



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
9770 CULVER BOULEVARD,
CULVER CITY, CALIFORNIA 90232-0507
CITY HALL Tel. (310) 253-6000
FAX (310) 253-6010

MEGHAN SAHLI-WELLS, Mayor
MICHEÁL O'LEARY, Vice Mayor
JIM B. CLARKE, Councilmember
JEFFREY COOPER, Councilmember
ANDREW WEISSMAN, Councilmember

John M. Nachbar, City Manager

CITY COUNCIL REGULAR MEETING MONDAY, October 13, 2014

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 Speaker's Card 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 Speaker's Card 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 Speaker's Card 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 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, on Channel 37 by Verizon FIOS subscribers and, for AT&T Uverse subscribers, by going to Channel 99. 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



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

AGENDA
CITY COUNCIL
REGULAR MEETING

Monday, October 13, 2014
5:30 PM (Closed Session)
7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

Mayor Meghan Sahli-Wells
Vice Mayor Micheál O'Leary
Councilmember Jim B. Clarke
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: Former Railroad Spur between Hayden and Eastham Avenues

City/Agency Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Community Development Director/Assistant Executive Director Todd Tipton, Economic Development Manager and

Murray Kane, City/Successor Agency Special Counsel

Other Parties Negotiators: Property Owners adjacent to the Former MTA Railroad Spur located between Hayden and Eastham Avenues.

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. [Conference with Real Property Negotiators](#)

Re: 9500 Culver Boulevard

City Negotiators: John Nachbar, City Manager; Sol Blumenfeld, Community Development

Director; Todd Tipton, Economic Development Manager; Murray Kane, City Special Counsel.

Other Parties Negotiators: OliverMcMillan Culver City Theaters, LLC

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-3. [Conference with Real Property Negotiators](#)

Re: Communications Tower located in Culver City Park

City/Agency Negotiators: John Nachbar, City Manager; Martin R. Cole, Assistant City Manager

Other Parties Negotiators: LA-RICS Joint Powers Authority

Under Negotiation: Both Price and Terms of Payment

Pursuant to Government Code Section 54956.8

CS-4. [Conference with Legal Counsel – Anticipated Litigation](#)

Re: Significant Exposure to Litigation – (1 item)

Pursuant to Government Code Section 54956.9(d)(2)

REGULAR SESSION - 7:00 PM

REFLECTION By John M. Nachbar, City Manager

PLEDGE OF ALLEGIANCE

REPORT ON ACTION TAKEN IN CLOSED SESSION

PRESENTATIONS

P-1. [A Proclamation Designating October as Disability Awareness Month.](#)

P-2. [A Commendation to Lawrence Elkind for his Contributions to the Disabled Community in Culver City.](#)

P-3. [A Commendation to United Cerebral Palsy for its Contributions to the Disabled Community in Culver City.](#)

P-4. [A Proclamation Designating October as National Arts & Humanities Month.](#)

P-5. [Presentation of Certificates of Recognition to the Members of the Culver City Finance Advisory Committee.](#)

P-6. [A Proclamation Designating October 21, 2014 as Read for the Record® Day.](#)

P-7. [A Proclamation Designating October as Anti-Bullying Awareness Month.](#)

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

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. Comments received in writing will be distributed to the City Council Members before consideration of an item on the agenda and become part of the official record 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/CULVER CITY HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY AGENDA ITEM: Cash Disbursements for September 13, 2014 - October 3, 2014.](#)

Approve Disbursements.

- JC-2. [JOINT CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY/PARKING AUTHORITY AGENDA ITEM: Approval of an Amendment to the Existing Landscape Maintenance Services Agreement with Marina Landscape for the Downtown Business District Landscape Revitalization Project in an Amount Not-To-Exceed \\$37,228.40 \(\\$33,844.00 Base Amendment and \\$3,384.40 Contingency\).](#)

Approve an amendment to the existing landscape maintenance services agreement with Marina Landscape for the Downtown Business District Landscape Revitalization Project in an amount not-to-exceed \$37,228.40; Authorize the City Attorney/Agency and Board General Counsel to review/prepare the necessary documents; and Authorize the City Manager/Executive Director to execute such documents on behalf of the City, the Successor Agency, the Housing Authority, and the Parking Authority, respectively.

