

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

March 22, 2010
5:33 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:33 p.m.

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

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Closed Session

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

CS-1 Conference with Legal Counsel - Existing Litigation

Re: Community Health Councils, Inc., City of Culver City,
et al., v. County of Los Angeles
Case No. BS118018 (Re County Community Standards District
for Oil Drilling Operations)
Pursuant to Government Code Section 54956.9(a)

CS-2 Conference with Legal Counsel - Existing Litigation

Re: Plains Exploration & Production Company v. City of
Culver City, et al.
Case No. BS122799
Pursuant to Government Code Section 54956.9(a)

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Recess

The City Council recessed to Closed Session at 5:36 p.m.

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March 22, 2010

Reconvene

The City Council reconvened its meeting at 7:08 p.m., with all Councilmembers present.

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Closed Session Report

Mayor Weissman indicated there was nothing to report out from closed session.

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Invocation/Pledge of Allegiance

The Invocation was given by Mark Scott, City Manager and the Pledge of Allegiance was led by Joy Jacobs.

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Presentations

Item P-1

Presentation of a Proclamation in Honor of Cesar Chavez Day of Service and Learning.

Councilmember O'Leary read the proclamation in its entirety.

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Added Item

At this time, Mike Cohen, representing the Culver City Sister Cities Committee introduced Ikuyo Kitajima and Hirotsugo Okuno, who are from Kaizuka, Japan and who ran in the Los Angeles Marathon held on March 21, 2010.

Mayor Weissman presented certificates of recognition to the runners.

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March 22, 2010

Public Comment - Items Not on the Agenda

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

John Kuechle requested that the City Council assist the residents of Culver Crest and Raintree Townhomes and Condominiums regarding the proposed expansion of West Los Angeles College; he expressed concern with erosion of the EIR and mitigation measures agreed to five years ago; and he discussed differences between this situation and regular development.

Elliot Axelband, representing the Raintree Townhouse Association, expressed concern with proposed changes to the existing EIR by West Los Angeles College and he requested help from the City.

Discussion ensued between the City Council and staff regarding drafting a document to be sent to the college reflecting residents' concerns; concern regarding previous comments that were not incorporated; denial of the request for a 45-day extension; a request for information so Councilmembers can contact the college directly; the school's commitment to the City; and concern regarding the process.

Mark Salkin expressed concern with communication with the college; the abrogation of the Memorandum of Understanding; the wildlife corridor; concern that the community is being ignored; and he asked the City to hold the college accountable for their impact on residents, and to form a citizen's advisory committee.

Matthew Hetz, representing the Culver City Symphony Orchestra, announced their next concert on April 3, 2010 at Veterans Memorial Auditorium.

Bob Pine, Director of Culver City Amateur Emergency Radio Services, reported on their participation and assistance in the Los Angeles Marathon on March 21, 2010.

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Public Comment
(continued)

Dave Crawford reported that West Los Angeles College students were parking on neighborhood streets instead of in their new parking structure; he expressed concern with safety and trash; and he noted that residents were looking for solutions and considering permit parking.

Mayor Weissman reported that he and the City Manager had spoken to the college and would pursue the matter further.

Roger Maxwell spoke regarding the Google Fiber for Community Initiative; cited an article in Time Magazine on the subject; reported meeting with John Richo, Information Technology Director and was pleased that the City was submitting an application; and he discussed efforts by other cities.

Cary Anderson expressed regret that Mark Scott, City Manager would be leaving and appreciation for his efforts regarding parking; he expressed concern with parking enforcement on St. Patrick's Day and during the summer concert series; he discussed issues regarding enforcement of preferential parking; and he encouraged the use of auto chalk for effective enforcement.

Neil Rubenstein expressed gratitude to Mark Scott, City Manager for his service.

Judith Martin Straw discussed features of the Culver City Crossroads website; announced a City Council candidate debate at Farragut Elementary School on March 27, 2010; and she emphasized the importance of voting.

Paul Ferrazzi thanked the Culver City Police Department and specific police officers for arrests made on March 18, 2010 of people breaking into cars.

Robert Zirgulis reported protesting red light cameras in Sacramento; he discussed the actions of other cities regarding the red light cameras; he expressed hope that the City Council would consider eliminating the cameras; and he discussed safety issues with the varying length of time for yellow lights, calibration of the cameras, and enforcement.

