THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

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

November 27, 2006
7:05 P.M.

Call to Order & Roll Call

The meeting of the City Council was called to order at 7:05 P.M.

Present: Mayor Gary Silbiger
Vice Mayor Alan Corlin
Councilmember Carol Gross
Councilmember D. Scott Malsin
Councilmember Steven Rose

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Invocation/Pledge of Allegiance

The Invocation was given by Jerry Fulwood, City Manager, and the Pledge of Allegiance was recited by the audience.

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Public Comment for Items Not on the Agenda

Mayor Silbiger invited public participation.

The following members of the audience addressed the City Council:

Richard Rownak, showed a videotape of activities emanating from Culver Ready for Finish; also stated that he has not received a response to a public records request he submitted in February 2006.

Mary Ann Greene, discussed work of the Martin Luther King Day Planning Committee and celebrations planned for January 14, 2007.

Public Comment
(continued)

Chris Wright, expressing complaints regarding construction work taking place on Keystone Avenue during the Thanksgiving Day holiday.

Menelik Tafari and Ashley Guerrero, representing the Culver City Youth Advisory Council, spoke of the goals of the Advisory Council, whose members were selected by Mayor Silbiger. They introduced the following members of the Advisory Committee: Humza Khan, Andy Gonzalez, Jenny Honda, Raul Calderon Jr., Jonathan Diamond, Brandon Storm and David Battigalli-Ansell.

Earle Hartling, representing CERT, spoke of upcoming CERT programs.

Egon Monostory, expressing opinion regarding Council comments.

Carlos Gutierrez, regarding a burglary investigation by the Culver City Police Department.

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Item L-1

Legislation and League of California Cities Priority Focus Bulletins - Issue #44 Dated November 9, 2006 and Issue #45 Dated November 17, 2006.

Shelly Wolfberg, Intergovernmental Relations Officer reported on highlights from the bulletin.

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Consent Calendar

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1, C-2, C-3, C-4, C-5, AND C-6.

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Item C-1

City Clerk's Report

THAT THE CITY COUNCIL RECEIVE AND FILE THE CITY CLERK'S REPORT REGARDING POSTING OF THE AGENDA FOR THIS MEETING.

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Item C-2

Treasurer's Report of Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR THE PERIOD OF NOVEMBER 1 THROUGH NOVEMBER 17, 2006.

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Item C-3

Approval of Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 11, 2006 AS AMENDED; THE MINUTES OF THE ADJOURNED REGULAR MEETING OF SEPTEMBER 18, 2006 AS SUBMITTED AND THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 25, 2006 AS SUBMITTED.

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November 27, 2006

Item C-4

Authorization to 1) Continue the Legal Services of Deborah J. Fox, and 2) Enter into a Legal Services Agreement with Meyers Nave Riback Silver & Wilson.

~~THAT THE CITY COUNCIL:~~

1. AUTHORIZE THE CONTINUATION OF THE LEGAL SERVICES OF DEBORAH J. FOX;

2. AUTHORIZE A LEGAL SERVICES AGREEMENT WITH THE FIRM OF MEYERS NAVE RIBACK SILVER & WILSON ON AN AS NEEDED BASIS; AND

3. AUTHORIZE THE CITY ATTORNEY TO PREPARE THE NECESSARY AGREEMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENTS ON BEHALF OF THE CITY.

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Item C-5

Contract Award to Purchase Cash Receipting Software from Progressive Solutions Inc (PSI) to Support and Enhance the City's Revenue Collection System.

THAT THE CITY COUNCIL:

1. AUTHORIZE THE PURCHASE OF PSI'S CASHIERING CENTRAL SOFTWARE AND RELATED COMPONENTS FOR AN EXPENDITURE NOT TO EXCEED $71,825.00;

2. AUTHORIZE THE CITY ATTORNEY TO PREPARE ANY APPROPRIATE DOCUMENTS; AND

3. AUTHORIZE THE CITY MANAGER TO EXECUTE ANY REQUIRED AGREEMENTS ON BEHALF OF THE CITY.

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November 27, 2006

Item C-6

Adopt Ordinance No. 2006-011

AN ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING SECTION 3.05.070(F) OF THE CULVER CITY MUNICIPAL CODE RELATING TO THE DEFINITION OF "DIRECT LINE OF SUPERVISION" AS CONTAINED IN THE CITY'S ANTI-NEPOTISM POLICY.

ADOPTED, with further reading waived.

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November 27, 2006

Action Items

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER CORLIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ACTION ITEM NUMBERS A-4 AND A-5.

Item A-4

Award of Contract for $1,535,800.00 to Clean Energy for a CNG Station Expansion Project at the Culver City Transportation Facility and Approve a Budget Amendment of $88,300.00.

THAT THE CITY COUNCIL:

1. AUTHORIZE A CONTRACT WITH CLEAN ENERGY, IN THE AMOUNT OF $1,534,800.00 FOR THE CNG REFUELING STATION EXPANSION LOCATED AT THE CULVER CITY TRANSPORTATION FACILITY, PER THE SCOPE OF WORK IN CITY BID #1331;

2. AUTHORIZE THE PURCHASING OFFICER TO ISSUE A PURCHASE ORDER TO CLEAN ENERGY IN AN AMOUNT OF $1,534,800.00;

3. AUTHORIZE THE CITY ATTORNEY TO PREPARE NECESSARY CONTRACT DOCUMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY; AND

4. AUTHORIZE A BUDGET AMENDMENT TO INCREASE THE APPROVED PROJECT BUDGET IN THE AMOUNT OF $88,300.00 (ACCOUNT #20368300.732120), TO BE FUNDED BY THE TRANSPORTATION DEPARTMENT'S MUNICIPAL OPERATOR SERVICE IMPROVEMENT PROGRAM (MOSIP) GRANT FUNDS (ACCOUNT #20368700.346580), FOR A NEW PROJECT BUDGET OF $1,688,300.00.

A 4/5THS VOTE IS REQUIRED TO ADOPT A BUDGET AMENDMENT.

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November 27, 2006

Item A-5

Award of a Contract to The Consulting Team for Meeting Facilitation Services and Authorization of a Related Allocation of Appropriated General Fund Reserve.

THAT THE CITY COUNCIL:

1. AUTHORIZE THE ALLOCATION OF $22,500.00 FROM THE APPROPRIATED GENERAL FUND RESERVE FOR THIS CONTRACT;

2. AUTHORIZE A CONTRACT WITH THE CONSULTING TEAM, LLC IN AN AMOUNT NOT-TO-EXCEED $50,000.00;

3. AUTHORIZE THE CITY ATTORNEY TO PREPARE AND/OR APPROVE ON THE BASIS OF FORM ANY NECESSARY DOCUMENTS RELATED TO THIS CONTRACT; AND

4. AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY.

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The following Action Items were discussed and voted on separately:

Item A-1

Appeal of Parks and Recreation Commission's Decision of October 10, 2006 to Deny a Permit to Remove Public Right-of-Way Trees Adjacent to 10890 Arizona Avenue.

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE ALL REPORTS AND NOTICES.

Mayor Silbiger called for a staff report.

John Rivera, Senior Management Analyst gave the staff report. Mr. Rivera clarified that Leo and Estelita Bodner, the appellants, had amended their original request and were seeking a permit to remove only one tree.

Mayor Silbiger invited the appellant to address the City Council.

Leo and Estelita Bodner, appellants, addressed the City Council regarding their request to remove public right-of-way trees adjacent to their property. The request is being made due to their concerns about the damage caused by the trees to their wall and swimming pool.

At this time, John Rivera responded to the appellants' comments.

