings, and he announced the schedule of upcoming meetings and locations for them.

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Adjournment

There being no further business, at 10:09 p.m., the City Council adjourned its meeting in memory of Vivian Silman to a meeting on Monday, June 18, 2012 at 7:00 p.m.

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Martin R. Cole
CITY CLERK of the City of Culver City, California
EX-OFFICIO CLERK of the City Council, City of Culver City, California

ANDREW WEISSMAN
MAYOR of the City of Culver City, California