



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
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CHRISTOPHER ARMENTA, Councilmember
JEFFREY COOPER, Councilmember
ANDREW WEISSMAN, Councilmember

John M. Nachbar, City Manager

CITY COUNCIL REGULAR MEETING Monday, February 13, 2012

PUBLIC COMMENT: At the times provided on the Agenda, the City Council will receive comments from the public on any item of interest to the public (not listed on the agenda) that is within the subject matter jurisdiction of the City Council. The City Council cannot legally take action on any item not appearing on the agenda. Such items may be referred for administrative action or scheduled on a future agenda. If you wish to address the City Council, the City Clerk requests you complete a Request to Speaker and present it to the City Clerk before the agenda item is called. You will be called to the podium when it is your turn to address the City Council. Providing your name and other information requested on the Request to Speaker is voluntary and is requested only to provide a reasonable means to notify persons when their opportunity to address the City Council has arrived. All persons may attend the meeting regardless of whether a person signs, registers, or completes a speaker's card. For specific items listed on the agenda, requests to address the City Council must be made prior to the calling for a vote on that particular item by the presiding officer. Each speaker may address the City Council for up to three minutes (up to four minutes if time is ceded). Persons who are present in the City Council Chambers may cede one minute of time to one other person who is present and wishes to address the City Council by presenting a Request to Speak to the City Clerk. Public comments on items on the agenda are taken at the time that particular agenda item is considered by the City Council.

AUTHORITY OF PRESIDING OFFICER: Section 611 of the City Charter provides that during any public meeting, all persons shall have the right to address the City Council, and any City commission, board or committee, subject to reasonable rules of decorum and time limits established by ordinance or the presiding officer. Therefore the presiding officer may, from time to time, establish different time limits than those listed in this Agenda in order to effectively conduct City business.

AVAILABILITY OF AGENDA PACKETS AND CONSERVATION OF RESOURCES: Copies of the Agenda and a binder that includes a copy of all regular session staff reports and attachments are available on the table in the rear of the Council Chambers. Members of the public may inspect (at no cost) and/or obtain copies (upon payment of the City's current copying fee) of any regular session item by visiting the City Clerk's Office at City Hall. The City also posts this information on its website (www.culvercity.org) as a courtesy. In order to conserve resources, paper copies of joint items (including JOINT CONSENT CALENDAR, JOINT PUBLIC HEARINGS, and JOINT ACTION ITEMS) are provided only with the City Council agenda packet.

CELL PHONES AND OTHER DISTRACTIONS: Use of cell phones, pagers and other communication devices is prohibited while the meeting is in session. Please turn all devices off or place on silent alert and leave the City Council Chambers to use. During the meeting, please refrain from applause or other actions that may be disruptive to the speakers or the conduct of City business.

MEETING INFORMATION AND ACCOMMODATION: City Council meetings are regularly scheduled for the first, second and fourth Mondays of every month. City Council Agenda information is available at least 72 hours before each City Council meeting. City Council/Agency Board/Commission meetings can be viewed live in Culver City on Channel 35 by Time Warner subscribers and on Channel 37 by Verizon FIOS subscribers. To view meetings on line please visit <http://www.culvercity.org/webcast>. Additionally, you may access <http://www22.verizon.com/residential/fiostv/channels.htm> and enter your zip code to see the channel listing. Any person needing reasonable accommodation related to disabilities, including assisted listening devices, is welcome to contact the City Clerk's Office at 310-253-5851 or see the City Clerk at the meeting.

NOTE: AT OR ABOUT 11:00 P.M., COUNCIL MEMBERS MAY DETERMINE WHETHER TO CONTINUE WITH DISCUSSION OF REMAINING ITEMS ON THE AGENDA OR TO CARRY SOME/ALL OF THE ITEMS OVER TO A FUTURE MEETING DATE.



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

AGENDA
City Council
REGULAR MEETING

Monday, February 13, 2012
5:30 PM (Closed Session)
7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

Mayor Micheál O’Leary
Councilmember Christopher Armenta
Councilmember Jeffrey Cooper
Councilmember Andrew Weissman

City Manager John M. Nachbar

CLOSED SESSION - 5:30 PM

Public requests to discuss Closed Session Items must be filed with the Clerk before Closed Session convenes.

