THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

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

March 24, 2008
5:30 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:30 p.m.

Present: Alan Corlin, Mayor
Carol A. Gross, Vice Mayor
D. Scott Malsin, Councilmember
Steven J. Rose, Councilmember
Gary Silbiger, Councilmember

o0o

Closed Session

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

CS-1 Public Employee Performance Evaluation
Re: City Manager
Pursuant to Government Code Section 54957

CS-2 Conference with Legal Counsel – Existing Litigation
Re: City of El Segundo v. City of Los Angeles, et al. (LAX Expansion)
Case No. RIC426822 (LASC Case No. BS094320; Transferred and Consolidated with Related Cases LASC Nos. BS094279, BS094359 and BS094503)
Pursuant to Government Code Section 54956.9(a)

CS-3 Conference with Legal Counsel – Existing Litigation
Re: 8461 Warner Drive, LLC vs. Culver City et al
(Conjunctive Points Warner Development, LLLP et al., real parties in interest)
Case No. BS102918
Pursuant to Government Code Section 54956.9 (c)

o0o

Recess

The City Council recessed to Closed Session at 5:31 p.m.

o0o

Reconvene

The City Council reconvened its meeting at 7:07 p.m., with all Members present.

o0o

Closed Session Report

Mayor Corlin stated that there was nothing of substance to report from closed session.

o0o

Invocation/Pledge of Allegiance

Jerry Fulwood, City Manager led the Invocation and retiring Transportation Director Steve Cunningham led the Pledge of Allegiance.

o0o

Presentations

Item P-1

A Proclamation in Honor of Cesar Chavez Day

Councilmember Silbiger read the proclamation in its entirety.

o0o

Item P-2

A Commendation to Retiring Director of Transportation Steve Cunningham

Mayor Corlin read the commendation and presented it to Mr. Cunningham. At this time, the City Council and Jerry Fulwood, City Manager thanked Mr. Cunningham for his service to the City.

Public Comment for Items Not On the Agenda

Mayor Corlin invited public participation.

The following members of the audience addressed the City Council:

Paul Condran, Equipment Maintenance Manager, Transportation Department, announced the completion of the Natural Gas Filling Station and provided an update on their CNG fleet and its environmental impact and cost savings.

Council discussion focused on the higher maintenance costs associated with CNG vehicles.

Catherine Vargas, Public Works Department, announced that the Department of Conservation Comprehensive Recycling Community would have a booth at the Farmer’s Market on March 25, 2008 and she invited anyone interested in learning more or participating in the program to come.

Amanda Manning, representing the American Cancer Society, announced the Relay for Life event to be held May 17 and 18 at Culver City High School, and encouraged everyone to participate.

Linda Messner voiced concerns with the proposed four-story building on Hayden Place and the additional traffic congestion that it would bring.

Stella Miller voiced concerns with the traffic impact of the proposed four-story building on Hayden Place.

Cindy Bailey voiced concerns with the proposed four-story building on Hayden Place, stating that it was inappropriate for the area and would cause a major traffic impact.

Public Comment
(continued)

Staff read written comments from the following:

Marta Zaragoza, regarding code violations in her neighborhood and code enforcement irregularities.

Barbara Dellamarie, Department of Conservation, presenting mugs made of recycled glass to the City Council.

o0o

Item L-1

Legislation and League of California Cities Priority Focus Edition #10 dated March 7, 2008 and Edition #11 dated March 14, 2008.

Staff presentation included reporting on the distribution of Prop. 1B funds and the infrastructure needs and partnerships recommendations they made to the governor.

o0o

Consent Calendar

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER GROSS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-10.

[Consent Calendar Item C-6 (Approval of an Amendment to an Existing Professional Services Agreement with Moreland & Associates for Temporary Professional Financial Services for the City Treasurer’s Office for an Additional Six-Month Period) was pulled from the agenda.]

Item C-1

City Clerk's Report

THAT THE CITY COUNCIL RECEIVE AND FILEDTHE CITY CLERK’S REPORT REGARDING POSTING OF THE AGENDA FOR THIS MEETING.

o0o

Item C-2

Approval of Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES FOR THE ADJOURNED REGULAR MEETING OF FEBRUARY 4, 2008 AND THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 11, 2008 AS SUBMITTED.

o0o

Item C-3

Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR MARCH 1, 2008 THROUGH MARCH 14, 2008.

o0o

Item C-4

1) Acceptance of the Work Performed by Clean Energy, Inc. and Raymundo Engineering for the Compressed Natural Gas Station Expansion Project at the Transportation Facility; and 2) Authorization of the Filing of Notice of Completion for this Project

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY THE CONTRACTORS, RAYMUNDO ENGINEERING COMPANY, INC. AND CLEAN ENERGY, INC. FOR THE CNG STATION EXPANSION PROJECT AT THE CULVER CITY TRANSPORTATION FACILITY;