At this time, Leo Bodner responded to staff's comments.

Following discussion, the following motion was proposed:

MOVED BY COUNCILMEMBER MALSIN AND SECONDED BY COUNCILMEMBER ROSE, THAT THE CITY COUNCIL:

1. FINDS THAT THE PARKS AND RECREATION COMMISSION DID NOT ABUSE ITS DISCRETION IN REACHING ITS DECISION AND UPHOLD THE OCTOBER 10, 2006 DECISION OF THE COMMISSION TO DENY APPELLANTS' APPLICATION FOR A PERMIT TO REMOVE FIVE TREES ADJACENT TO THEIR PROPERTY AT 10890 ARIZONA AVENUE;

2. DIRECT THAT THE PUBLIC WORKS DEPARMENT WORK WITH THE BODNERS TO PERMIT REMOVAL OF ONE TREE AT THEIR SOLE EXPENSE;

3. MAKES THE FINDING THAT IT IS A DE MINIMIS CHANGE TO THE LANDSCAPING PLAN AND THUS DOES NOT REQUIRE THE EXTENSIVE REVIEW OF THE PLANNING COMMISSION AND CITY COUNCIL OF THE DEVELOPMENT PLANS FOR THE STUDIO ESTATES AREA AS OUTLINED IN THE STAFF REPORT;

4. REQUESTS A REVIEW OF THE LANDSCAPING PLAN [FOR STUDIO ESTATES] BY THE PUBLIC WORKS DEPARTMENT IN CONJUNCTION WITH THE PLANNING DIVISION AND IN CONSULTATION WITH THE MEMBERS OF THE ASSESSMENT DISTRICT [IN STUDIO ESTATES] TO DETERMINE WHETHER ANY CHANGES TO THE DENSE PLANTING OF TREES MIGHT BE DESIRABLE.

Carol Schwab, City Attorney clarified that any replacement of trees would be at the appellants' expense. Ms. Schwab also recommended that the motion be bifurcated.

The following votes were taken:

MOVED BY COUNCILMEMBER MALSIN AND SECONDED BY COUNCILMEMBER ROSE, THAT THE CITY COUNCIL:

1. FINDS THAT THE PARKS AND RECREATION COMMISSION DID NOT ABUSE ITS DISCRETION IN REACHING ITS DECISION AND UPHOLD THE OCTOBER 10, 2006 DECISION OF THE COMMISSION TO DENY APPELLANTS' APPLICATION FOR A PERMIT TO REMOVE FIVE TREES ADJACENT TO THEIR PROPERTY AT 10890 ARIZONA AVENUE;

2. DIRECT THAT THE PUBLIC WORKS DEPARMENT WORK WITH THE BODNERS TO PERMIT REMOVAL OF ONE TREE AT THEIR SOLE EXPENSE; AND

3. MAKES THE FINDING THAT IT IS A DE MINIMIS CHANGE TO THE LANDSCAPING PLAN AND THUS DOES NOT REQUIRE THE EXTENSIVE REVIEW OF THE PLANNING COMMISSION AND CITY COUNCIL OF THE DEVELOPMENT PLANS FOR THE STUDIO ESTATES AREA AS OUTLINED IN THE STAFF REPORT.

AYES: Councilmembers Corlin, Gross, Malsin, Rose
NOES: Mayor Silbiger
ABSTAIN: None
ABSENT: None

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER ROSE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL DIRECTED THAT A REVIEW OF THE LANDSCAPING PLAN [FOR STUDIO ESTATES] BY THE PUBLIC WORKS DEPARTMENT IN CONJUNCTION WITH THE PLANNING DIVISION AND IN CONSULTATION WITH THE MEMBERS OF THE ASSESSMENT DISTRICT [IN STUDIO ESTATES] TO DETERMINE WHETHER ANY CHANGES TO THE DENSE PLANTING OF TREES MIGHT BE DESIRABLE.

Following discussion, Councilmember Gross proposed the following motion: That the neighborhoods surrounding the Studio Estates area be notified when the review of the landscaping plan for Studio Estates is conducted by the Public Works Department in conjunction with the Planning Division and in consultation with the members of the assessment district in Studio Estates; that any additional trees that are removed in the area need not be replaced in the exact location but elsewhere within the Studios Estates complex; that staff ascertain the condition of the perimeter wall and whether or not it is a hazard; and that the tree trimming in the Studio Estates complex be brought up to date.

At this time, Charles Herbertson, Public Works Director/City Engineer recommended that the City Council direct staff to study the situation in Studio Estates and obtain the services of an arborist and to return with recommendations for the City Council.

At this time, Councilmember Gross repeated her motion. Councilmember Corlin seconded the motion for purposes of discussion.

Discussion ensued regarding the perimeter wall, which staff clarified is a private, not public, wall and whether the City has any responsibility for it.

At this time, Councilmember Gross amended part of her motion as follows: That staff evaluate what the City's involvement should or should not be, vis a vis evaluating the perimeter wall.

At this time, Jerry Fulwood, City Manager recommended that staff be directed to look at the issues as discussed in the proposed motion and to return with assessments and recommendations on how to address them.

Councilmember Gross withdrew her motion.

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November 27, 2006

Item A-2

Formation of a Sustainable Community Plan.

Susan Evans, Community Development Director gave the staff report.

Cathy Vargas, Community Development Department, summarized the goals of the Sustainable Community Plan, which will guide and inform the General Plan Update.

The following member of the audience addressed the City Council:

Lee Wallach, representing the Interfaith Environmental Council and League of Conservation Voters.

Councilmember Gross proposed the following motion: Appoint a subcommittee consisting of two (2) Councilmembers to participate in the formation of the Culver City Sustainable Community Plan; authorize staff to submit an application to the American Institute of Architects for the annual Sustainable Design Assessment Teams (SDAT) Grant application; and have the subcommittee work with staff as to how to approach this project if the grant is not received.

At this time, Councilmember Gross indicated her interest in serving on the subcommittee.

Councilmember Malsin seconded the motion and also indicated his interest in serving on the subcommittee.

Councilmember Rose indicated his interest in serving on the subcommittee.

At this time, the following vote was taken:

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

1. APPOINT A SUBCOMMITTEE CONSISTING OF TWO (2) COUNCIL MEMBERS TO PARTICIPATE IN THE FORMATION OF THE CULVER CITY SUSTAINABLE COMMUNITY PLAN;

2. AUTHORIZE STAFF TO SUBMIT AN APPLICATION TO THE AMERICAN INSTITUTE OF ARCHITECTS FOR THE ANNUAL SUSTAINABLE DESIGN ASSESSMENT TEAMS (SDAT) GRANT APPLICATION; AND

3. HAVE THE SUBCOMMITTEE WORK WITH STAFF AS TO HOW TO APPROACH THIS PROJECT IF THE GRANT IS NOT RECEIVED.

At this time, Councilmember Malsin stated he would remove his name from consideration to allow Councilmember Gross and Councilmember Rose to serve on the subcommittee.

The following motion was proposed:

MOVED BY COUNCILMEMBER GROSS AND SECONDED BY COUNCILMEMBER MALSIN, THAT COUNCILMEMBER GROSS AND COUNCILMEMBER ROSE SERVE ON THE SUBCOMMITTEE TO PARTICIPATE IN THE FORMATION OF THE CULVER CITY SUSTAINABLE COMMUNITY PLAN.

Mayor Silbiger indicated his interest in serving on the subcommittee. Mayor Silbiger proposed a motion that he be appointed to serve on the subcommittee.

There was no second to Mayor Silbiger's motion.