The City Council shall convene in closed session to consider the following matters:

- CS-1.** Conference with Real Property Negotiators
Re:: 12337 to 12423 Washington Boulevard,
4061 to 4069 Centinela Avenue and 4064 Colonial Avenue
Agency Negotiators: John M. Nachbar, City Manager; Sol Blumenfeld, Community
Development Director; and Murray Kane, City Special Counsel
Other Parties Negotiators: Regency Centers
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-2.** Liability Claim
Claimant: Joan Mary Higgins
Agency Claimed Against: City of Culver City
Pursuant to Government Code Section 54956.95
- CS-3.** Conference with Legal Counsel – Existing Litigation
Re: Michael Earl Waters v. City of Culver City et al.
Case No. CV10-9160 SJO (MANx)
Pursuant to Government Code Section 54956.9(a)

CS-4. Conference with Real Property Negotiators
Re: 9300 Culver Boulevard
City Negotiator: John Nachbar, City Manager
Other Parties' Negotiators: Los Angeles County Bicycle Coalition, O Entertainment
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

REGULAR SESSION - 7:00 PM

INVOCATION By John M. Nachbar, City Manager

PLEDGE OF ALLEGIANCE

REPORT ON ACTION TAKEN IN CLOSED SESSION

**COMMUNITY ANNOUNCEMENTS BY CITY COUNCIL
MEMBERS/INFORMATION ITEMS FROM STAFF**

1. [Informational Item from Staff - Project at 9901 Washington Boulevard \(in the City of Los Angeles\)](#)

JOINT PUBLIC COMMENT - Items NOT on the Agenda

Note: All requests to address the City Council (and all other bodies in session) on items of interest to the public that are within the subject matter jurisdiction of the City Council (and all other bodies in session) and NOT on the agenda must file a speaker's card with the City Clerk prior to the calling of this item by the presiding officer. This public comment period shall have an aggregate duration of up to 20 minutes for all bodies in session. Each speaker may address the City Council (and all other bodies in session) for up to three minutes. Speakers who have filed a speaker's card requesting to speak but are unable to be accommodated at this time may be accommodated at a second public comment period at the end of the meeting as announced by the presiding officer.

RECEIPT AND FILING OF CORRESPONDENCE

Note: The City Council shall consider a motion to receive and file all written correspondence related to agenda items appearing on this evening's agenda and for all other written documents (including e-mails) on subjects not appearing on the agenda that were received by the City Clerk's Office no later than 4:00 PM on the day of the meeting.

JOINT CONSENT CALENDAR

Note: Joint Consent and Consent Calendar items are considered to be routine in nature and may be approved by one motion. All requests to address the City Council under these items must be filed with the City Clerk before the Consent Calendar and Joint Consent Calendar are called by the presiding officer.

- JC-1. [JOINT CITY COUNCIL AND CULVER CITY HOUSING AUTHORITY AGENDA ITEM: FOUR-FIFTHS VOTE REQUIREMENT - Adoption of Budget Amendments Related to the Transfer of Assets to the Housing Authority from the Community Improvement Fund.](#)
FOR THE CITY COUNCIL AND HOUSING AUTHORITY BOARD: Approve Budget Amendments.

CONSENT CALENDAR

Note: Joint Consent and Consent Calendar items are considered to be routine in nature and

may be approved by one motion. All requests to address the City Council under these items must be filed with the City Clerk before the Consent Calendar and Joint Consent Calendar are called by the presiding officer.

- C-1. [Approval of Minutes for the Regular Meeting of January 9, 2012.](#)
Approve minutes.
- C-2. [Cash Disbursements for January 14, 2012 - February 3, 2012](#)
Approve disbursements.
- C-3. [\(1\) Acceptance of Work Performed by KASA Construction \(2\) Authorization to File the Notice of Completion; and \(3\) Authorization to Release the Retention Payment after the Expiration of the 35-Day Lien Period for the West Washington Phase II Streetscape Median Project.](#)

Accept the work performed by KASA Construction for the West Washington Phase II Streetscape Median Project; authorize the City Manager to execute the Notice of Completion and file it with the Los Angeles County Recorder's Office; and authorize the release of \$30,573.40 in retention funds to KASA Construction after the expiration of the 35-day lien period.