2. AUTHORIZE THE ISSUANCE OF NOTICE(S) OF COMPLETION; AND

3. AUTHORIZE THE TRANSPORTATION DIRECTOR TO SIGN AND SUBMIT THE NECESSARY DOCUMENTS TO THE LOS ANGELES COUNTY RECORDER’S OFFICE.

o0o

Item C-5

Approval of a Professional Services Agreement with Martin & Chapman Company to Provide Election Services Relating to the City’s General Municipal Election to be Held on Tuesday, April 8, 2008

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH MARTIN & CHAPMAN COMPANY AS THE ELECTION SERVICES PROVIDER FOR THE 2008 GENERAL MUNICIPAL ELECTION AT A COST NOT TO EXCEED $64,000.00; AND

2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS, AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

March 24, 2008

Item C-7

Approval of a Professional Services Agreement with Bottomline Technologies to Upgrade the City's Check Printing Software

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED $25,975.00 TO BOTTOMLINE TECHNOLOGIES TO SUPPORT THE UPGRADE OF THE CITY'S CHECK PRINTING SOFTWARE; AND

2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE ANY NECESSARY DOCUMENTS; AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

Item C-8

Approval of (1) the Purchase of 126 Personal Computers from Dell, Inc. of Round Rock, Texas, and (2) a Professional Services Agreement for Associated PC Deployment Services from Soft-Train, Inc. of Santa Ana, California

THAT THE CITY COUNCIL:

1. APPROVE THE PURCHASE OF 126 PERSONAL COMPUTERS (PCS) FROM DELL, INC. THROUGH THE CMAS PROGRAM IN AN AMOUNT NOT TO EXCEED $139,409.35 FROM THE COMPUTER REPLACEMENT FUND 30724100.

2. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH SOFT-TRAIN OF SANTA ANA, FOR PC DEPLOYMENT SERVICES IN AN AMOUNT NOT TO EXCEED $15,840 FROM THE INFORMATION TECHNOLOGY OTHER CONTRACTUAL SERVICES BUDGET 10124100.619800.

3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE ANY NECESSARY DOCUMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

March 24, 2008

Item C-9

(1) Rescission of the Approval of an Agreement with Hewlett-Packard provided on December 10, 2007 and (2) Approval of the Purchase of Hewlett-Packard Servers/Storage Units and VMware Virtualization Software from Forsythe Solutions Group (Pleasanton, CA), to Consolidate Servers and Support Implementation of the Information Technology Department’s Green IT Initiative in the City’s Data Center

THAT THE CITY COUNCIL:

1. RESCIND THE APPROVAL PROVIDED ON DECEMBER 10, 2007 OF AN AGREEMENT WITH HEWLETT-PACKARD COMPANY (OAK PARK, CA) FOR THE PURCHASE OF SERVERS AND RELATED INSTALLATION SERVICES TO CONSOLIDATE SERVERS AND SUPPORT IMPLEMENTATION OF THE INFORMATION TECHNOLOGY DEPARTMENT’S GREEN IT INITIATIVE IN THE CITY’S DATA CENTER;

2. APPROVE THE QUOTATION SUBMITTED BY FORSYTHE SOLUTIONS FOR THE PURCHASE OF SERVERS AND RELATED STORAGE AND SERVICES TO SUPPORT CONSOLIDATION IN THE CITY’S DATA CENTER FOR AN AMOUNT NOT TO EXCEED $178,689.06; AND

3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE NECESSARY DOCUMENTS, AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

Item C-10

Approval of an Amendment Extending the Existing Agreement with Utility Systems Science and Software (US3) for Maintenance of the Sewer Emergency Notification System and Sewer Flow Monitoring System, for an additional One-Year Period

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT FOR A ONE-YEAR EXTENSION TO THE EXISTING AGREEMENT WITH UTILITY SYSTEMS SCIENCE AND SOFTWARE IN AN AMOUNT NOT-TO-EXCEED $75,625.00 FOR MAINTENANCE OF THE SEWER EMERGENCY NOTIFICATION SYSTEM AND SEWER FLOW MONITORING SYSTEM; AND

2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

Joint Item

Item J-1

Approval of a Memorandum of Understanding with the Downtown Business Association to Perform Maintenance Services in Downtown

Staff provided a brief summary of the material of record.

The following members of the audience addressed the City Council:

Andy Weissman, Downtown Business Association, explained the inclusion of the landscaping element in the proposal.

Steve Gibson, Downtown Business Association, explained the phases of downtown development.

Gerald Weiner, President, Downtown Business Association, reviewed the importance of the maintenance funding to downtown.

Cary Anderson reported on widespread graffiti in the downtown area.

Council and staff discussion focused on the following topics: on-going graffiti issues; the policy on City plants; unanimous support for the MOU; and indemnifying the City and Agency with respect to subcontractors' maintenance operations.