The following vote was taken:

MOVED BY COUNCILMEMBER GROSS AND SECONDED BY COUNCILMEMBER MALSIN, THAT COUNCILMEMBER GROSS AND COUNCILMEMBER ROSE SERVE ON THE SUBCOMMITTEE TO PARTICIPATE IN THE FORMATION OF THE CULVER CITY SUSTAINABLE COMMUNITY PLAN.

AYES: Councilmembers Corlin, Gross, Malsin, Rose
NOES: None
ABSTAIN: Mayor Silbiger
ABSENT: None

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Added Item

At this time, Mayor Silbiger inquired if there was a way he could change his vote on Item A-2 from "abstain" to "yes".

Carol Schwab, City Attorney, responded that the makers of the motion would have to let Mayor Silbiger reopen the item.

Councilmember Gross and Councilmember Malsin concurred with Mayor Silbiger's request.

Mayor Silbiger declared Item A-2 reopened.

At this time, the following vote was taken:

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT COUNCILMEMBER GROSS AND COUNCILMEMBER ROSE SERVE ON THE SUBCOMMITTEE TO PARTICIPATE IN THE FORMATION OF THE CULVER CITY SUSTAINABLE COMMUNITY PLAN.

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Item A-3

A Budget Amendment Appropriating Public Art Fund Fees for New Development at the Culver Studios and Rush Pacifica's Project at 9300 Culver Boulevard, and up to $23,000.00 From the Art Fund Towards the Town Plaza Expansion Project.

Christine Byers, Cultural Affairs Division gave the staff report.

Following discussion, the following motion was voted on:

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

APPROVE A BUDGET AMENDMENT TO RECORD THE ART CONTRIBUTION RECEIPTS AND ALLOCATE THE APPROPRIATIONS AS FOLLOWS:

APPROVE THE PERCENT FOR PUBLIC ART FEES FOR THE RUSH PACIFICA 9300 CULVER BOULEVARD PROJECT (CURRENTLY ESTIMATED AT $243,000.00), THE CULVER STUDIOS COMPREHENSIVE PLAN AMENDMENT ($122,898.00), AND AN ADDITIONAL $23,000.00 FROM THE ART FUND, BE APPROPRIATED TOWARD THE HISTORICAL/CULTURAL FEATURES AND SPECIFIED LIVE PERFORMANCE COMPONENTS OF THE FUTURE TOWN PLAZA EXPANSION PROJECT (THE PROJECT ACCOUNT NUMBERS WILL BE ESTABLISHED BY CITY TREASURER'S OFFICE).

A 4/5THS VOTE IS NEEDED TO APPROVE A BUDGET AMENDMENT.

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Public Comment - Items Not On the Agenda (Continued).

Mayor Silbiger invited public participation.

There was no response.

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Receipt of Correspondence

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE FOLLOWING CORRESPONDENCE:

Email from Rebecca Fairbanks expressing disappointment that the Downtown Business Association has decided not to have a tree lighting ceremony at Towne Plaza.

Email regarding businesses blocking the sidewalk at 11739 Washington Boulevard with signs and other items.

Email from Martin Feinberg requesting that the sidewalks on the 9000 block of Carson Street be repaired due to the tree roots lifting the walkways.

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Items from Staff

Items Presented by Jerry Fulwood, City Manager:

- Inquired which Councilmembers would be able to attend a luncheon sponsored by the American Public Works Association, where Culver City will receive a 2006 Project of the Year award for the City's Culver City Dog Park project.

  Councilmember Gross and Councilmember Malsin indicated they would be able to attend.

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Items from Council

Items Presented by Councilmember Gross:

- Reported on Sepulveda Boulevard Redevelopment subcommittee meeting. A community meeting on the project is scheduled for December 5, 2006.

- Increase in graffiti on public signs near Culver City High School.

Items Presented by Councilmember Malsin:

- Has received complaints regarding lack of enforcement of permit parking arrangements throughout the City.

- Requested support to agendize discussion regarding creation of a small grant program for neighborhood park projects to be given to neighborhood groups, school groups, etc.

The City Council concurred with the request.

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Items Presented by Mayor Silbiger:

- Wants to have all City committees listed on the City's web site, along with their minutes.

- Requested support to agendize discussion regarding smoke-free outdoor areas policies.

The City Council concurred with the request.

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Adjournment

There being no further business, at 10:15 P.M., the City Council adjourned its meeting to an Adjourned Regular Meeting to be held on December 4, 2006.

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

APPROVED ________________, 2007

GARY SILBIGER
MAYOR of the City of Culver City, California

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THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

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

December 4, 2006
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: Mayor Gary Silbiger
Vice Mayor Alan Corlin
Councilmember Carol Gross
Councilmember D. Scott Malsin
Councilmember Steven Rose

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Closed Session

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

CS-1: Public Employee Evaluation
Re: City Manager
Pursuant to Government Code Section 54957

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Recess to Closed Session

The City Council recessed to Closed Session at 6:00 P.M.

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Reconvene

The City Council reconvened its meeting at 7:07 P.M., with all Members present.

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Invocation/Pledge of Allegiance

The Invocation and the Pledge of Allegiance were given at the Redevelopment Agency meeting.

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Report on Action Taken in Closed Session

Mayor Silbiger announced that there was nothing to report from Closed Session.

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Public Comment for Items Not on the Agenda

Mayor Silbiger invited public participation.

There was no response.

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Receipt of Correspondence

No action was taken on this item.

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Adjourn in Memory

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER CORLIN AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, IT BE ADJOURNED IN MEMORY OF BARBARA DEEN, SISTER OF CHARLES DEEN, PARKS AND RECREATION COMMISSIONER AND SISTER-IN-LAW OF SUSAN DEEN, CULTURAL AFFAIRS COMMISSIONER.

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Items from Staff

Items Presented by Jerry Fulwood, City Manager:

- Second annual City-wide disaster drill will be held on December 7, 2006.

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Items from Council

Items Presented by Councilmember Malsin:

- Requested support to direct staff to investigate, for future Council action, the legal basis for a moratorium on mobile home park conversions and to place consideration of such a moratorium on an upcoming Council agenda.

  The City Council concurred with the request.

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Items Presented by Mayor Silbiger:

- Meeting of the Martin Luther King Day Planning Committee scheduled for December 5, 2006.

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Adjournment

There being no further business, at 7:15 P.M., the City Council adjourned its meeting in memory of Barbara Deen, sister of Charles Deen, Parks and Recreation Commissioner and sister-in-law of Susan Deen, Cultural Affairs Commissioner to a Regular Meeting to be held on December 11, 2006.

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

APPROVED ________________, 2007

GARY SILBIGER
MAYOR of the City of Culver City, California

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THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

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

December 11, 2006
6:01 P.M.

Call to Order & Roll Call

The meeting of the City Council was called to order at 6:01 P.M.

Present: Mayor Gary Silbiger
Vice Mayor Alan Corlin
Councilmember Carol Gross
Councilmember D. Scott Malsin
Councilmember Steven Rose

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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: City of El Segundo v. City of Los Angeles, et. al (LAX Expansion), Case No. RIC426822 (LASC Case No. BS094320; Transferred and Consolidated with Related Cases LASC Nos. BS0944279, BS094359 and BS094503)
Pursuant to Government Code Section 54956.9(a)

CS-2: Liability Claims
Claimant: Michael L. Conzachi
Agency Claimed Against: City of Culver City
Pursuant to Government Code Section 54956.9(a)

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Recess to Closed Session

The City Council recessed to Closed Session at 6:01 P.M.

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Reconvene

The City Council reconvened its meeting at 7:15 P.M., with all Members present.

