

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

May 17, 2010
5:31 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:31 p.m.

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

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Closed Session

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

CS-1 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)

CS-2 Conference with Legal Counsel - Existing Litigation

Re: Plains Exploration and Production Company v. City of
Culver City
Case No. Case No. BS125596
Pursuant to Government Code Section 54956.9(a)

CS-3 Conference with Legal Counsel - Existing Litigation

Re: Plains Exploration & Production Company v. City of
Culver City, et al.
Case No. BS122799
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 - (1 item)

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

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Recess

The City Council recessed to Closed Session at 5:32 p.m.

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Reconvene

The City Council reconvened its meeting at 7:13 p.m. with all Councilmembers present.

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Closed Session Report

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

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Pledge of Allegiance

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

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Public Comment - Items Not on the Agenda

Mayor Armenta invited public participation.

The following members of the audience addressed the City Council:

Matthew Hetz, representing the Culver City Symphony Orchestra, provided information on upcoming events in June 2010.

Jane Leonard, Culver City Transportation Department, announced National Bike to Work Week and Bike to Work Day in Culver City, and she encouraged everyone to participate.

Ela Valladares, Deputy City Clerk, read written comments submitted by the following:

Julie Lugo Cerra

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Announcements

Councilmember O'Leary wished his wife a Happy Birthday. Councilmember O'Leary then announced upcoming events including ArtWalk Culver City on June 5, 2010 and a free concert by Culver City Performing Arts Grant recipients Vox Femina on May 22, 2010 at the Culver City Presbyterian Church.

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Consent Calendar

Councilmember O'Leary expressed concerns about the quality of the food items regarding Consent Calendar Item C-1 [Approval of an Amendment to the Existing Professional Services Agreement with Morrison Management Specialist, Inc. dba Morrison Health Care, Inc. for the Senior Nutrition Program for an Additional Three Year Period Beginning July 1, 2010] and requested that staff ensure that the standards are upheld.

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Consent Calendar
(continued)

Armando Abrego, Senior and Social Services Manager, agreed to relay comments from the City Council to the vendor and reported monthly Quality Assurance meetings with the vendor and the County to assure that health and nutrition standards are met.

Councilmember Malsin received clarification that the program was 100% self-sustaining between grants, donations and fundraising.

Councilmember O'Leary received clarification that staff would return with options for the remaining funds regarding Consent Calendar Item C-3 [(1) Acceptance of Work Performed by Curb and Gutter Specialists, Inc., dba Quality First Concrete; (2) Authorization to File a Notice of Completion; and (3) Authorization to Release the Retention Payment After the Expiration of the 35-Day Lien Period for the Sidewalk Replacement Project, P-428, CDBG Project No. REC027-09].

MOVED BY MAYOR ARMENTA, SECONDED BY COUNCILMEMBER COOPER, AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-4.

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Item C-1

Approval of an Amendment to the Existing Professional Services Agreement with Morrison Management Specialist, Inc. dba Morrison Health Care, Inc. for the Senior Nutrition Program for an Additional Three Year Period Beginning July 1, 2010.

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH MORRISON MANAGEMENT SPECIALIST, INC. DBA MORRISON HEALTH CARE, INC., TO PROVIDE FOOD SERVICES FOR THE SENIOR NUTRITION PROGRAM FOR AN ADDITIONAL THREE (3) YEAR PERIOD BEGINNING JULY 1, 2010 BASED UPON THE SCOPE OF WORK AND COMPENSATION DISCUSSED IN THE STAFF REPORT; 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-2

Approval of a Professional Services Agreement with TRUELINE for Court Resurfacing at Fox Hills and Syd Kronenthal Parks.

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH TRUELINE FOR COURT RESURFACING AT FOX HILLS AND SYD KRONENTHAL PARKS IN AN AMOUNT NOT TO EXCEED \$18,935.00; 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-3

(1) Acceptance of Work Performed by Curb and Gutter Specialists, Inc., dba Quality First Concrete; (2) Authorization to File a Notice of Completion; and (3) Authorization to Release the Retention Payment After the Expiration of the 35-Day Lien Period for the Sidewalk Replacement Project, P-428, CDBG Project No. REC027-09.

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY THE CONTRACTOR, CURB AND GUTTER SPECIALISTS, INC., DBA QUALITY FIRST CONCRETE FOR THE WORK PERFORMED ON THE SIDEWALK REPLACEMENT PROJECT, P-428, CDBG NO. REC027-09; 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 FOR RECORDATION; AND
3. AUTHORIZE THE RELEASE OF \$3,447.00 IN RETENTION FUNDS TO CURB AND GUTTER SPECIALISTS, INC., DBA QUALITY FIRST CONCRETE FOLLOWING THE EXPIRATION OF THE THIRTY-FIVE DAY LIEN PERIOD.

