



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
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ANDREW WEISSMAN, Mayor
JEFFREY COOPER, Vice Mayor
JIM B. CLARKE, Councilmember
MICHEAL O'LEARY, Councilmember
MEGHAN SAHLI-WELLS, Councilmember

John M. Nachbar, City Manager

CITY COUNCIL REGULAR MEETING Monday, September 10, 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 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 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/fios/tv/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, September 10, 2012
6:00 PM (Closed Session)
7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

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

City Manager John M. Nachbar

CLOSED SESSION - 6:00 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 Legal Counsel – Anticipated Litigation
Re: Significant Exposure to Litigation – (1 item)
Pursuant to Government Code Section 54956.9(b)(1)
- CS-2.** Conference with Legal Counsel – Anticipated Litigation
Re: Initiation of Litigation – 1 Matter
Pursuant to Government Code Section 54956.9(c)
- CS-3.** Conference with Legal Counsel – Existing Litigation
Re: City of Culver City, et al. v. Ugo Pascarella, et al.
Case No. SC115351
Pursuant to Government Code Section 54956.9(a)

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

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/CULVER CITY HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY AGENDA ITEM: Cash Disbursements for August 4, 2012 – August 31, 2012.](#)
Approve disbursements.

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 June 11, 2012, Special Meeting of June 18, 2012, Special Meeting of July 2, 2012, Special Meeting of July 16, 2012, Regular Meeting of July 23, 2012, Special Meeting of August 6, 2012 and Regular Meeting of August 13, 2012.](#)
Approve Minutes.
- C-2. [Acceptance of Work Performed by J.D.C. Inc.; Authorization to File a Notice of Completion; and Authorization to Release the Retention Payment after the Expiration of the 35-Day Lien Period, for the Ballona Creek Rain Garden Project, P-497.](#)
Accept the work performed by J.D.C., Inc. for the Ballona Creek Rain Garden Project, P-497; Authorize the Public Works Director/City Engineer to execute the Notice of Completion and submit it to the Los Angeles County Recorder's office; and Authorize the City Manager to release \$15,588.32 in retention to J.D.C, Inc. after the expiration of the 35-day lien period.

- C-3. [Acceptance of Work Performed by Pacific Hydrotech Corporation; Authorization to File the Notice of Completion; and Authorization to Release Retention Funds after the Expiration of the 35-Lien Period, for the Construction of the Braddock Pump Station Upgrade Project, P-873.](#)
Accept the work by the contractor Pacific Hydrotech Corporation for the Braddock Pump Station Upgrade Project, Project P-873; Authorize the Public Works Director/City Engineer to execute the Notice of Completion and submit it to the Los Angeles County Recorder's Office for recordation, and Authorize the release of \$111,804.42 in retention funds to Pacific Hydrotech Corporation after the expiration of the 35-day lien period.
- C-4. [Acceptance of Work Performed by All American Asphalt; Authorization to File a Notice of Completion; and Authorization to Release the Retention Payment after the Expiration of the 35-Day Lien Period, for the Sherbourne Drive Street Resurfacing Project, P-955, CDBG #601392-11.](#)
Accept the work performed by All American Asphalt for the Sherbourne Drive Street Resurfacing Project, P-955, CDBG #601392-11; Authorize the Public Works Director/City Engineer to execute the Notice of Completion and submit it to the Los Angeles County Recorder's office; and, Authorize the City Manager to release \$6,078.40 in retention to All American after the expiration of the 35-day lien period.
- C-5. [Adoption of a Resolution Approving an Encroachment Agreement with Time Warner Cable for Use of the Public Rights-of-Way on Cardiff Avenue and Culver Boulevard.](#)
Adopt a resolution approving an Encroachment Agreement with Time Warner Cable; Authorize the City Attorney to review/prepare the necessary documents; and Authorize the City Manager to execute the documents on behalf of the City.
- C-6. [Approval of a Parking License Agreement with Century Wilshire Incorporated for the Culver Hotel's Use of Parking Spaces at Certain City-Owned Parking Facilities.](#)
Approve a Parking License Agreement with Century Wilshire Inc. for the Culver Hotel; 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.

PUBLIC HEARINGS

- PH-1. [Introduction of an Ordinance Amending Section 17.230.015, Table 2-8 and Section 17.610.010 of the Culver City Zoning Code to Allow for the Expansion of Existing Private Schools Located in the Industrial General \(IG\) Zone, Subject to Approval of a Modification to an Existing Conditional Use Permit \(Zoning Code Amendment ZCA P-2011154\).](#)
Determine that no additional environmental information is needed based on the Planning Commission's adoption of a Mitigated Negative Declaration finding that Zoning Code Amendment, Planning Commission ZCA Resolution No. 2012-P005, will not have a significant adverse impact on the environment; and Introduce the proposed Ordinance amending Section 17.230.015, Table 2-8 (Allowed Uses and Permit Requirements) and

Section 17.610.010 (Nonconforming Uses), to allow for the modification and/or expansion of nonconforming private school uses in the Industrial General zone subject to approval of a modification of an existing Conditional Use Permit.

PH-2. [Consideration of an Appeal of Planning Commission Denial of Conditional Use Permit Modification \(CUP/M 2011-175\) to Allow the Addition of 200 Students to The Help Group Private School Facility at 12095-12101 Washington Boulevard.](#)

Adopt Resolution No. 2012-R____, denying the appeal and affirming the decision of the Planning Commission to deny the Conditional Use Permit Modification for the increase in enrollment of The Help Group school and disapprove the related Negative Declaration OR Adopt a Negative Declaration, in accordance with the California Environmental Quality Act (CEQA), finding the Project will have less than significant impacts on the environment; AND Adopt Resolution No. 2012-R____, granting the appeal and (i) reversing the Planning Commission's denial of the Conditional Use Permit Modification for the increase in enrollment of The Help Group school and (ii) approving Conditional Use Permit Modification CUP/M 2011-175.

PH-3. [Consideration of Appeal of Planning Commission Approval of an Administrative Site Plan Review to Allow the Development of a One-Story Retail Building with 2,500 Square Feet of Floor Area and 12 On-Site Parking Spaces Located at 4436 Sepulveda Boulevard.](#)

Adopt Resolution No. 2012-R____ denying the appeal and affirming the Planning Commission's approval of Administrative Site Plan Review, ASPR P-2011127, for the construction of a 2,500 square foot convenience store at 4436 Sepulveda Boulevard OR Adopt Resolution No. 2012-R____ granting the appeal and reversing the Planning Commission's approval of Administrative Site Plan Review, ASPR P-2011127, for the construction of a 2,500 square foot convenience store at 4436 Sepulveda Boulevard.

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
September 24, 2012
7:00 PM**

Upcoming Public Meeting Tentative Schedule

Date	Day	Time	Location
City Council			
September 24	Monday	7:00 PM	Council Chambers
October 1, 8, 22	Monday	7:00 PM	Council Chambers
Parks and Recreation Commission			
October 2	Tuesday	7:00 PM	Council Chambers
Cultural Affairs Commission			
October 9	Tuesday	7:00 PM	Council Chambers
Planning Commission			
September 12	Wednesday	7:00 PM	Council Chambers
Civil Service Commission			
October 3	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.			