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Invocation/Pledge of Allegiance

The Invocation was given by Jerry Fulwood, City Manager, and the Pledge of Allegiance was led by Richard Rownak.

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Report on Action Taken in Closed Session

Mayor Silbiger announced that there was nothing to report from Closed Session.

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Public Comment for Items Not on the Agenda

Mayor Silbiger invited public participation.

The following members of the audience addressed the City Council:

Scott Chambers, delivering a gift box from Essential Chocolate Collection to Vice Mayor Alan Corlin in honor of his birthday.

Carlos Saez, co-owner of The Jungle Nursery, expressing concerns regarding the impacts to his business from the Exposition Light Rail project and seeking assistance in relocating his business.

Gerard Saez, co-owner of The Jungle Nursery, submitted petitions in support of The Jungle Nursery.

In response to Council inquiries, staff advised the City Council that the Redevelopment Agency has already tried to assist in finding a relocation site for The Jungle Nursery and the difficulty in finding a site large enough for a nursery.

Councilmember Malsin suggested that the City write a letter to the MTA requesting an extension of the lease with The Jungle Nursery.

The City Council concurred with the suggestion. The City Council requested that staff prepare the letter in time to allow Councilmember Corlin and Councilmember Malsin to hand carry the letter to an upcoming JPA meeting on Thursday, December 14, 2006.

The following people addressed the City Council, speaking in support of The Jungle Nursery:

Steve Coker, representing the City of Los Angeles South Robertson Neighborhood Council
Karen Steuben
Nina Lamanna
Jose Montero
Jorge Rodas
Lupe Mercado
John Fitzgerald
Kevin Ricard
Laura Schwartz
Marcia K. Sacharny
Greg Mull

Audience participation continued:

Carnele Wallace, member, Culver City Senior Center, regarding the Bridge Club being relocated out of the Senior Center to the former Nutrition Center. Requested assistance from the City Council to move the Bridge Club back to the Senior Center.

Efrem Violin, expressing concerns regarding the Sepulveda Boulevard Redevelopment Project and the impacts to existing businesses.

Christopher Armenta, City Clerk read written comments submitted by the following:

Carina Saez
Wendi Anton
Sara Cullen

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Public Hearings

Item PH-1

Public Hearing Regarding the Use of Monies for Front Line Police Services as a Result of Supplemental Law Enforcement Funding Grant Under the Citizen's Option for Public Safety (COPS) Program.

MOVED BY COUNCILMEMBER GROSS, SECONDED BY MAYOR SILBIGER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF NOTICE OF PUBLIC HEARING.

Mayor Silbiger called for a staff report.

Police Lieutenant Ed Baughn gave the staff report.

Mayor Silbiger declared the Public Hearing open.

Mayor Silbiger invited public testimony.

The following member of the audience addressed the City Council:

Richard Rownak

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER ROSE AND UNANIMOUSLY CARRIED, THAT THE PUBLIC HEARING BE CLOSED.

Item PH-1
(continued)

Following discussion, the following motion was made:

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

1. ADOPT A MOTION CONFIRMING THE INCLUSION OF THESE FUNDS AS REFLECTED IN THE ADOPTED BUDGET FOR FISCAL YEAR 2006/2007 FOR THE PURPOSES OF FUNDING A PROPERTY TECHNICIAN POSITION IN THE POLICE DEPARTMENT; AND

2. AUTHORIZE, BY MOTION, THE USE OF THE REMAINING GRANT FUNDS (APPROXIMATELY $30,000.00) TO ESTABLISH AN OVERTIME-FUNDED OFFICER TASK FORCE TO ADDRESS "QUALITY OF LIFE: INFLUENCING" CRIMES.

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Item PH-2

Public Hearing to Continue the Downtown Culver City Business Improvement District.

Councilmember Malsin announced that, due to a conflict of interest, he would be recusing himself from discussion of this item. Councilmember Malsin left the dais.

Mayor Silbiger announced that this was the time and place for the hearing of protests or objections to the continuation of the Business Improvement District (BID).

Christopher Armenta, City Clerk announced that the Resolution of Intention, which included notice of this public hearing, was published in the Culver City News on November 23 and 30, 2006, and was mailed to all affected businesses.

MOVED BY COUNCILMEMBER ROSE AND SECONDED BY COUNCILMEMBER GROSS, THAT THE CITY COUNCIL RECEIVE AND FILE ALL AFFIDAVITS.

AYES: Councilmembers Corlin, Gross, Rose, Silbiger
NOES: None
ABSTAIN: Councilmember Malsin
ABSENT: None

Christopher Armenta, City Clerk announced that one written protest had been received and verified that all protests have been delivered to the City Council. Mr. Armenta read the written protest, which was submitted by George N. Plato, representing Plato Family Partnerships.

Mayor Silbiger called for a staff report.

Glenn Heald, Associate Analyst, gave the staff report.

Mayor Silbiger declared the Public Hearing open.

Mayor Silbiger invited public testimony.

There was no response.

MOVED BY COUNCILMEMBER GROSS AND SECONDED BY COUNCILMEMBER ROSE AND UNANIMOUSLY CARRIED, THAT THE PUBLIC HEARING BE CLOSED.

AYES: Councilmembers Corlin, Gross, Rose, Silbiger
NOES: None
ABSTAIN: Councilmember Malsin
ABSENT: None

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER GROSS AND SECONDED BY COUNCILMEMBER ROSE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ADOPT RESOLUTION NO. 2006-R088 TO LEVY THE PROPOSED 2007 BID ASSESSMENT; AND

2. APPOINT KEN CHERNUS, DEBBIE WEISS, HEIDI FAHRINGER, STU FREEMAN, ANDREW WEISSMAN AND GERALD WEINER TO THE DBA BID ADVISORY BOARD.

AYES: Councilmembers Corlin, Gross, Rose, Silbiger
NOES: None
ABSTAIN: Councilmember Malsin
ABSENT: None

Councilmember Malsin returned to the dais.

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Item PH-3

Public Hearing for the Consideration to Approve an Exception to the Usual Method for Awarding a Public Works Contract, and Award a Design-Build Contract to Fast-Track Construction Corporation for the Firing Range Rehabilitation Project.

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT AND NOTICE OF PUBLICATION.

Mayor Silbiger called for a staff report.

Mate Gaspar, Engineering Services Manager gave the staff report.

Mayor Silbiger declared the Public Hearing open.

Item PH-3
(continued)

Mayor Silbiger invited public testimony.

There was no response.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE PUBLIC HEARING BE CLOSED.

Following discussion, the following motion was made:

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

1. APPROVE AN EXCEPTION TO THE REQUIREMENTS SET BY CITY CHARTER FOR AWARDING PUBLIC WORKS CONTRACTS TO THE LOWEST BIDDER;

2. AWARD A DESIGN-BUILD CONTRACT TO FAST-TRACK CONSTRUCTION CORPORATION FOR A NOT-TO-EXCEED COST OF $581,772.25, TO COMPLETE THE NECESSARY WORK FOR THE FIRING RANGE REHABILITATION PROJECT, P-832;

3. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER AND THE POLICE CHIEF TO APPROVE CHANGE ORDERS IN A NOT-TO-EXCEED AMOUNT OF $133,227.75, IF NECESSARY; AND

4. AUTHORIZE THE CITY ATTORNEY TO PREPARE THE NECESSARY DOCUMENTS FOR THE CONTRACT AND AUTHORIZE THE CITY MANAGER TO APPROVE THE DOCUMENTS.

A 4/5THS VOTE IS REQUIRED.

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Item L-1

Legislation and League of California Cities Priority Focus Bulletins - Issue #46 Dated December 1, 2006.