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Public Comment
(continued)

Ken Kutcher, Culver Crest Neighborhood Association Subcommittee on EIR Compliance with West Los Angeles College, expressed concerns about the college's alleged failure to comply with, and intent not to honor their EIR obligations or the MOU; offered to provide copies of a letter he sent regarding those concerns; expressed appreciation for the City's intent to submit written comments regarding the Draft EIR and encouraged the City Council to also take a stand with the Board of Trustees; and he emphasized the importance of Board compliance with commitments the college made when they entered into the MOU.

Discussion ensued between the City Council and staff regarding the comment period; the election and seating of the new City Council; denial of the extension; and public notification.

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Announcement

Councilmember O'Leary announced that the Ballet Folclorico do Brasil will be performing for Rainbow Day on April 10, 2010 at the Help Group.

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March 22, 2010

Consent Calendar

Regarding Consent Calendar Item C-7, Councilmember Malsin suggested coordinating with the City of Los Angeles. Councilmember Malsin expressed concern with trucks parking overnight on Lenawee Avenue and non-enforcement; and he suggested speaking with property owners regarding the large portion of Easton Drive in the Hayden Tract that is a private street.

At this time, the following motion was made:

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER ARMENTA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-9.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 8, 2010 AS SUBMITTED.

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Item C-2

Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR FEBRUARY 27, 2010 THROUGH MARCH 12, 2010.

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Item C-3

Approval of an Amendment to an Existing Professional Services Agreement with RJN Investigations, Inc., to Provide Investigative Services in Confidential Personnel Matters.

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH RJN INVESTIGATIONS, INC., TO CONTINUE PROVIDING INVESTIGATIVE SERVICES TO THE CITY OF CULVER CITY, EFFECTIVE MARCH 22, 2010, IN AN AMOUNT NOT-TO-EXCEED \$10,000.00;
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-4

1) Waiver of the Formal Competitive Bidding Procedures for the Purchase of Equipment; and 2) Approval of an Agreement with L.E.C. Service, Inc. to Replace the A/C Units Located in the Information Technology Department Data Center.

THAT THE CITY COUNCIL:

1. WAIVE THE FORMAL COMPETITIVE BIDDING PROCEDURES FOR THE PURCHASE OF EQUIPMENT;
2. APPROVE AN AGREEMENT WITH L.E.C. SERVICE, INC. IN THE AMOUNT OF \$85,125.00 TO REPLACE THE EXISTING A/C UNITS IN THE INFORMATION TECHNOLOGY DEPARTMENT DATA CENTER;
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-5

1) Acceptance of Work Performed by Sierra Pacific Electrical for the Construction of Culver West Alexander Park Rehabilitation (Phase II) - Lighting Improvements, P-835; 2) Authorization to File Notice of Completion of the Project; and 3) Authorization to Release Retentions Funds after the Expiration of the 35-day Lien Period.

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY SIERRA PACIFIC ELECTRICAL FOR THE CONSTRUCTION OF THE CULVER WEST ALEXANDER PARK REHABILITATION (PHASE II) - LIGHTING IMPROVEMENTS, P-835;
2. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS/CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY RECORDER'S OFFICE; AND
3. AUTHORIZE THE CITY MANAGER TO RELEASE \$6,894.20 IN RETENTION TO SIERRA PACIFIC ELECTRICAL AFTER THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-6

Adoption of a Resolution Approving an Encroachment Permit Agreement with NextG Networks, Inc. for Use of the Public Right-of-Way along Centinela Avenue.

THAT THE CITY COUNCIL:

1. ADOPT RESOLUTION NO. 2010-R013 APPROVING THE ENCROACHMENT PERMIT AGREEMENT WITH NEXTG NETWORKS, INC.;
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE DOCUMENTS ON BEHALF OF THE CITY.

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March 22, 2010

Item C-7

Adoption of a Resolution Approving the Use of Proposition 1B - Local Streets and Roads Improvement, Congestion Relief, and Traffic Safety Account Funds, for Capital Improvement Projects on the Following Streets: Adams Boulevard, Barman Avenue (from Overland Avenue to Coombs Avenue), East Boulevard, Eastham Drive (from Higuera Street to Steller Drive), Girard Avenue, Jean Place, Lenawee Avenue (from northerly city limits to Ivy Way), Motor Avenue (from Culver Boulevard to Braddock Drive), Pearson Street, Perry Drive, and Washington Place (from Sepulveda Boulevard to Sawtelle Boulevard).

