



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
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MICHEÁL O'LEARY, Mayor
D. SCOTT MALSIN, Vice Mayor
CHRISTOPHER ARMENTA, Councilmember
JEFFREY COOPER, Councilmember
ANDREW WEISSMAN, Councilmember

John M. Nachbar, City Manager

CITY COUNCIL REGULAR MEETING Monday, August 22, 2011

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, August 22, 2011
5:30 PM (Closed Session)
7:00 PM (Regular Session)

CALL TO ORDER & ROLL CALL:

Mayor Micheál O'Leary
Vice Mayor D. Scott Malsin
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: 4044-4068 Globe Avenue, Culver City
Agency Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Community Development Director/Assistant Executive Director and Murray Kane, Agency General Counsel
Other Parties Negotiators: Habitat for Humanity of Greater Los Angeles
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8
- CS-2.** Conference with Real Property Negotiators
Re: Metro Right-of-Way (adjacent to Exposition Boulevard)
Agency Negotiator: John Nachbar, City Manager/Executive Director Sol Blumenfeld, Community Development Director/Assistant Executive Director, Todd Tipton, Deputy Community Development Director/Redevelopment Administrator and Murray Kane, Agency General Counsel
Other Parties Negotiators: Rick Thorpe, Chief Executive Officer, Exposition Light Rail Construction Authority

- CS-3.** Conference with Labor Negotiators
City designated representatives: City Manager John Nachbar; Director of Human Resources Serena Wright
Employee Organization: Culver City Employees Association; Culver City Management Group; Culver City Police Officers Association; Culver City Fire Fighters Association; Culver City Police Management Group; Culver City Fire Management Association
Pursuant to Government Code Section 54957.6
- CS-4.** Conference with Legal Counsel – Anticipated Litigation
Re: Significant Exposure to Litigation – (3 items)
Pursuant to Government Code Section 54956.9(b)(1)
- CS-5.** Conference with Real Property Negotiators
Re: 9426 and 9430 Washington Boulevard
Agency Negotiator: John M. Nachbar, City Manager, Sol Blumenfeld, Community Development Director, Todd Tipton, Deputy Community Development Director and Carol Schwab, City Attorney
Other Parties Negotiators: Aenaria, LLC
Under Negotiation: Both Price and Terms of Payment, including use restrictions, development obligations and other monetary related considerations
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

PRESENTATIONS

- P-1.** A Proclamation in Honor of Fiesta La Ballona.

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 AND REDEVELOPMENT AGENCY BOARD AGENDA ITEM: Approval of a Fourth Amendment to the Existing Professional Services Agreement with Lea Associates Inc. for Real Estate Appraisal Services.](#)

That the City Council and Agency Board: Approve the fourth amendment to the existing professional services agreement with Lea Associates, Inc., for Real Estate Appraisal Services; authorize the City Attorney/Agency General Counsel to review/prepare the necessary documents; and authorize the City Manager/Executive Director to execute such documents on behalf of the City and Agency.

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 July 25, 2011 and the Regular Meeting of August 8, 2011.](#)

Approve minutes.

C-2. [Cash Disbursements for July 30, 2011 - August 12, 2011.](#)

Approve disbursements.

C-3. [\(1\) Acceptance of Work Performed by Creative Nile Builders, Inc.; \(2\) Authorization to file a Notice of Completion; and, \(3\) Authorization to Release the Retention Payment for the El Marino Park Playground Rehabilitation Project, P-899, after the Expiration of the 35-Day Lien Period.](#)

Accept the work performed by Creative Nile Builders, Inc. for the El Marino Park Playground Rehabilitation Project, P-899; authorize the Parks Division Manager to execute the Notice of Completion and submit it to the Los Angeles County Recorder's Office; and authorize the City Manager to release \$4,524.20 in retention funds to Creative Nile Builders, Inc. after the expiration of the 35-day lien period.

C-4. [Approval of the Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for the Ballona Creek Stormwater and Rain Garden Improvement Project.](#)

Approve the plans and specifications for the Ballona Creek Stormwater and Rain Garden Improvement Project, P-497; and authorize publication of a notice inviting bids for the Ballona Creek Stormwater and Rain Garden Improvement Project, P-497.

C-5. [Award of a Construction Contract to Eagle Pump Services for the Culver City Park Booster Pump Replacement Project.](#)

Award a contract to Eagle Pump Services for the Culver City Park Booster Pump Replacement Project, P-922, in the amount of \$69,550.00, based on its base bid; authorize the Public Works Director/City Engineer to approve change orders in an amount not-to-exceed \$6,955.00, 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.