Shelly Wolfberg, Intergovernmental Relations Officer reported on highlights from the bulletin.

Consent Calendar

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1, C-2, AND C-3.

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Item C-1

City Clerk's Report

THAT THE CITY COUNCIL RECEIVE AND FILE THE CITY CLERK'S REPORT REGARDING POSTING OF THE AGENDA FOR THIS MEETING.

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Item C-2

Treasurer's Report of Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR THE PERIOD OF NOVEMBER 20, 2006 THROUGH DECEMBER 1, 2006.

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Item C-3

Approval of Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES OF THE ADJOURNED REGULAR MEETING OF OCTOBER 3, 2006, THE MINUTES OF THE REGULAR MEETING OF OCTOBER 9, 2006 AND THE MINUTES OF THE ADJOURNED REGULAR MEETING OF OCTOBER 16, 2006 AS SUBMITTED.

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Action Items

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER CORLIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ACTION ITEM NUMBERS A-4, A-5 AND A-6.

Item A-4

Approval of the Revised Classification Specifications for Mechanic Assistant and Equipment Service Worker.

THAT THE CITY COUNCIL:

1. APPROVE THE REVISED CLASSIFICATION SPECIFICATION FOR MECHANIC ASSISTANT; AND

2. APPROVE THE REVISED CLASSIFICATION SPECIFICATION FOR EQUIPMENT SERVICE WORKER.

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Item A-5

Approval of the Classification Specification for Equipment Maintenance Supervisor.

THAT THE CITY COUNCIL APPROVE THE REVISED CLASSIFICATION SPECIFICATION FOR EQUIPMENT MAINTENANCE SUPERVISOR.

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Item A-6

Approval of the Classification Specification for Parks Manager.

THAT THE CITY COUNCIL APPROVE THE REVISED CLASSIFICATION SPECIFICATION FOR PARKS MANAGER.

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The following Action Items were discussed and voted on separately:

Item A-3
(out of sequence)

Approval of a Substitute Improvement for the Playa Vista Drive Bridge Pursuant to the Third Amendment to Agreement Between the City of Culver City and Playa Vista (Playa Capital Company, LLC).

Councilmember Rose requested that the motions be separated because he will need to abstain from discussion of the first motion due to a conflict of interest.

The City Council concurred with the request. Councilmember Rose then left the dais.

John Rivera, Senior Management Analyst gave the staff report.

The following members of the audience addressed the City Council:

Bernard Bronstein
Bill Reid
Dan Cohen, representing The Kitchen Store
Craig Doyle, representing Westfield Fox Hills Shopping Center
Mark Huffman, representing Playa Vista

Following discussion, the following motions were made:

MOVED BY COUNCILMEMBER GROSS AND SECONDED BY COUNCILMEMBER CORLIN, THAT THE CITY COUNCIL APPROVE THE PAYMENT BY PLAYA CAPITAL COMPANY, LLC OF $300,000.00 FOR USE BY THE CITY OF CULVER CITY FOR THE DESIGN AND CONSTRUCTION OF THE SEPULVEDA BOULEVARD WIDENING PROJECT AS A SUBSTITUTE IMPROVEMENT FOR THE PLAYA VISTA DRIVE BRIDGE PURSUANT TO THE THIRD AMENDMENT TO AGREEMENT BETWEEN THE CITY OF CULVER CITY (CITY) AND PLAYA VISTA (PLAYA CAPITAL COMPANY, LLC).

AYES: Councilmembers Corlin, Gross, Malsin, Silbiger
NOES: None
ABSTAIN: Councilmember Rose
ABSENT: None

At this time, Councilmember Rose returned to the dais.

The following vote was taken:

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL AUTHORIZE A BUDGET AMENDMENT TO RECORD THE RECEIPT OF $300,000.00 AND APPROPRIATE THE SAME AMOUNT FOR THE SEPULVEDA BOULEVARD WIDENING PROJECT (ACCOUNT NUMBERS WILL BE ESTABLISHED BY THE ACCOUNTING DIVISION UPON APPROVAL OF THIS ITEM).

A BUDGET AMENDMENT REQUIRES A 4/5THS VOTE.

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December 11, 2006

Item A-2
(out of sequence)

Authorize a Letter of Support for Mountains Recreation and Conservation Authority Grant Application for the Ballona Creek Trail and Bike Path Enhancement Project.

John Rivera, Senior Management Analyst gave the staff report.

The following member of the audience addressed the City Council:

Leslie Chan, representing the Mountains Recreation and Conservation Authority.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL AUTHORIZE THE CITY MANAGER TO SUBMIT A LETTER OF SUPPORT FOR MOUNTAINS RECREATION AND CONSERVATION AUTHORITY GRANT APPLICATION FOR THE BALLONA CREEK TRAIL AND BIKE PATH ENHANCEMENT PROJECT.

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December 11, 2006

Item A-1

Adoption of a Resolution Approving and Adopting a City Council Policy Statement Entitled "Naming of City Facilities."

William La Pointe, Director of Parks, Recreation and Community Services gave the staff report.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NUMBER 2006-R089, APPROVING AND ADOPTING A CITY COUNCIL POLICY STATEMENT ENTITLED "NAMING CITY FACILITIES", WITH THE FOLLOWING AMENDMENTS TO THE COUNCIL POLICY STATEMENT:

1. UNDER "DESCRIPTIVE NAMING", ADD "FUNCTION" TO THE LIST OF CRITERIA TO BE CONSIDERED IN THE DESCRIPTIVE NAMING OF A CITY FACILITY.

2. UNDER "COMMEMORATIVE NAMING", NO. 1: DELETE THE WORD "FACILITY".

3. UNDER "COMMEMORATIVE NAMING", NO. 4: AMEND TO READ AS FOLLOWS: "IF A CITY FACILITY IS PROPOSED TO BE NAMED AFTER A PERSON WHO IS DECEASED, ONE YEAR *MUST* HAVE PASSED BEFORE THE NAMING PROCESS IS INITIATED."

4. UNDER "COMMEMORATIVE NAMING", NO. 5: AMEND TO READ AS FOLLOWS: "NO CITY FACILITY SHALL BE NAMED *AFTER* A LIVING PERSON".

5. UNDER "SIGNIFICANT DONOR/CONTRIBUTOR NAMING": AMEND TO READ AS FOLLOWS: "1. *MORE THAN 50%* OF THE CONSTRUCTION COSTS OF A SUBSTANTIAL CITY FACILITY HAVE BEEN CONTRIBUTED." AND "2. *MORE THAN 50%* OF THE COST OF LAND HAS BEEN CONTRIBUTED."

6. UNDER "PROCEDURE", NO. 2: AMEND TO READ AS FOLLOWS: "CITY COUNCIL SHALL EITHER DIRECT THE REQUEST TO THE MOST APPROPRIATE CITY COMMISSION, COMMITTEE, *COUNCIL EMERITUS* OR STAFF FOR REVIEW AND RECOMMENDATION OR REFUSE CONSIDERATION OF THE REQUEST. *THE REVIEW PROCESS SHOULD INCLUDE SOME FORM OF PUBLIC OUTREACH.*"

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Public Comment - Items Not On the Agenda (Continued).

Mayor Silbiger invited public participation.

There was no response.

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Receipt of Correspondence

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE FOLLOWING CORRESPONDENCE:

Email from Margot Bennett expressing concerns regarding a business named Nirvana Smoke Shop located on Midway and Washington Boulevard.

Email from Jan Dudley regarding the proposed redevelopment project on Sepulveda Boulevard.

Email from Lee O. Norris regarding the proposed redevelopment project on Sepulveda Boulevard.