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2010-R014 APPROVING THE USE OF PROPOSITION 1B - LOCAL STREETS AND ROADS IMPROVEMENT, CONGESTION RELIEF, AND TRAFFIC SAFETY ACCOUNT FUNDS, FOR CAPITAL IMPROVEMENT PROJECTS ON THE FOLLOWING STREETS: ADAMS BOULEVARD, BARMAN AVENUE (FROM OVERLAND AVENUE TO COOMBS AVENUE), EAST BOULEVARD, EASTHAM DRIVE (FROM HIGUERA STREET TO STELLER DRIVE), GIRARD AVENUE, JEAN PLACE, LENAWEE AVENUE (FROM NORTHERLY CITY LIMITS TO IVY WAY), MOTOR AVENUE (FROM CULVER BOULEVARD TO BRADDOCK DRIVE), PEARSON STREET, PERRY DRIVE, AND WASHINGTON PLACE (FROM SEPULVEDA BOULEVARD TO SAWTELLE BOULEVARD) .

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Item C-8

Adoption of a Resolution Amending the City's Contribution under the Public Employees' Medical and Hospital Care Act.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2010-R015 AMENDING THE CITY'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT.

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Item C-9

Approval of an Amendment to the Existing Professional Services Agreement with Aeryn Donnelly for Park Planning Services, Increasing the Agreement by \$10,000 (for a Total Not-to-Exceed Amount of \$30,000) .

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH AERYN DONNELLY FOR PARK PLANNING SERVICES, INCREASING THE AGREEMENT BY \$10,000.00 (FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$30,000.00);
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Joint Items

Item J-1

1) Consideration of a Fee Waiver Request by the Culver City Exchange Club for the Seventh Annual Culver City Car Show; 2) Approval of a License Agreement for the Car Show; 3) Consideration of Designation of the Seventh Annual Culver City Car Show as a City-Sponsored and Agency-Sponsored Event; and 4) Determine the Level of Redevelopment Agency Support for the Car Show.

Jeremy Green, Cultural Affairs Division, provided a summary of the material of record.

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Item J-1
(continued)

The following members of the audience addressed the City Council:

Cary Anderson expressed concern regarding parking enforcement; requested that there be dedicated parking officers to patrol downtown; asked that parking passes be mailed to the entire neighborhood in advance; and suggested that the City let the event stand on its own.

Meghan Sahli Wells expressed concern with budget issues and observed that Fiesta La Ballona made a profit each year.

Discussion ensued between the City Council and staff regarding priorities; setting criteria for granting waivers; information required from groups making requests regarding income and expenses; and a certified post-event analysis.

Per the City Council's request, Dr. Jay Shery, representing the Exchange Club, clarified that all profits from the 2009 Car Show were put back into the community through contributions to the Culver City YMCA, Upward Bound and other local programs; he discussed operating costs for the show; he clarified that their request was to waive salaries for City staff; and he noted that it would be difficult for the event to make a profit without the waiver this year as major sponsors have bowed out.

Discussion ensued between the City Council and staff regarding objective criteria; expenses and income of requesting organizations; how to decrease Redevelopment Agency expenses; more specific information about where the money goes; value received by the City for the waiver; drawing people to the City; and a suggestion to the Police Department to work with residents south of Washington Boulevard to ensure that they are not inconvenienced.

Councilmember Armenta moved to adopt staff recommendations 1A, 2A, 3 and 4. Councilmember Malsin seconded the motion.

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Item J-1
(continued)

Further discussion ensued between the City Council, staff and Dr. Shery regarding a comment that previous suggestions to make the event more profitable had not been implemented; an observation that the last event earned less than the \$12,000.00 waived by the City; a suggestion that the City just give the money to the charities; acknowledgement that costs for the City to take on the event would be more; whether the \$12,000.00 should be considered advertising money for the City; increased business for the restaurants and comments received that it is the most important event of the year for them; previous concerns regarding Duquesne Avenue; differences between the Car Show and Fiesta La Ballona; using Redevelopment funding for economic redevelopment and cost-effective uses; the number of people the event draws to the City; the number of volunteer hours spent; concern that the restaurants don't sponsor the Exchange Club efforts in measurable amounts; better efforts to make the event pay for itself; adding environmentally friendly cars in the show; establishing criteria for waivers; and costs for car show admission and booths.