- C-4. [Approval of a Professional Services Agreement with Martin & Chapman Co. to Provide Election Services Relating to the City's General Municipal Election to be held on Tuesday, April 10, 2012.](#)

Approve a professional services agreement with Martin & Chapman Co. as the election services provider for the 2012 General Municipal Election at a cost not to exceed \$68,000.00; authorize the City Attorney to review/prepare the necessary documents; and authorize the City Manager to execute such documents on behalf of the City.

- C-5. [Adoption of a Resolution Authorizing the City Manager to Submit a Grant Application through the Baldwin Hills Conservancy's Proposition 84 Grant Program for Design of a Ramp from the Higuera Bridge to the Ballona Creek Bike Path.](#)

Adopt a Resolution authorizing the City Manager to submit a grant application through the Baldwin Hills Conservancy's Proposition 84 Grant Program for design of a ramp from the Higuera Bridge to the Ballona Creek Bike Path; approve acceptance and implementation of the grant, if awarded; approve the appropriation on \$20,000 in Gas Tax funds for the grant match, if awarded; and approve the appropriation of the grant funding, if awarded.

- C-6. [Adoption of a Resolution Approving Encroachment Agreements with AT&T for Use of the Underground Public Right of Way at Various Locations.](#)

Adopt a resolution approving the Encroachment Agreements with AT&T at the locations shown in the System Exhibits; authorize the City Attorney to review/prepare the necessary documents; and authorize the City Manager to execute the documents on behalf of the City.

ORDER OF THE AGENDA

Note: The City Council may consider reordering the sequence in which items appearing on

this evening's agenda will be considered by the City Council.

ACTION ITEMS

- A-1.** [\(1\) Adoption of a Resolution of Intention to Approve a Contract Amendment between the Public Employees' Retirement System \(PERS\) and the City of Culver City to Implement Three-Year Final Compensation for New Local Fire Members \(Firefighters \(FF\) and Fire Management Group \(FMG\)\); and \(2\) Introduction of an Ordinance Authorizing said Contract Amendment.](#)

Adopt a Resolution of Intention to approve a Contract Amendment between the Public Employees' Retirement System (PERS) and the City of Culver City to implement Three-Year Final Compensation for New Local Fire Safety Members (Firefighters (FF) and Fire Management Group (FMG); and introduce an Ordinance authorizing said Contract Amendment.

- A-2.** [\(1\) Adoption of a Resolution of Intention to Approve a Contract Amendment between the Public Employees' Retirement System \(PERS\) and the City of Culver City to Implement 3% at 55 Formula and Three-Year Final Compensation for New Local Police Safety Members in the Police Officers' Association \(POA\) and Police Management Group \(PMG\); and \(2\) Introduction of an Ordinance Authorizing said Contract Amendment.](#)

Adopt a Resolution of Intention to Approve a Contract Amendment between the Public Employees' Retirement System (PERS) and the City of Culver City to Implement Three-Year Final Compensation for New Local Fire Safety Members in the Police Officers' Association (POA) and Police Management Group (PMG); and introduce an Ordinance authorizing said Contract Amendment.

- A-3.** [\(1\) Adoption of a Resolution \(a\) Providing Additional Service Credit Pursuant to Government Code Section 20903 for Local Miscellaneous Members of the California Public Employees Retirement System \(CalPERS\); \(b\) Designating the Window Period as February 14, 2012 to May 14, 2012; and \(c\) Specifying the Eligible Group of Members; and \(2\) Authorize the Mayor to Execute the Certification of Compliance with Government Code Section 20903.](#)

Adopt a Resolution (a) providing additional service credit pursuant to Government Code Section 20903 for Local Miscellaneous Members of the California Public Employees Retirement System (CalPERS); (b) Designating the Window Period as February 14, 2012 to May 14, 2012; and (c) Specifying the Eligible Group of Members; and authorize the Mayor to execute the Certification of Compliance with Government Code Section 20903.