- C-6. [Approval of the Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for the Fire Station #1 Exterior Staircase Reconstruction Project.](#)
Approve the plans and specifications for Fire Station #1 Exterior Staircase Reconstruction Project, P-931; and authorize publication of a notice inviting bids for the Fire Station #1 Exterior Staircase Reconstruction Project, P-931.
- C-7. [Approval of By-laws for the Culver City Committee on Homelessness.](#)
Approve the By-laws of the Culver City Committee on Homelessness.
- C-8. [Approval of the Certification and Submission of the Section 8 Management Assessment Program \(SEMAP\) for Fiscal Year 2010/2011.](#)
Approve the certification and submission of the Section 8 Management Assessment Program (SEMAP) to the U.S. Department of Housing and Urban Development (HUD); and authorize the Mayor and the City Manager to execute the SEMAP Certification on behalf of the City.
- C-9. [Approval of a Professional Services Agreement with Tyler Technologies for the Purchase, Implementation and Software Maintenance/Support of a New Financial System.](#)
Approve a professional services agreement in an amount not-to-exceed \$912,476.00 with Tyler Technologies to provide software, business partner software and equipment, and professional services to replace the JD Edwards Finance System; authorize the Chief Financial Officer to approve change orders to the contract in the aggregate amount not-to-exceed \$100,000.00, if necessary; authorize the Chief Financial Officer to approve additional labor charges for project labor in an amount not-to-exceed \$100,000.00; authorize payment of \$72,138.00 to Tyler Technologies for one year of financial software maintenance/support to be effective upon installation of the software; authorize payment of \$164,094.00 for the annual maintenance/support renewal with Tyler Technologies for the second year and each successive year until the maintenance agreement is terminated or substantially changed by either party; 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. [PUBLIC HEARING - \(1\) Adoption of a Resolution for the Certification of Conformance with the Congestion Management Program for Los Angeles County and \(2\) Adoption of the CMP Local Development Report.](#)
Adopt a resolution finding the City to be in conformance with the Congestion Management Program; and adopt the CMP Local Development Report for 2011.

JOINT ACTION ITEMS

- J-1.** [JOINT CITY COUNCIL AND REDEVELOPMENT AGENCY BOARD AGENDA ITEM: \(1\) Agency Board Adoption of a Resolution Adopting the Enforceable Obligations Payment Schedule Pursuant to Sections 34167 and 34169 of the Health and Safety Code, \(1\) Agency Board Authorization to the Executive Director to Make Such Payments on Behalf of the Agency Utilizing Available Agency Revenues, Including, but not Limited to, Newly Received Tax Increment Proceeds; and, \(3\) City Council Authorization to the City Manager and Chief Financial Officer to Make Such Payments on Behalf of the Agency Utilizing Former Agency Assets in the Case Sufficient Agency Revenues are Unavailable.](#)
That the Agency Board: Adopt a Resolution adopting the Enforceable Obligations Payment Schedule; authorize the Executive Director to file the Schedule in accordance with law; and authorize the Executive Director to make such payments on behalf of the Agency utilizing available Agency revenues, including, but not limited to, newly received tax increment proceeds.
That the City Council: Authorize the City Manager and Chief Financial Officer to make such payments on behalf of the Agency utilizing former Agency assets in the case that sufficient Agency revenues are unavailable.

ACTION ITEMS

- A-1.** [Consideration of Member Absence for the Landlord Tenant Mediation Board.](#)
Consider staff recommendations; and direct staff as deemed appropriate.
- A-2.** [\(1\) Designation of the City's Voting Delegate and Alternate-Delegate and \(2\) Taking of Positions on the Six Policy Resolutions Submitted to the General Assembly for the League of California Cities.](#)
Designate Mayor Micheal O'Leary as the Voting Delegate and Assistant City Manager Martin Cole as Voting Delegate–Alternate; take the positions regarding the six resolutions presented to the general assembly for consideration as outlined in the staff report; and authorize the Voting Delegate and Voting Delegate–Alternate to cast votes exercising reasonable discretion in the case circumstances at the General Assembly warrant a change in vote.

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 12, 2011
7:00 PM

Upcoming Public Meeting Tentative Schedule -- August 2011

Date	Day	Time	Location
City Council			
<i>August – 8</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>August - 22</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Redevelopment Agency			
<i>August – 8</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>August – 22</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Parks and Recreation Commission			
<i>August – 2</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Cultural Affairs Commission			
<i>August – 9</i>	<i>Tuesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Planning Commission			
<i>August – 10</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
Civil Service Commission			
<i>August –3</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</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.