Email from Anthony Giancana regarding Abrigo Martial Arts School having to relocate due to increased rent.

Email from Ann Marie Wallace, Regional Manager, League of California Cities, advising a measure recently filed for the 2008 ballot dealing with reform of eminent-domain laws in California.

Email from Paul Cassidy inquiring into the status of the skateboard park.

The following people sent emails in support of the City's Summer Concert Series:

Wena Dows
Harris J. Levey
Bobbi Gold

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Items from Staff

Items Presented by Jerry Fulwood, City Manager:

- Lighting of the Holiday Tree in Town Plaza will be take place on December 13, 2006.

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Items Presented by Martin Cole, Assistant City Manager:

- As part of the City's Grants Management procedure, the Parks and Recreation Department has collected $20,000 in grant funds.

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Items from Council

Items Presented by Councilmember Malsin:

- Lights on the Culver Theater sign are not working.
- Requested a follow-up report regarding the City-wide Disaster Drill held on December 7, 2006.

  Assistant Fire Chief Chris Sellers gave a report.

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Items Presented by Councilmember Gross:

- Requested support to issue a Council commendation to Susan Evans, retiring Community Development Director.

  The City Council concurred with the request.

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Items Presented by Councilmember Corlin:

- Inquired when the voting system in the Council Chambers will be operational.

  Charles Herbertson, Public Works Director/City Engineer, gave a status report of the project.

- Thanked all for the birthday wishes.

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Items Presented by Mayor Silbiger:

- Reported on meetings he attended. These include meetings regarding the Sepulveda Boulevard Redevelopment Project; Homeless Committee; and the LAX Airport Advisory Committee.

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Adjournment

There being no further business, at 10:15 P.M., the City Council adjourned its meeting to an Adjourned Regular Meeting to be held on December 18, 2006.

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

APPROVED ________________, 2007

GARY SILBIGER
MAYOR of the City of Culver City, California

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THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

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

December 18, 2006
7:25 P.M.

Call to Order & Roll Call

The meeting of the City Council was called to order at 7:25 P.M.

Present: Mayor Gary Silbiger
Vice Mayor Alan Corlin
Councilmember Carol Gross
Councilmember D. Scott Malsin
Councilmember Steven Rose

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Invocation/Pledge of Allegiance

The Invocation and the Pledge of Allegiance were given at the Redevelopment Agency meeting.

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Presentations

Item P-1

Presentation of a Commendation and City Tile to Community Development Director Susan Evans on the Occasion of Her Retirement.

Councilmember Gross read the commendation in its entirety. Susan Evans accepted the commendation and thanked the City Council and her staff.

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Recess

The City Council recessed its meeting at 7:34 P.M. to the Redevelopment Agency meeting.

Reconvene

The City Council reconvened its meeting at 7:50 P.M., with all Members present.

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Public Comment for Items Not on the Agenda

Mayor Silbiger invited public participation.

The following members of the audience addressed the City Council:

Fred Yglesias, extended Seasons Greetings to the City Council and staff. Commended the City for a job well done.

Tevis Barnes, Culver City Housing Administrator, providing information from the 2006 Mayoral Housing Conference.

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Consent Calendar

Item C-1

City Clerk's Report

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE CITY CLERK'S REPORT REGARDING POSTING OF THE AGENDA FOR THIS MEETING.

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A Joint Meeting of the Culver City Redevelopment Agency and Culver City City Council to Consider the Culver City Redevelopment Agency's Annual Report for Fiscal Year 2005-06.

John Fisanotti, Redevelopment Project Manager gave the staff report.

Following discussion, the following motion was made:

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

1. REVIEW THE CULVER CITY REDEVELOPMENT AGENCY ANNUAL REPORT FOR FISCAL YEAR 2005-06 IN ACCORDANCE WITH HEALTH AND SAFETY CODE SECTION 33080; AND

2. RECEIVE AND FILE THE ANNUAL REPORT.

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Recess

The City Council recessed its meeting to the Redevelopment Agency meeting at 8:17 P.M.

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Reconvene

The City Council reconvened its meeting at 10:42 P.M., with all Members present.

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Action Items

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ACTION ITEM NUMBERS A-4, A-5, AND A-6.

Item A-4

Adoption of a Resolution of Intention to Approve a Contract Amendment between PERS and the City of Culver City to Implement One-Year Final Compensation for Culver City Management Group (CCMG) and Culver City Employee's Association (CCEA) Unit Employees.

THAT THE CITY COUNCIL ADOPT RESOLUTION OF INTENTION NO. 2006-R091 TO APPROVE THE PERS CONTRACT AMENDMENT.

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Item A-5

Adopt Resolution No. 2006-R092.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, ADOPTING THE SALARY AND CLASSIFICATION PLAN FOR CERTAIN MISCELLANEOUS HOURLY PART-TIME EMPLOYEE CLASSIFICATIONS AND RESCINDING RESOLUTION NO. 2005-R031.

ADOPTED, with further reading waived.

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Item A-6

Approval of a Contract with the Law Firm of Goldstein & Goldstein to Provide Representation to the City on All Matters Related to Teamsters Petition for Recognition and Modification/Decertification.

THAT THE CITY COUNCIL:

1. APPROVE THE CONTRACT WITH THE LAW FIRM OF GOLDSTEIN & GOLDSTEIN TO REPRESENT THE CITY IN ALL MATTERS RELATED TO TEAMSTERS PETITION FOR RECOGNITION AND DECERTIFICATION/MODIFICATION; AND

2. AUTHORIZE THE CITY ATTORNEY TO PREPARE THE PROPER DOCUMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

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The following Action Items were discussed and voted on separately:

Item A-1

Approval of 2007 Performing Arts Grant Award and Allocation of Funds as Recommended by the Cultural Affairs Commission.

Susan Obrow, Performing Arts Coordinator and Special Events Producer, Cultural Affairs Division, gave the staff report.

The following members of the audience addressed the City Council:

Matthew Hetz and Joel Forman, representing the Culver City Symphony Orchestra.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE THE 2007 PERFORMING ARTS GRANT PROGRAM AND ALLOCATION OF FUNDS AS RECOMMENDED BY THE CULTURAL AFFAIRS COMMISSION AND AS OUTLINED IN THE STAFF REPORT DATED DECEMBER 18, 2006.

December 18, 2006

Item A-3
(out of sequence)

Authorization of Initiation of the Formation of Underground Utility District 10 on that Certain Portion of National Boulevard and Exposition Boulevard between the Southerly Side of the Metropolitan Transportation Authority Right-of-Way and the Northern City Limit, Parallel to Venice Boulevard; and Adoption of a Resolution Setting a Public Hearing on the Matter.

Charles Herbertson, Public Works Director/City Engineer gave the staff report.

The following member of the audience addressed the City Council:

Mark Olson, Region Manager, Southern California Edison

Charles Herbertson, Public Works Director/City Engineer responded to City Council inquiries regarding funding for the project and possible financial assistance from the City of Los Angeles.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. INITIATE THE FORMATION OF UNDERGROUND UTILITY DISTRICT 10 ON THAT CERTAIN PORTION OF NATIONAL BOULEVARD AND EXPOSITION BOULEVARD BETWEEN THE SOUTHERLY SIDE OF THE METROPOLITAN TRANSPORTATION AUTHORITY EXPOSITION LIGHT RAIL TRANSIT PROJECT RIGHT-OF-WAY AND THE NORTHERN CITY LIMIT, PARALLEL TO VENICE BOULEVARD; AND

2. ADOPT RESOLUTION NO. 2006-R090 SETTING A PUBLIC HEARING ON THE MATTER FOR JANUARY 8, 2007.

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Item A-2

Regional Housing Needs Assessment (RHNA) Status Update Report.