- A-4.** [Consideration of City Sponsorship of the 49th Annual U.S./Mexico Sister Cities Association International Conference and Approval of a Memorandum of Understanding Related Thereto.](#)
Consider staff recommendations; and direct staff as deemed appropriate.

- A-5.** [CONTINUED CITY COUNCIL AGENDA ITEM: \(1\) Approval of a Commitment Letter with Regency Centers for the Sale and Redevelopment of City Owned Property at the Northerly Corners of the Washington Boulevard and Centinela Avenue Intersection, and \(2\) Approval of a Professional Services Agreement with International Parking Design to Design, Bid, and Oversee Construction of a Public Parking Structure to Satisfy the Parking Requirements of the Washington Boulevard/Centinela Avenue Market Hall Project.](#)

Approve a Commitment Letter with Regency Centers Acquisition, LLC for the sale and subsequent development of the northerly corners of the Washington Boulevard and Centinela Avenue intersection for construction of a Market Hall project pursuant to

Section 33433 of the Health and Safety Code; approve a professional services agreement with International Parking Design to design, bid and oversee construction of a City-owned Parking Structure comprised of approximately 217 spaces on the northwest corner of the Washington Boulevard and Centinela Avenue intersection; authorize the City Attorney/City Special Counsel to review/prepare the necessary documents; and authorize the City Manager to execute the such documents on behalf of the City, and to issue interpretations, waive provisions, enter into amendments on behalf of the City, and to sign all such other documents and instruments necessary to implement and carry out the agreement on behalf of the City in such form as is reasonably acceptable to the City Manager.

- A-6. [Discussion Regarding Appointments to the Oversight Board Established by AB 1X 26 \(the Redevelopment Agency Dissolution Bill\).](#)
Provide comments and recommendations to the Mayor regarding the two Mayoral appointments to the Oversight Board established by AB 1X 26.
- A-7. [Consideration of Adoption of a Resolution Imposing a Duty on the Mayor to Receive the Advice and Consent of the City Council Prior to Making Mayoral Appointments Pursuant to State Law.](#)
Consider the proposed resolution which, if adopted, would impose a duty upon the Mayor to obtain the advice and consent of the City Council when making appointments pursuant to state law.
- A-8. [Request for Direction Regarding Financial Assistance for the Culver City Exchange Club Car Show, and the Taste of the Nation and IndieCade Events.](#)
Consider staff recommendations; and direct staff as deemed appropriate.

PUBLIC COMMENT - Items NOT On The Agenda (continued)

ITEMS FROM CITY COUNCIL MEMBERS

Note: At this time, City Council Members may: (1) make individual comments on matters not on the agenda, (2) request the City Manager to report back to the City Council concerning a particular matter, (3) provide brief reports on official travel taken since the last City Council meeting or other activities, or (3) provide direction to the City Manager to place items on a future agenda for consideration by the City Council.

ADJOURN

Note: At this time, the City Council shall consider adjourning the meeting. In the case a date and time is not included as part of the motion of adjournment, then the next meeting of the City Council shall be held at the date and time and in the place specified in the agenda posted for that meeting.

**Next City Council Meeting
February 27, 2012
7:00 PM**

Upcoming Public Meeting Tentative Schedule – February 2012

Date	Day	Time	Location
City Council			
<i>February 6</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>February 13</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>February 27</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Parks and Recreation Commission			
<i>February 7</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Cultural Affairs Commission			
<i>February 14</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Planning Commission			
<i>February 8</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>February 22</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Civil Service Commission			
<i>No meeting scheduled for February</i>			
• <i>Times and dates may be changed.</i> • <i>Meetings may be added or changed</i>			

Compliance with Government Code Section 54957.5: Any writing determined to be a public record under subdivision 54957.5(a), which relates to an agenda item for an open session of a regular meeting of the legislative body of a local agency that was distributed less than 72 hours prior to that meeting, shall be made available for public inspection at the time the writing is distributed to all, or a majority of all, of the members of the legislative body. Such documents are available at the Office of the City Clerk, City of Culver City, City Hall, 9770 Culver Boulevard, Culver City, CA 90232 and may be inspected by members of the Public during normal business hours. Such documents may also be made available on the City's Website: www.culvercity.org.