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

February 28, 2011
5:31 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:31 p.m.

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

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Closed Session

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

CS-1 Conference with Real Property Negotiators
Re: Former Railroad Spur adjacent to 8511 Warner Drive
City/Agency Negotiators: John Nachbar, City Manager/Executive Director Sol Blumenfeld, Director of Community Development/ Assistant Executive Director, Todd Tipton, Deputy Community Development Director/Redevelopment Administrator and Murray Kane, Agency General Counsel
Other Parties Negotiators: Property Owners located between Hayden and Eastham Avenues
Under Negotiation: Price, Terms of Payment or Both, including use restrictions, development obligations and other monetary related considerations
Pursuant to Government Code Section 54956.8

CS-2 Conference with Real Property Negotiators
Re: 6101 Slauson Avenue
Agency Negotiators: John Nachbar, City Manager/Executive Director/City Manager, Sol Blumenfeld, Assistant Executive Director/CDD Director/Assistant Executive Director, Todd Tipton, Redevelopment Administrator/Deputy CDD Director/Redevelopment Administrator and Murray Kane, Agency General Counsel
Other Parties Negotiators: Leo Bunnin and Michael Hastings
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

CS-3 Conference with Real Property Negotiators
Re: Washington National TOD – Venice Properties at 8906, 8926 and 8936 Venice Boulevard
City/Agency Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Assistant Executive Director/ Community Development Director; Todd Tipton, Deputy Community Development Director/Redevelopment Administrator
Other Parties Negotiators: Bill Feldman (8906 Venice Boulevard), Rhodes Trust (8926 Venice Boulevard) and Dawson Family trust (8936 Venice Boulevard)
Under Negotiation: Price, terms of payment or both, including use restrictions, development obligations and other monetary related considerations
Pursuant to Government Code Section 54956

CS-4 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

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Recess

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

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Reconvene

The City Council reconvened its meeting at 7:18 p.m. with all Councilmembers present.

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Closed Session Report

Mayor Armenta indicated there was nothing to report out of 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 Ken Kaufman.

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Public Comment – Items Not on the Agenda

Mayor Armenta invited public comment.

The following members of the audience addressed the City Council:

Michelle Weiner reported a successful "Transition Culver City" event on February 25, 2011 where a documentary about single use plastic bag pollution was screened; she discussed actions by the City of Santa Monica to institute a ban on single use plastic bags; and she requested that the City Council agendize discussion on this item.

Discussion ensued between the City Council and staff regarding interest in the item; the length of time it takes to implement change; and agreement by staff to provide additional information on how to proceed if the City Council wanted to implement the bag ban.

Donna LeBlanc thanked the City Council for the adjournment in memory of her mother.

Meghan Sahli Wells echoed support for the plastic bag ban; she offered support to the City Council and to facilitate viewing of the documentary for Councilmembers; she reported on the second annual "Family Bicycle Ride" put on by the Culver City Bicycle Coalition; and she announced that family rides were held the last Sunday of every month.

Councilmember Weissman reported that the documentary was available to view online at www.bagitmovie.com.

Ela Valladares, Deputy City Clerk, read written comments submitted by:

Richard Rownak

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Public Hearings

Item PH-1

Adoption by Reference of the 2010 California Building Code and Consideration of a Resolution Adopting Exceptions Thereto (Request to Continue Public Hearing to March 7, 2011).

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CONTINUE THIS PUBLIC HEARING TO MONDAY, MARCH 7, 2011 AT 7:00 P.M.

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Item PH-2

(1) Introduction of an Ordinance Repealing and Replacing Chapter 9.02 of Title 9 of the Culver City Municipal Code and Adopting by Reference the 2010 California Fire Code with Local Amendments; and (2) Adoption of a Resolution Making Express Findings for the Modification of the Fire Code Based on Local Climatic, Geological and Topographical Conditions.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF NOTICE OF THE PUBLIC HEARING.

Michael Bowden, Culver City Fire Marshal, provided a summary of the material of record.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE PUBLIC HEARING BE OPENED.

Mayor Armenta invited public participation.

There was no response.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE PUBLIC HEARING BE CLOSED.

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

1. INTRODUCE ORDINANCE NO. 2011-003 REPEALING AND REPLACING CHAPTER 9.02 OF TITLE 9 OF THE CULVER CITY MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2010 CALIFORNIA FIRE CODE, WITH LOCAL AMENDMENTS; AND

2. ADOPT RESOLUTION NO. 2011-R011 MAKING EXPRESS FINDINGS FOR MODIFICATION TO THE FIRE CODE BASED ON LOCAL CLIMATIC, GEOLOGICAL AND TOPOGRAPHICAL CONDITIONS.

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Adjourn in Memory

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, IT BE ADJOURNED IN MEMORY OF HERBERT F. KARNOFSKY, FATHER OF FORMER SCHOOL BOARD MEMBER MARLA WOLKOWITZ AND FATHER-IN-LAW OF FORMER MAYOR AND COUNCILMEMBER EDWARD WOLKOWITZ.

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Consent Calendar

Councilmember Cooper received clarification that meters were not proposed for Sepulveda Boulevard between Bush Way and Jefferson in Consent Calendar Item C-3 [(1) Adoption of an Ordinance Amending Chapter 7.03, Stopping, Standing and Parking, of the Culver City Municipal Code, by Repealing and Replacing Sections 7.03.500 through 7.03.520 and Amending Sections 7.03.535 and 7.03.550 Relating to Parking Meters; and (2) Adoption of a Resolution Designating Parking Meter Locations] but would be part of a later installation.

Ela Valladares, Deputy City Clerk, read a written comment from Peter Stern regarding Consent Calendar Item C-5 [Adoption of a Resolution Approving an Encroachment Permit Agreement with NextG Networks for Use of the Public Right-of-Way at Various Locations].

