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

August 6, 2012
6:30 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 6:30 p.m.

Present: Andrew Weissman, Mayor
Jim B. Clarke, Councilmember
Micheál O'Leary, Councilmember
Meghan Sahli-Wells, Councilmember

Absent: Jeffrey Cooper, Vice Mayor

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Closed Session

At 6:31 PM, the City Council recessed to Closed Session to discuss the following item:

CS-1 Conference with Legal Counsel - Existing Litigation
Re: City of Palmdale, et al. vs. Ana Matosantos et al.
Case No. 34-2012-80001154
Pursuant to Government Code Section 54956.9(a)

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Reconvene

The City Council reconvened its meeting at 7:02 p.m. with four Councilmembers present (absent Vice Mayor Cooper).

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Report on Action Taken in Closed Session

Mayor Weissman indicated nothing to report from closed session.

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Invocation/Pledge of Allegiance

The Invocation was given by John Nachbar, City Manager, and the Pledge of Allegiance was led by Ronnie Jayne.

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Presentation

Item P-3
(Out of Sequence)

Certificates of Recognition to the Participants in the Culver City Sister City, Inc. Youth Ambassador Program

Marla Wolkowitz, Culver City Sister City, Inc. Committee, introduced chaperones participating in the program.

Karlo Silbiger, Culver City School Board, discussed his experiences in Kaizuka; expressed support for the program; and indicated that the school board would work to be more involved in the program.

Alison Burns thanked the Sister City Committee for the opportunity to chaperone; discussed her experiences in Japan; and expressed hope that the students would continue their relationships with their host families.

Shelby Miyamoto Kim, Michael Hale, Michelle Akamine, Nico Bell-Andrade, Sidney Wallace, Isabella Browning, Lada Goetzky, and Cole Thompson, students who visited Kaizuka, Japan, briefly shared their experiences in the program.

Marla Wolkowitz encouraged participation in the Senshu Marathon and introduced the Youth Ambassadors.

Councilmembers presented certificates to the Youth Ambassadors.

Youth Ambassadors briefly discussed their experiences in the program.

Marla Wolkowitz received agreement from the City Council that they would agendize a discussion of acceptance of a gift of a sign representing the sister cities for placement near City Hall.

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Item P-1

A Proclamation Designating August as Spinal Muscular Atrophy (SMA) Awareness Month

Mayor Weissman presented the proclamation.

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Item P-2

A Proclamation in Honor of the 2012 Fiesta La Ballona

Mayor Weissman indicated that the proclamation would be presented next week.

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Item P-4
(Out of Sequence)

A Commendation to Ms. Ronnie Jayne for her Service on the Cultural Affairs Commission

Councilmember Sahli-Wells presented the proclamation.

Ronnie Jayne thanked the City Council for the commendation; staff and Commissioners for their hard work; she noted that despite cuts the arts were alive in the City; and she encouraged everyone to support the arts in any way they can.

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Community Announcements By City Council Members/Information Items From Staff

Martin Cole, Assistant City Manager/City Clerk, reported that the state had suspended enforcement of the Brown Act in order to save money but he indicated that Culver City would continue to fully comply with the Brown Act; he noted that all public notifications were posted on the City website; and he provided an update on the request to consolidate the election on November 6.

Councilmember O'Leary reported attending the Expo Board meeting; he discussed the Executive Summary of the Phase 1 Noise and Vibration Study; complaints about noise in the neighborhood; and he summarized issues with the report.

Discussion ensued between Councilmembers regarding promises made for remediation measures during construction; the pending noise study to be conducted by the City; a promise to clean exterior walls for houses next to construction; and agreement by staff to follow up on the matter.

Councilmember Sahli-Wells requested that the meeting be adjourned in memory of the victims of the shooting in the Sikh Temple in Wisconsin; she noted that the Sister Cities Association educated students to be accepting of other cultures; she discussed the landing of Curiosity on Mars; she reported attending the community picnic in Blair Hills Park; she announced a meeting on August 8 at Kenneth Hahn Park to take input on the proposed nature center in Blair Hills; she reported that parents bade farewell to Amy Anderson, the former principal of Linwood Howe school on August 7; and she discussed the close of the short but successful summer concert series last week.

MOVED BY COUNCILMEMBER SAHLI-WELLS AND SECONDED BY COUNCILMEMBER O'LEARY THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF THE VICTIMS OF THE SHOOTING IN THE SIKH TEMPLE IN WISCONSIN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

The following members of the audience addressed the City Council:

Marcus Tiggs invited everyone to attend Fiesta La Ballona August 24-26; he discussed events and activities; and he thanked sponsors.