Susan Yun, Associate Planner gave the staff report.

Discussion ensued between the City Council and staff regarding methodology used to determine the housing unit numbers for Culver City; and ramifications of not reaching these numbers.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER ROSE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE REGIONAL HOUSING NEEDS ASSESMENT (RHNA) STATUS UPDATE REPORT.

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Public Comment - Items Not On the Agenda (Continued)

Mayor Silbiger invited public participation.

There was no response.

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Receipt of Correspondence

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE FOLLOWING CORRESPONDENCE:

Email from Eric regarding a business in Culver City allegedly using fraudulent business practices.

Email from Zan regarding the proposed skateboard park in Culver City.

Email from Don Austin expressing displeasure regarding the loss of use of the parking lot next to the Post Office on Culver Boulevard.

Email from Jim Lamm expressing support for the Council action to submit a letter of support for Mountains Recreation and Conservation Authority grant application for the Ballona Creek Trail and Bike Path Enhancement Project.

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Items from Staff

Items Presented by Martin Cole, Assistant City Manager:

- Wished all Happy Holidays.

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Items Presented by Heather Iker, Deputy City Attorney:

- Wished all Happy Holidays.

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Adjourn in Memory

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, IT BE ADJOURNED IN MEMORY OF JOSEPH SETKA, LONG-TIME CULVER CITY RESIDENT.

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Items from Council

Items Presented by Councilmember Gross:

- Wished all Happy Holidays.

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Items Presented by Councilmember Rose:

- Requested support to issue a Council proclamation to John Marcus, who earned the rank of Eagle Scout.

  The City Council concurred with the request.

- Wished all Happy Holidays.

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Items Presented by Councilmember Malsin:

- Wished all Happy Holidays.

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Items Presented by Councilmember Corlin:

- Wished all Happy Holidays.

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Items Presented by Mayor Silbiger:

- Requested support to agendize discussion regarding increasing salaries for part-time Recreation staff.

  The City Council suggested that this item be discussed during budget sessions.

- Wished all Happy Holidays.

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Adjournment

There being no further business, at 11:41 P.M., the City Council adjourned its meeting in memory of Joseph Setka, long-time Culver City resident, to a Regular Meeting to be held on January 8, 2007.

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

APPROVED ________________, 2007

GARY SILBIGER
MAYOR of the City of Culver City, California

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THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

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

January 8, 2007
5:32 P.M.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:30 P.M.

Present: Mayor Gary Silbiger
Vice Mayor Alan Corlin
Councilmember Carol Gross
Councilmember D. Scott Malsin
Councilmember Steven Rose

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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: In re Urban Hotels, Inc.
Case No. LA05-50140-AA
Pursuant to Government Code Section 54956.9(a)

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

CS-3: Conference with Legal Counsel - Existing Litigation
Re: Heidi Keyantash v. City of Culver City, et al.
Case No. BC338595
Pursuant to Government Code Section 54956.9(a)

CS-4: Public Employee Performance Evaluation
Re: City Manager
Pursuant to Government Code Section 54957

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Recess to Closed Session

The City Council recessed to Closed Session at 5:32 P.M.

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Reconvene

The City Council reconvened its meeting at 7:05 P.M., with all Members present.

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Invocation/Pledge of Allegiance

The Invocation was given by Jerry Fulwood, City Manager, and the Pledge of Allegiance was led by Pam Robinson, Veterans Memorial Complex Manager.

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Presentations

Item P-1

Proclamation in Honor of Dr. Martin Luther King, Jr. Day.

Mayor Silbiger read the proclamation in its entirety. Mary Ann Greene, co-chair, Martin Luther King Jr. Day Planning Committee, accepted the proclamation and thanked the City Council. Ms. Greene also reviewed events scheduled for January 14 and January 15 in honor of Martin Luther King, Jr. Day.

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Public Comment for Items Not on the Agenda

Mayor Silbiger invited public participation.

The following members of the audience addressed the City Council:

Bill LaPointe, Director of Parks, Recreation and Community Services, discussed the recent Fox Hills Park Pride Day. The event was co-sponsored by the Fox Hills Neighborhood Association, Westfield Mall Association and the Parks, Recreation and Community Services Department.

Charles Herbertson, Public Works Director/City Engineer, announced drop-off locations to recycle Christmas trees.

Catherine Vargas, Sanitation Division, announced an electronic waste recycling event scheduled for January 27, 2007.

Steve Newton, inquired into the Carson Street Sewer Improvement Project.

Mayor Silbiger clarified that this item is listed on the Consent Calendar.

Peter Messinger, owner, The Aquarium Company, expressing concerns regarding the Sepulveda Boulevard Redevelopment Project and impacts to his business, especially the difficulties experienced in trying to relocate his business.

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Recess

The City Council recessed its meeting to the Redevelopment Agency meeting at 7:30 P.M.

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Reconvene

The City Council reconvened its meeting at 7:32 P.M., with all Members present.

Public Hearing

Item PH-1

Adoption of a Resolution Declaring the Formation of Underground Utility District No. 10 on that Certain Portion of National Boulevard and Exposition Boulevard between the Southerly Side of the Metropolitan Transportation Authority Right-of-Way and the Northern City Limit, Parallel to Venice Boulevard and Ordering the Removal and Underground Installation of the Utility Facilities in Such District.

Mayor Silbiger declared the Public Hearing open.

Christopher Armenta, City Clerk announced that in accordance with Culver City Municipal Code Sections 5.04.005, et seq., the City Clerk's Office has notified all affected property owners and all affected utility companies, by mail, of the time and place of this hearing. Mr. Armenta advised the City Council that there were two speaker cards submitted for this item.

Mayor Silbiger called for a staff report.

Charles Herbertson, Public Works Director/City Engineer gave the staff report.

Mayor Silbiger invited public testimony.

The following members of the audience addressed the City Council:

Mark Olson, Region Manager, Southern California Edison
Aileen Warda, representing Surfas Inc.

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE PUBLIC HEARING BE CLOSED.

Item PH-1
(continued)

The City Council requested that staff investigate locating other funding sources for this project. The City Council also requested that staff ensure that funds spent on this project be considered as matching funds for the upcoming above grade crossing for the MTA Exposition Right-of-Way project.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2007-R001 DECLARING THE FORMATION OF UNDERGROUND UTILITY DISTRICT NO. 10 ON THAT CERTAIN PORTION OF NATIONAL BOULEVARD AND EXPOSITION BOULEVARD BETWEEN THE SOUTHERLY SIDE OF THE METROPOLITAN TRANSPORTATION AUTHORITY RIGHT-OF-WAY AND THE NORTHERN CITY LIMIT, PARALLEL TO VENICE BOULEVARD AND ORDERING THE REMOVAL AND UNDERGROUND INSTALLATION OF THE UTILITY FACILITIES IN SUCH DISTRICT.

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Item L-1

Legislation and League of California Cities Priority Focus Bulletins - Issue #47 Dated December 8, 2006 and Issue #48 Dated December 15, 2006.

Shelly Wolfberg, Intergovernmental Relations Officer reported on highlights from the bulletins.

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Consent Calendar

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER ROSE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 AND C-2.

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Item C-1

City Clerk's Report

THAT THE CITY COUNCIL RECEIVE AND FILE THE CITY CLERK'S REPORT REGARDING POSTING OF THE AGENDA FOR THIS MEETING.

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Item C-2

Treasurer's Report of Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR THE PERIOD OF DECEMBER 4 THROUGH DECEMBER 22, 2006.