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 September 22, 2014.](#)

Approve Minutes.

- C-2. [FOUR-FIFTHS VOTE REQUIREMENT - \(1\) Approval of a Professional Services Agreement in an Amount Not-to-Exceed \\$50,000 with Matrix Consulting Group to Conduct an Evaluation of the City's Development Services Processes; and \(2\) Approval of a Budget Amendment in the amount of \\$50,000 from General Fund Reserves.](#)

Approve a budget amendment in the amount of \$50,000 from General Fund reserves;

Approve a professional services agreement with Matrix Consulting Group to conduct an evaluation of the City development services process at a cost of \$50,000; 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-3. [Approval of a Renewed Enterprise License Agreement with the Microsoft Corporation \(through Dell, Inc. LAR\) for PC Operating System, Office Professional Software, Client Access Licenses, and Server Licenses in an Amount Not-to-Exceed \\$396,213.81 for a Three \(3\) Year Term.](#)

Approve the Renewed Agreement with Dell, Inc. for a three year term (with one two-year extension subject to the approval of the City Manager provided the renewal pricing does not increase by more than 10%) resulting in three annual payments of \$132,071.27 for a total expenditure not-to-exceed \$396,213.81 with Dell, Inc. as the Large Account Reseller; 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-4. [Adoption of a Youth Employment Plan for the Syd Kronenthal Park Playground Rehabilitation Project, PZ-831.](#)

Adopt the Youth Employment Plan for the Syd Kronenthal Park Playground Rehabilitation Project, PZ-831.

- C-5. [Approval of Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for the Syd Kronenthal Park Playground Rehabilitation Project, PZ-831.](#)

Approve the final plans and specifications for the Syd Kronenthal Park Playground Rehabilitation Project, PZ-831; and Authorize the publication of a notice inviting bids for the construction/installation of the Project.

- C-6. [Adoption of a Resolution Approving an Application for Grant Funds through the Pilot Program for Transit-Oriented Development \(TOD\) Planning under the Federal Transit Administration.](#)

Adopt a resolution approving the application for grant funds through the Pilot Program for Transit-Oriented Development (TOD) Planning under the Federal Transit Administration.

- C-7. [Adoption of a Resolution Approving an Application for Grant Funds through the Sustainable Communities Transportation Grant under the California Department of Transportation \(Caltrans\) for the Bicycle and Pedestrian Master Plan Update.](#)

Adopt a Resolution approving the application for grant funds through the Sustainable Transportation Planning Grant under Caltrans for the Bicycle and Pedestrian Master Plan Update.

- C-8. [Adoption of a Resolution Approving an Application for Grant Funds through Smart Growth America under Funding from the U.S. Environmental Protection Agency's Office of Sustainable Communities' Building Blocks for Sustainable Communities Program.](#)

Adopt a resolution approving an application for grant funds through Smart Growth America under funds from the U.S. Environmental Protection Agency's Office of Sustainable Communities' Building Blocks for Sustainable Communities Program.

- C-9. [Approval of a Professional Services Agreement with Bucknam Infrastructure Group, Inc., in an Amount Not-to-Exceed \\$77,030 to Update the Pavement Management Program, PZ-546](#)

Approve a professional services agreement with Bucknam Infrastructure Group, Inc., in an