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Item C-4

Adoption of a Resolution Authorizing Staff to Submit Applications to June 30, 2011 for Grant Funding Associated with the Purchase of Alternative Fuel Vehicles and Other Emission Control Technologies.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2010-R033 AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS AND ACCEPTANCE OF SUCH APPROVED FUNDING MADE AVAILABLE BY THE AQMD AND THE MSRC TO JUNE 30, 2011 FOR THE PURCHASE OF ALTERNATIVE FUEL VEHICLES AND OTHER EMISSION CONTROL TECHNOLOGIES.

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Action Items

Item A-1

Adoption of a Resolution Ordering the Preparation of the Engineer's Report, Declaring the Intention to Order the Sixth Annual Assessment Levy, and Setting the Date, Time, and Place for the Public Hearing for the Albright Avenue Street Lighting Assessment District.

Discussion ensued between the City Council and staff regarding what happens to streetlights from vacated streets and obsolete equipment.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2010-R034 ORDERING THE PREPARATION OF THE ENGINEER'S REPORT, DECLARING THE CITY'S INTENTION TO LEVY AND COLLECT ASSESSMENTS AND SETTING THE DATE, TIME, AND PLACE FOR A PUBLIC HEARING ON JUNE 14, 2010, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item A-2

Adoption of a Resolution Ordering the Preparation of 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 for the Sewer Users Service Charge.

Discussion ensued between the City Council and staff regarding information used to set rates more accurately; calculating the sewer fee; retroactive implementation; refusal of Golden State Water to provide data; asking the Public Utilities Commission for assistance; a suggestion to wait until staff can provide a full report; the range of options available; an in depth discussion of issues; and partial refunds.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2010-R035 THAT ORDERS THE PREPARATION OF THE ENGINEER'S REPORT, DECLARES THE INTENTION TO LEVY AND COLLECT THE SEWER USER SERVICE CHARGES FOR FISCAL YEAR 2010-2011 AND SETS THE DATE, TIME, AND PLACE FOR A PUBLIC HEARING ON JUNE 14, 2010, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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May 17, 2010

Item A-3

**Transmittal of the City Manager's Proposed Budget for
Fiscal Year 2010-2011 and Consideration of Dates for
Proposed Budget Study Sessions.**

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

The following member of the audience addressed the City Council:

Paul Ehrlich discussed police department overtime costs; closing City Hall every Friday; instituting a hard job freeze; outsourcing and the use of consultants; the cost of benefits; the condition of the trash compacting building; the Fire Department training tower; enterprise fund subsidies; consistency with parking meters; and the carpeting in the Council Chambers.

Discussion ensued between the City Council and staff regarding difficult decisions ahead; appreciation for the efforts of staff; getting a realistic picture of the situation; department work programs; next steps in the process and proposed dates for the budget hearings as shown in the staff report; thanks to the Interim City Manager and staff for their efforts; and concern with possible layoffs.

MOVED BY MAYOR ARMENTA, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE THE CITY MANAGER'S PROPOSED BUDGET FOR FISCAL YEAR 2010-2011 AND DETERMINE THE DATES FOR STUDY SESSIONS THEREON.

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Public Comment for Items Not on the Agenda - continued.

Mayor Armenta invited public participation.

There was no response.

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Receipt of Correspondence

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY MAYOR ARMENTA 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 Council

Items Presented by Mayor Armenta:

- Expressed happy birthday wishes to his wife and also to Councilmember O'Leary's wife.

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Items Presented by Councilmember Weissman:

- Expressed belated happy birthday wishes to Councilmember O'Leary.

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Items Presented by Councilmember Malsin:

- Reported on the opening of a new restaurant, Waterloo & City, on the westside of Culver City.
- Announced the Culver City Music Festival on Thursday evenings beginning July 8, 2010 through the end of August 2010.

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Items Presented by Councilmember O'Leary:

- Inquired about use of the training tower and shared costs.

Charles Herbertson, Public Works Director/City Engineer, indicated that staff would approach other cities who use the tower regarding grant funds or pooling resources after the assessment is complete and costs to repair or replace the tower are determined.

- Inquired about potential ficus tree removals and notification to residents.

Charles Herbertson, Public Works Director/City Engineer, clarified that diseased trees were to be removed for safety reasons; indicated staff was planning on extensive outreach to impacted residents; and he agreed to provide additional information to Councilmember O'Leary.

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May 17, 2010

Adjournment

There being no further business, at 7:59 p.m., the City Council adjourned its meeting to a Regular meeting to be held on May 24, 2010.

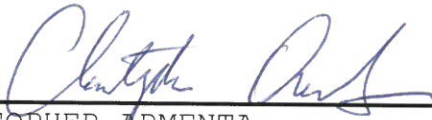
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Ela Valladares

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

APPROVED June 28, 2010



CHRISTOPHER ARMENTA
MAYOR of the City of Culver City, California