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The following Consent Calendar Item was discussed and voted on separately:

Item C-3

Consideration to Approve the Final Plans and Specifications and Authorize Advertising for Bids for the Carson Street Sewer Improvement Project, P860.

Charles Herbertson, Public Works Director/City Engineer gave the staff report.

The following member of the audience addressed the City Council:

Steve Newton

Following discussion, the following motion was made:

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

1. APPROVE THE PLANS AND SPECIFICATIONS FOR CARSON STREET SEWER IMPROVEMENT PROJECT, P-860; AND
2. AUTHORIZE ADVERTISING FOR BIDS FOR THE CARSON STREET SEWER IMPROVEMENT PROJECT, P-860.

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Action Items

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER CORLIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ACTION ITEM NUMBERS A-2, A-4, A-5 AND A-6.

January 8, 2007

Item A-2

Approve a Request for Proposal for Third Party Claims Administration, Medical Bill Review Services, and Utilization Review Services for the Workers' Compensation Program.

THAT THE CITY COUNCIL APPROVE THE REQUEST FOR PROPOSAL (RFP) FOR THIRD PARTY CLAIMS ADMINISTRATION, MEDICAL BILL REVIEW SERVICES, AND UTILIZATION REVIEW SERVICES FOR THE WORKERS' COMPENSATION PROGRAM.

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Consideration to Approve a Change Order to the Contract with Utility Systems Science and Software for the Sewer Emergency Notification System.

THAT THE CITY COUNCIL:

1. APPROVE APPROPRIATION OF $232,767.00 FROM THE SEWER ENTERPRISE FUND TO THE SEWER OPERATIONS MAINTENANCE BUDGET LINE ITEM FOR OTHER CONTRACTUAL SERVICE ACCOUNT #20466100.619800;

2. APPROVE THE AMENDMENT TO THE AGREEMENT WITH UTILITY SYSTEMS SCIENCE AND SOFTWARE IN THE AMOUNT OF $232,767.00 FOR THE SEWER EMERGENCY NOTIFICATION SYSTEM; AND

3. AUTHORIZE THE CITY ATTORNEY'S OFFICE TO PREPARE THE NECESSARY DOCUMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THOSE DOCUMENTS ON BEHALF OF THE CITY.

A FOUR-FIFTHS (4/5) VOTE IS REQUIRED FOR THIS BUDGET AMENDMENT.

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January 8, 2007

Item A-5

Award a Purchase Order to Galpin Ford Inc. for Two Police Commercial Enforcement Vehicles and Authorize the Acceptance of a Donation from the Rosalande and Arthur Gilbert Foundation to Cover the Cost of One of the Vehicles.

Councilmember Malsin requested that Colin Gilbert be recognized by the City Council for his generosity and his volunteerism for the City.

The City Council concurred with the request.

THAT THE CITY COUNCIL:

1. AUTHORIZE A BUDGET AMENDMENT FROM POLICE ASSET SEIZURE FUND TO APPROPRIATE THE AMOUNT OF $26,500.00 TO PURCHASE ONE OF THE COMMERCIAL ENFORCEMENT VEHICLES;

2. AUTHORIZE THE ACCEPTANCE OF A DONATION FROM THE ROSALANDE AND ARTHUR GILBERT FOUNDATION TO COVER THE COST OF THE SECOND COMMERCIAL ENFORCEMENT VEHICLE; A BUDGET AMENDMENT WILL BE MADE TO RECORD THE RECEIPT OF THIS DONATION AND APPROPRIATE THE PURCHASE OF THE SECOND COMMERCIAL ENFORCEMENT VEHICLES;

3. AUTHORIZE A PURCHASING CONTRACT WITH GALPIN FORD INC. TO FURNISH AND DELIVER TWO FULLY EQUIPPED FORD F150 COMMERCIAL ENFORCEMENT VEHICLES; AND

4. AUTHORIZE THE CITY ATTORNEY TO PREPARE THE NECESSARY DOCUMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THOSE DOCUMENTS ON BEHALF OF THE CITY.

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Item A-6

Adoption of an Urgency Ordinance Amending the Contract between PERS and the City of Culver City to Implement One-Year Final Compensation for Culver City Management Group (CCMG) and Culver City Employees' Association (CCEA) Unit Employees.

THAT THE CITY ADOPT URGENCY ORDINANCE NO. 2007-001 AMENDING THE CONTRACT BETWEEN PERS AND THE CITY OF CULVER CITY.

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The following Action Items were discussed and voted on separately:

Item A-1

Discussion of Authorization and Funding of the Culver City Park Enhancement Program (PEP).

Bill La Pointe, Director of Parks, Recreation and Community Services gave the staff report.

The following members of the audience addressed the City Council;

Vicki Daly Redholtz, Chair, Parks and Recreation Commission
June Walden

Discussion ensued regarding allowing the Parks and Recreation Commission have a role in approving applications; and giving locally based small companies or businesses an opportunity apply for funds.

Following discussion, the following motion was made:

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

1. AUTHORIZE AND FUND THE CULVER CITY PARK ENHANCEMENT PROGRAM (PEP);

2. ALLOCATE FUNDS FOR THE PROGRAM THROUGH THE COUNCIL DISCRETIONARY FUND THROUGH THE END OF FISCAL YEAR 2006-07. UP TO TEN (10) GRANTS AT UP TO $500 A PIECE ARE ABLE TO BE FUNDED FOR A MAXIMUM OF $5,000 IN FISCAL YEAR 2006-07; AND

3. DIRECT THE PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT TO WORK OUT THE DETAILS OF THE PROGRAM.

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Item A-3

A Recommendation from the Agenda Formatting Subcommittee on Adding Items Related to the City Manager and Reports from the City Council on Committee Meetings Attended.

Councilmember Gross provided the report for this item.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER MALSIN AND SECONDED BY COUNCILMEMBER GROSS, THAT THE CITY COUNCIL APPROVE THE FOLLOWING RECOMMENDATIONS FROM THE AGENDA FORMATTING SUBCOMMITTEE:

1. INSERT THE NAME OF THE CITY MANAGER ON PAGE ONE OF THE AGENDA.

2. THAT COUNCILMEMBERS REPORT ON COMMITTEE MEETINGS ATTENDED UNDER THE SECTION OF THE AGENDA ENTITLED "ITEMS FROM COUNCIL".

AYES: Councilmembers Corlin, Gross, Malsin, Rose
NOES: Mayor Silbiger
ABSTAIN: None
ABSENT: None

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Public Comment - Items Not On the Agenda (Continued).

Mayor Silbiger invited public participation.

There was no response.

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Receipt of Correspondence

No action was taken on this item.

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Items from Staff

Items Presented by Martin Cole, Assistant City Manager:

- City Council will need to adjourn this meeting to January 16, 2007.

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Adjourn in Memory

MOVED BY COUNCILMEMBER ROSE, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, IT BE ADJOURNED IN MEMORY OF ANGELA PEDERSON, MOTHER OF POLICE CHIEF DON PEDERSON.

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Items from Council

Items Presented by Councilmember Malsin:

- Stop sign is down at the corner of Louise Avenue and McConnell Boulevard.

- Construction signs remain up near the Washington Boulevard Resurfacing Project site; the project has been completed.

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Items Presented by Mayor Silbiger:

- Expressed concerns that street paving projects done by the City of Los Angeles do not include portions of the streets located in Culver City.

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Adjournment

There being no further business, at 8:40 P.M., the City Council adjourned its meeting in memory of Angela Pederson, mother of Police Chief Don Pederson to an Adjourned Regular Meeting to be held on January 16, 2007.

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

APPROVED ________________, 2007

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GARY SILBIGER
MAYOR of the City of Culver City, California

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