Vicki Daly Redholtz, Friends of the Culver City Dog Park, introduced Peter Vogel, Laura Stuart, Dean Gebroe, and Rick Kissel; reported on their work to bring lights to the dog park; she noted that the item would be on the City Council agenda next week; and she discussed their mission and the widespread usage of the park.

Mike Meador, California Greenworks, provided background on the organization; discussed Earth Fest LA on September 15; and he asked for City sponsorship allowing banner placement in the City and assistance with publicity.

Discussion ensued between staff and Councilmembers regarding City requirements for banner placement; clarification that the ongoing event was previously held at Kenneth Hahn Park but has been moved to West LA College and many non-profit organizations in the City have been part of it; in-kind contributions; and consensus to discuss the sponsorship on the next agenda.

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Receipt and Filing of Correspondence

None.

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Joint Consent Calendar

Item JC-1

JOINT CITY COUNCIL AND PARKING AUTHORITY AGENDA ITEM: Approval of a Professional Services Agreement with Amano McGann Inc. for Maintenance Services Related to Equipment and Software for the Parking Management System at the Cardiff, Watseka and Ince Parking Structures

Discussion ensued between staff and Councilmembers regarding contingency funding on contracts; how often contingencies are paid and how often projects come in at the price paid; what happens to unused contingency funds; and staff agreement to provide further information.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL:

1. APPROVE A THREE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH AMANO MCGANN IN THE AMOUNT OF $125,556 FOR MAINTENANCE AND REPAIR SERVICES OF THE ACCESS EQUIPMENT AND SOFTWARE SYSTEM IN THE WATSEKA AND INCE PARKING STRUCTURES; AND,

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. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

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Consent Calendar

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-6. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

Item C-1

Meeting Minutes

Discussion between staff and Councilmembers ensued regarding contracting out the meeting minutes; costs associated with the minutes; assurances the minutes would be caught up by September; concern with waste and the repetitive nature of the minutes for the different bodies that meet; clarification that separate records are required for each legal body; and corrections to spellings of names of residents who speak at meetings.

THAT THE CITY COUNCIL APPROVE MINUTES OF THE SPECIAL MEETING OF JUNE 4, 2012 AND THE ADJOURNED SPECIAL MEETING OF JUNE 5, 2012 AS CORRECTED.

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Item C-2

Approval of a Professional Services Agreement with Motorola for Monitoring and Repair of the City's Two-way Radio System Infrastructure and Dispatch Systems

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH MOTOROLA, THROUGH ITS COMMERCIAL, GOVERNMENT, AND INDUSTRIAL SOLUTIONS SECTOR, FOR MAINTENANCE, SUPPORT AND/OR OTHER SERVICES FOR THE CITY'S TWO-WAY RADIO AND POLICE/FIRE DISPATCH SYSTEMS, FOR THE ONE YEAR PERIOD JULY 1, 2012 - JULY 31, 2013, IN AN AMOUNT NOT TO EXCEED $46,640.00; AND,

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-3

Adoption of a Resolution Granting a Permit to the Exchange Club to Conduct a Beer and Wine Garden in Veterans' Memorial Park During the 2012 Fiesta La Ballona

Councilmember Sahli-Wells discussed her involvement in the green team for Fiesta La Ballona and efforts to make it a zero-waste event, and she wanted to make sure that the language used in the resolution did not preclude using other more ecologically friendly materials.

Discussion ensued between staff and Councilmembers regarding the original intent to avoid serving alcohol in glass bottles; safety issues; clean up; liability after the event; future provisions for an alternative to plastic; clarification that the interpretation would not be rigid if there is an alternative for use of a green cup; and provisions to make sure that things are being complied with in advance.

THAT THE CITY COUNCIL ADOPT A RESOLUTION GRANTING A PERMIT TO THE CULVER CITY EXCHANGE CLUB TO CONDUCT A BEER AND WINE

GARDEN IN VETERANS' MEMORIAL PARK DURING THE 2012 FIESTA LA BALLONA.

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Item C-4

(1) Approval of the Purchase of Kompan Playground Equipment from U.S. Communities; (2) Approval of the Final Plans and Specifications; and, (3) Authorization to Publish a Notice Inviting Bids for the Fox Hills Park Playground Project (PZ958)

Councilmember Sahli-Wells expressed support for the installation of the equipment at Fox Hills Park and appreciation for the selection of the equipment.