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER ROSE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE A TRI-PARTY MEMORANDUM OF UNDERSTANDING WITH THE DOWNTOWN BUSINESS ASSOCIATION TO PROVIDE MAINTENANCE SERVICES IN DOWNTOWN CULVER CITY IN AN AMOUNT NOT TO EXCEED $30,020.00 ANNUALLY; AND

2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE NECESSARY DOCUMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

Action Items

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ACTION ITEMS A-3, A-4, AND A-5.

o0o

Item A-3

Reject Bid by California Engineering and Contracting, Inc., and Award a Construction Contract to Steiny and Company, Inc. for the Construction of Higuera Street and Eastham Drive Traffic Signal and Intersection Upgrade, P-741, Federal Aid Project, STPL – 5240 (004)

THAT THE CITY COUNCIL:

1. REJECT THE BID BY CALIFORNIA ENGINEERING CONTRACTING, INC. DUE TO ITS BID BEING NON-RESPONSIVE.

2. AWARD A CONSTRUCTION CONTRACT TO STEINY AND COMPANY, INC. FOR CONSTRUCTION OF HIGUERA STREET AND EASTHAM DRIVE TRAFFIC SIGNAL AND INTERSECTION UPGRADE, CIP PROJECT-741, STPL-5240 (004) IN THE AMOUNT OF $203,946;

3. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS, IF NECESSARY, IN AN AMOUNT NOT TO EXCEED $20,394 (10%); AND

4. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

Item A-4

Authorization of the Submission of a Proposition 1B Traffic Light Synchronization Program Grant Application for Funding of the Citywide Traffic Signal Timing Optimization and Synchronization Project

THAT THE CITY COUNCIL:

1. AUTHORIZE THE SUBMISSION OF A PROPOSITION 1B TRAFFIC LIGHT SYNCHRONIZATION PROGRAM GRANT APPLICATION TO FUND A CITYWIDE TRAFFIC SIGNAL TIMING OPTIMIZATION AND SYNCHRONIZATION PROJECT;

2. APPROVE THE USE OF $110,000.00 IN WEST LOS ANGELES COLLEGE MITIGATION FUNDS AS A 20% MATCH FOR THIS GRANT APPLICATION; AND

3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE GRANT APPLICATION AND OTHER RELATED DOCUMENTS ON BEHALF OF THE CITY.

o0o

Item A-5

(1) Waiver of the Formal Competitive Bidding Process as Authorized by § 3.07.065(A) & (D) of the Culver City Municipal Code and (2) Approval of the Purchase of Seven Smart Cover Sewer Monitoring and Alarm Systems from Plumbers Depot, Inc.

THAT THE CITY COUNCIL:

1. WAIVE THE FORMAL COMPETITIVE BIDDING PROCEDURE AS AUTHORIZED BY § 3.07.065 (A) & (D) OF THE MUNICIPAL CODE;

2. AUTHORIZE THE PURCHASE OF SEVEN SMART COVERS FROM PLUMBERS DEPOT, INC. IN THE AMOUNT OF $27,467.23; AND

3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

The following Action Items were discussed and voted on separately:

Item A-1

Presentation to City Council from the Police Department and Parks, Recreation, and Community Services Department Regarding Potential Service Impacts of $3 Million Revenue Loss to General Fund if Certain Existing Utility Users' Tax Funding is Eliminated

Staff provided a brief summary of the material of record.

The Police Department and Parks Department individually outlined the potential impact losing the UUT revenue would have on the departments.

Council and staff discussion included the potential effect on the crime rate due to a loss of revenue.

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE PRESENTATION FROM THE POLICE DEPARTMENT AND PARKS, RECREATION, AND COMMUNITY SERVICES DEPARTMENT OF POTENTIAL SERVICE IMPACTS IF BUDGET REDUCTION OF THESE AMOUNTS WERE REQUIRED.

o0o

Item A-2

Receive and File an Update on the Formation of the Culver City Sister City Committee, Inc. as a non-profit corporation and the Creation of a Memorandum of Understanding with the Committee

The following member of the audience addressed the City Council:

Kathy McCann, Interim President, Culver City Sister City Committee, provided an update on their efforts to become a non-profit organization.

Council and staff discussion included a report on the subcommittee's efforts.

Receipt of Correspondence

No action was taken on this item.

o0o

Items from Staff

Items Presented by Martin Cole, Assistant City Manager:

- Requested that the City Council adjourn tonight's meeting to April 7, 2008.

o0o

Items from Council

Items Presented by Councilmember Silbiger:

- Requested more election information be posted on the City website for information purposes and to promote voter turnout.

o0o

Items Presented by Councilmember Gross:

- Followed-up on reports that the City had mailed out flyers stating that there would be no voting precincts in certain areas of the City; the flyer was inserted in an envelope with the absentee ballot.

o0o

Items Presented by Mayor Corlin:

- Announced the upcoming Mayor's Luncheon on March 26, 2008.

o0o

Adjournment

There being no further business, at 8:50 p.m., the City Council adjourned its meeting to an Adjourned Regular Meeting to be held on April 7, 2008.

o0o

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 ________________________________

D. SCOTT MALSIN
MAYOR of the City of Culver City, California