Following discussion, the following motion was made:

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

- 1A. APPROVE THE FEE WAIVER REQUEST MADE FOR THE CULVER CITY CAR SHOW AND DETERMINE THE AMOUNT OF THE FEE WAIVER TO BE \$12,000.00;
- 2A. DESIGNATE THE SEVENTH ANNUAL CAR SHOW AS A CITY-SPONSORED EVENT;
3. APPROVE A LICENSE AGREEMENT WITH THE CULVER CITY EXCHANGE CLUB; AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE NECESSARY DOCUMENTS; AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY; AND
4. AUTHORIZE THE EXCHANGE CLUB USE OF THE PARKS, RECREATION AND COMMUNITY SERVICES ("PRCS") GLOBAL ELECTRIC MOTOR ("GEM") TRUCK.

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Item J-2

Presentation by the City Manager/Executive Director related to an update on the Fiscal Year 2009-2010 Budget.

Mark Scott, City Manager, recommended that the City Council stop issuing fee waivers altogether and approve sponsorships for events like the Car Show. This can be examined in the annual budget process.

At this time, Mr. Scott provided an update on the current budget, noting that a transfer from the General Reserve fund would be necessary to cover the projected budget shortfall for this fiscal year. He discussed litigation budget issues; the City's reserve fund; the General Fund; and calculating the reserve fund.

Per the City Council's request, Mr. Scott agreed to provide a report to the City Council laying out fund balances, and year-over-year revenues and expenditures.

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Public Comment for Items Not On the Agenda - continued.

No action was taken on this item.

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Items from Staff

Items Presented by Mark Scott, City Manager:

- Thanked the City Council and the community for their support.

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March 22, 2010

Items from Council

Items Presented by Councilmember O'Leary:

- Received clarification that Marcus Tiggs had returned to the Planning Commission after a military tour of duty.
- Has learned that the Method Fest film festival is interested in moving to Culver City.
- Thanked Mark Scott, City Manager for his service.

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Items Presented by Councilmember Malsin:

- Thanked Mark Scott, City Manager for his help.
- Requested that a commendation be prepared for Linda Shahanian, who substituted for Marcus Tiggs on the Planning Commission during his absence.

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Items Presented by Councilmember Armenta:

- Thanked Mark Scott for his service to the City.
- Reviewed a City Council/School Board Liaison meeting held on March 19, 2010. Issues discussed include restroom usage at Linwood Howe during sporting events and he suggested creating a pass-through fee for groups to pay through Parks and Recreation to the school district for restroom maintenance. Other issues discussed include compensation for loss of use of the baseball fields during filming; school traffic; reciprocal links from the school and City websites; School Board use of Council Chambers; a suggestion to move Music in the Chambers to the Robert Frost Auditorium; status of the Natatorium; regular meetings between the City and the School Board; a suggestion to cite drivers for violations in front of Farragut Elementary School; and logistics with the Linwood Howe soccer teams and other uses.

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Items Presented by Councilmember Silbiger:

- Commended Councilmember Armenta and Councilmember O'Leary for their work with the School Board.
- Suggested holding a town hall meeting on March 29, 2010.

Discussion ensued between the City Council and staff regarding prior review and discussion of the meeting schedules for March and April.

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March 22, 2010

Items Presented by Mayor Weissman:

- Thanked Mark Scott, City Manager for his service.

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Recess

The City Council recessed to Closed Session at 9:26 p.m.

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Reconvene

The City Council reconvened its meeting at 10:00 p.m. with all Councilmembers present.

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March 22, 2010

Adjournment

There being no further business, at 10:00 p.m., the City Council adjourned its meeting to an Adjourned Regular meeting to be held on April 5, 2010.

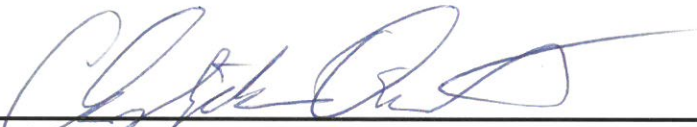
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Ela Valladares

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

APPROVED May 3, 2010



CHRISTOPHER ARMENTA

MAYOR of the City of Culver City, California