amount not-to-exceed \$77,030 to update the Pavement Management System; 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-10. [Approval of Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for the Construction of the Sewer Main Lining Rehabilitation Project \(Phase IV\), PZ-906.](#)
Approve the final plans and specifications and authorize publication of a notice inviting bids for the construction of Sewer Main Lining Rehabilitation Project (Phase IV), PZ-906.
- C-11. [FOUR FIFTHS VOTE REQUIREMENT - \(1\) Award a Contract to All American Asphalt, as the Lowest Responsive and Responsible Bidder, in an Amount Not-to-Exceed \\$822,000 \(\\$676,500 Base Bid, Plus \\$70,500 for Add Alternate, Plus \\$75,000 in Change Order Authority\) for the Construction of the Washington Place and Sawtelle Boulevard Resurfacing Project, PZ-942, Federal Aid No. STPL 5240 \(031\); and \(2\) Approval of Related Budget Amendments in the Amount of \\$152,000.](#)
Approve a Budget Amendment to appropriate additional grant funding in the amount of \$122,000 for the Washington Place and Sawtelle Boulevard, PZ-942, Federal Aid No. STPL 5240 (031), to the respective project revenue (42380000.341000.PZ942) and expenditure account (42380000.730100.PZ942). This amount will be reimbursed by federal Surface Transportation Program (A 4/5th vote is required to approve a budget amendment); Approve a Budget Amendment to appropriate New Development Impact Fee funding from available fund balance in the amount of \$30,000 for the Washington Place and Sawtelle Boulevard, PZ-942, Federal Aid No. STPL 5240 (031), to expenditure account 41780000.730100.PZ942; Award a contract to All American Asphalt, as the lowest responsive and responsible bidder, for the Washington Place and Sawtelle Boulevard, PZ-942, Federal Aid No. STPL 5240 (031) in the amount of \$747,000, based on its bid; Authorize the Public Works Director/City Engineer to approve change orders in an amount not-to-exceed \$75,000, if necessary; Authorize the City Attorney to review/prepare the necessary documents; and Authorize the City Manager to execute such 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. [Introduction of an Ordinance Amending Chapter 9.11 of the Culver City Municipal Code Relating to Smoking Regulations to Add a New Subchapter 9.11.200, et seq., Regulating Smoking in Multi-Unit Housing.](#)
Provide clarification and direction related to enforcement; and Introduce an ordinance amending Chapter 9.11 of the Culver City Municipal Code (CCMC) relating to smoking regulations to add a new Subchapter 9.11.200, et seq., regulating smoking in multi-unit housing.
- A-2. [\(1\) Consideration of the City Council's Position on Measure P, the "Safe Neighborhood Parks, Gang Prevention, Youth/Senior Recreation, Beaches/Wildlife Protection Measure," a Proposed Annual Special Per Parcel Tax to Ensure Continued Funding From an Expiring Voter-Approved Measure, Which Appears on the November 4, 2014 Ballot and \(2\) Adoption of a Resolution Related Thereto.](#)

***Adopt a Resolution to support Measure P or Adopt a Resolution to oppose Measure P or
Take no position on Measure P.***

- A-3.** [Approval of a Purchase Agreement and Escrow Instructions for the Sale of Culver City Theaters to OliverMcMillan Culver City Theaters, LLC for the Purchase Price of \\$13,000,000.](#)
Approve a Purchase Agreement and Escrow Instructions for the sale of Culver City Theatres to OliverMcMillan Culver City Theatres, LLC for the purchase price of \$13,000,000; Authorize the City Attorney to review/prepare the necessary documents; and Authorize the City Manager to execute such documents on behalf of the City.

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
October 27, 2014
7:00 PM**

Upcoming Public Meeting Tentative Schedule

Date	Day	Time	Location
City Council			
October 27, 2014	Monday	7:00 PM	Council Chambers
November 10, 2014	Monday	7:00 PM	Council Chambers
Parks and Recreation Commission			
November 4, 2014	Tuesday	7:00 PM	Council Chambers
Cultural Affairs Commission			
November 11, 2014	Tuesday	7:00 PM	Council Chambers
Planning Commission			
October 22, 2014	Wednesday	7:00 PM	Council Chambers
Civil Service Commission			
November 5, 2014	Wednesday	7:00 PM	Council Chambers
• Regularly scheduled meetings may be canceled and Special Meetings may be called • Times and dates may be changed. • Meetings may be added or changed • The Successor Agency to the Culver City Redevelopment Agency, Culver City Housing Authority and Culver City Parking Authority meet on an as needed basis.			

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