THAT THE CITY COUNCIL:

1. APPROVE THE PURCHASE OF KOMPAN PLAYGROUND EQUIPMENT IN AN AMOUNT NOT TO EXCEED $96,000 FROM U.S. COMMUNITIES; AND,

2. APPROVE THE FINAL PLANS AND SPECIFICATIONS; AND,

3. AUTHORIZE THE PUBLICATION OF A NOTICE INVITING BIDS FOR THE FOX HILLS PARK PLAYGROUND PROJECT (PZ958).

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Item C-5

Approval of a Professional Services Agreement with Lawrence Roll-Up Doors, Inc. for Replacement of Existing Apparatus Bay Roll-Up Doors at Fire Station #2 (PZ132)

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH LAWRENCE ROLL-UP DOORS, INC. IN THE AMOUNT OF $41,280.00 FOR THE REPLACEMENT OF THE ROLL-UP DOORS AT FIRE STATION # 2; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN THE AMOUNT NOT-TO-EXCEED $4,128.00; AND,

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-6

Approval of on-call Professional Services Agreements with Associated Soils Engineering, Inc., Geo-Environmental, Inc., Kling Consulting Group, Inc., LaBelle-Marvin, Inc., Ninyo and Moore Consultants, Southwest Geotechnical, Inc., and Terracon Consultants, Inc. for Geotechnical Engineering and Material Testing Services

THAT THE CITY COUNCIL:

1) APPROVE ON-CALL PROFESSIONAL SERVICES AGREEMENTS WITH ASSOCIATED SOILS ENGINEERING, INC., GEO-ENVIRONMENTAL, INC., KLING CONSULTING GROUP, INC., LABELLE-MARVIN, INC., NINYO AND MOORE CONSULTANTS, SOUTHWEST GEOTECHNICAL, INC., AND TERRACON CONSULTANTS, INC. FOR GEOTECHNICAL ENGINEERING AND MATERIAL TESTING SERVICES ALL EXPIRING ON JUNE 30, 2015 FOR AMOUNTS NOT TO EXCEED THE TOTAL AMOUNT BUDGETED IN THE RESPECTIVE CAPITAL PROJECTS; AND,

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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Order of the Agenda

No changes were made.

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Public Hearings

Item PH-1

Adoption of a Resolution Confirming the Assessment and Ordering the Levy for the Albright Avenue Street Lighting Assessment District - Fiscal Year 2012/2013

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER SAHLI-WELLS TO RECEIVE AND FILE THE AFFIDAVITS AND POSTING OF

PUBLIC NOTICE AND CORRESPONDENCE RECEIVED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER SAHLI-WELLS THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

Mayor Weissman invited public input.

There was no response.

MOVED BY COUNCILMEMBER SAHLI-WELLS AND SECONDED BY COUNCILMEMBER O'LEARY THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

Martin Cole, Assistant City Manager/City Clerk, reported that a majority protest did not exist.

MOVED BY COUNCILMEMBER SAHLI-WELLS AND SECONDED BY COUNCILMEMBER O'LEARY THAT THE CITY COUNCIL: (ABSENT A MAJORITY PROTEST) ADOPT A RESOLUTION CONFIRMING THE ASSESSMENT AND ORDERING THE LEVY FOR THE ALBRIGHT AVENUE STREET LIGHTING ASSESSMENT DISTRICT - FISCAL YEAR 2012/2013. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

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Item PH-2

Adoption of a Resolution Confirming the Assessment and Ordering the Levy for the Higuera Street Landscape and Lighting Assessment District - Fiscal Year 2012/2013

MOVED BY COUNCILMEMBER CLARKE AND SECONDED BY COUNCILMEMBER O'LEARY TO RECEIVE AND FILE THE AFFIDAVITS AND POSTING OF PUBLIC NOTICE AND CORRESPONDENCE RECEIVED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

Mayor Weissman invited public input.

Martin Cole, Assistant City Manager/City Clerk, read a written comment submitted by:

Holly Connors

Councilmember Sahli-Wells reported that Ms. Connors had indicated that she would be willing to pay more if necessary.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

Martin Cole, Assistant City Manager/City Clerk, reported that a majority protest did not exist.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL: (ABSENT A MAJORITY PROTEST) ADOPT A RESOLUTION APPROVING THE ENGINEER'S REPORT AND AFFIRMING THE EXISTING ASSESSMENT LEVY FOR HIGUERA STREET

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT - FISCAL YEAR 2012/2013. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

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Item PH-3

Adoption of a Resolution Confirming the Assessment and Ordering the Levy for Landscaping Maintenance District No. 1 - Fiscal Year 2012/2013 Assessment District - Fiscal Year 2012/2013

MOVED BY COUNCILMEMBER SAHLI-WELLS AND SECONDED BY COUNCILMEMBER CLARKE TO RECEIVE AND FILE THE AFFIDAVITS AND POSTING OF PUBLIC NOTICE AND CORRESPONDENCE RECEIVED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

MOVED BY COUNCILMEMBER SAHLI-WELLS AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

Mayor Weissman invited public input.

There was no response.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

Martin Cole, Assistant City Manager/City Clerk, reported that a majority protest did not exist.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL: (ABSENT A MAJORITY PROTEST) ADOPT THE RESOLUTION APPROVING THE ENGINEER'S REPORT AND ASSESSMENT LEVY FOR LANDSCAPE MAINTENANCE DISTRICT #1 FOR FISCAL YEAR 2012/2013. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

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Action Items

Item A-1

Introduction of an Ordinance Adding a New Chapter 15.12, Community Facilities District Financing, to the Culver City Municipal Code

Sol Blumenfeld, Community Development Director, provided a summary of the material of record.

Discussion ensued between staff and Councilmembers regarding the ability to supplement services; clarification on which takes precedent: the City resolution or the State Law; adopting provisions in addition to or different than State Law; supplemental regulations for Community Facilities Districts (CFDs); differences between being a general law City or a Charter City; why Mello-Roos has not been previously used; use of redevelopment and assessment districts; the cost effectiveness of bonds over time; effective use of bonds; allocating the cost of assets over time; finding the right balance in the use of bonds; types of bonds financed; weighing the benefits and taking advantage of opportunities; opportunities for private property owners; long term and lower interest available to finance projects; effects to the General Fund; concern with burdening future generations; oversight of the bond over the long-term; establishment of goals and policies; the participation of different districts; varying goals; applying goals to each district on a case by case basis; clarification that creation of any one of the districts would require Council approval; circumstances requiring the creation of a CFD where there is not time to get policies in place; instances where requiring the step slows down a process that already has consensus; changing the emphasis to make the requirement mandatory unless there is a need to make changes; concern with building in an extra step; the goal to provide flexibility with timing and establish policies later in the process; the CFD requirement for specific goals and policies; a suggestion to change the wording to focus on the timing and take out permissive vs. mandatory and indicate they can be established at any time prior to or during the process; and agreement to that change with clarification that changes would be reflected in the second reading of the ordinance.

MOVED BY COUNCILMEMBER SAHLI-WELLS AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL INTRODUCE AN AMENDED ORDINANCE ADDING A NEW CHAPTER 15.12, COMMUNITY FACILITIES DISTRICT FINANCING, TO THE CULVER CITY MUNICIPAL CODE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, O'LEARY, SAHLI-WELLS, WEISSMAN
NOES: NONE
ABSENT: COOPER

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Public Comment for Items NOT On the Agenda (Continued)

Mayor Weissman invited public input.

There was no response.

John Nachbar, City Manager, pointed out that photographs of Councilmembers Clarke and Sahli-Wells had been added to the back wall of Council Chambers.

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Items from the City Council

Items from Councilmember Sahli-Wells

- Requested consensus to place a discussion of a Clean Air Resolution on a future agenda for consideration

Discussion ensued between Councilmembers regarding whether the Sustainability Committee would make a recommendation on the item and agreement to distribute the draft resolution to Councilmembers.

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Adjournment

There being no further business, at 8:43 p.m., the City Council adjourned its meeting in memory of the victims of the shooting at the Sikh Temple in Wisconsin to a meeting on Monday, August 13, 2012 at 7:00 p.m.

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Martin R. Cole
CITY CLERK of the City of Culver City, California
EX-OFFICIO CLERK of the City Council, City of Culver City, California

ANDREW WEISSMAN
MAYOR of the City of Culver City, California

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Adjournment

There being no further business, at 8:43 p.m., the City Council adjourned its meeting in memory of the victims of the shooting at the Sikh Temple in Wisconsin to a meeting on Monday, August 13, 2012 at 7:00 p.m.

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