Discussion ensued between the City Council and staff regarding the license agreement with the cable company to install the antennas; clarification that the operators are operating under the certificate of convenience and necessity issued by the state; the state permitting authority; reasonable time, manner, and place restrictions; the encroachment agreement; installations in the public right of way; fees and permits; ownership of the pole; placement of additional items on the pole under the certificate of convenience and necessity; and penalties for after the fact encroachment permits.

At this time, Paul O'Boyle, outside legal counsel representing NextG Networks, clarified that pictures displayed were of a similarly situated facility but not the actual site which will have a pole of the same size but a taller antenna.

Further discussion ensued between the City Council and the speaker regarding clarification that the issue was an oversight of NextG engineers; micro versus macro technologies; micro cellular antennas; emissions; and adjustments to appearance.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-7.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES FOR THE REGULAR MEETING OF JANUARY 24, 2011 AS SUBMITTED.

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Item C-2

Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FROM FEBRUARY 5, 2011 THROUGH FEBRUARY 18, 2011.

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February 28, 2011

Item C-3

(1) Adoption of an Ordinance Amending Chapter 7.03, Stopping, Standing and Parking, of the Culver City Municipal Code, by Repealing and Replacing Sections 7.03.500 through 7.03.520 and Amending Sections 7.03.535 and 7.03.550 Relating to Parking Meters; and (2) Adoption of a Resolution Designating Parking Meter Locations.

THAT THE CITY COUNCIL:

1. ADOPT ORDINANCE NO. 2011-002 AMENDING CHAPTER 7.03, STOPPING, STANDING AND PARKING, OF THE CULVER CITY MUNICIPAL CODE, BY REPEALING AND REPLACING SECTIONS 7.03.500 THROUGH 7.03.520 AND AMENDING SECTIONS 7.03.535 AND 7.03.550 RELATING TO PARKING METERS; AND,

2. ADOPT RESOLUTION NO. 2011-R012 DESIGNATING PARKING METER LOCATIONS AND DIRECTING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO INSTALL AND MAINTAIN PARKING METERS IN SUCH LOCATIONS.

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Item C-4

Award of a Construction Contract to Hull Brothers Roofing Company for Building Maintenance at Fire Station #2.

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT TO HULL BROTHERS ROOFING COMPANY FOR THE BUILDING IMPROVEMENTS AT FIRE STATION #2, P-932, IN THE AMOUNT OF $29,650.00, BASED ON ITS BASE BID; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED $2,965.00, IF NECESSARY; 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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February 28, 2011

Item C-5

Adoption of a Resolution Approving an Encroachment Permit Agreement with NextG Networks for Use of the Public Right-of-Way at Various Locations.

THAT THE CITY COUNCIL:

1. ADOPT RESOLUTION NO. 2011-R013 APPROVING THE ENCROACHMENT PERMIT AGREEMENT WITH NEXTG NETWORKS;

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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Item C-6

Adoption of a Resolution Approving a General Services Agreement with the County of Los Angeles for the Period July 1, 2011 through June 30, 2016.

THAT THE CITY COUNCIL:

1. ADOPT RESOLUTION NO. 2011-R014 APPROVING A GENERAL SERVICES AGREEMENT WITH THE COUNTY OF LOS ANGELES FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2016; 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-7

(1) Acceptance of $24,803.00 in Grant Funds from the 2009 State Homeland Security Grant Program for the Reimbursement of Fire Department Training Costs; and (2) Approval of a Budget Amendment Related Thereto.

THAT THE CITY COUNCIL:

1. AUTHORIZE THE ACCEPTANCE OF $24,803.00 IN GRANT FUNDS FOR EQUIPMENT AND TRAINING COSTS AWARDED BY THE 2009 STATE HOMELAND SECURITY GRANT PROGRAM; AND,

2. APPROVE A BUDGET AMENDMENT APPROPRIATING $24,803.00 INTO ACCOUNT 41445500 – HOMELAND SECURITY GRANT - FIRE (A BUDGET AMENDMENT REQUIRES A FOUR-FIFTHS VOTE); 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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Joint Item

Item J-1

Adoption of a Joint Resolution in Opposition to All Proposals to Abolish Redevelopment Agencies.

Mayor Armenta announced that this item was being carried over to the Council Meeting of March 7, 2011.

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February 28, 2011

Action Item

Item A-1

Adoption of a Resolution Establishing a Preferential Parking District (Tilden Avenue Residential Parking District) and Rescinding Resolution No. 2009-R035.

Gabe Garcia, Traffic Engineering Manager, provided a summary of the material of record.

Discussion ensued between the City Council and staff regarding enforcement by the Police Department and the definition of a dwelling.

Mayor Armenta invited public input.

The following members of the audience addressed the City Council:

John Derevlany observed that two streets complained about not having parking but many other streets were included in the parking plan; and he asked that the existing system be left in place or that the City simply focus on the specific streets with the problem.

The City Council clarified that the action would not institute permit parking on any block where a super majority did not exist and that the action was being proposed in order to eliminate the study requirement.

David Von Cannon expressed support for the proposal and complimented staff; he discussed steps to address issues in the area; the redesign of the Tilden/Washington Boulevard intersection; and the cooperation of the L.A. Housing Partnership.

Cary Anderson discussed street sweeping schedules in the area; parking districts; Police Department enforcement of street sweeping districts; the length of time it takes to enforce two hour parking; and enforcement priorities.

At this time, Councilmember O'Leary recused himself from discussion of this item, as his business is located near the district being discussed. Councilmember O'Leary left the dais at 8:17 p.m.

Carol Schwab, City Attorney, clarified the standard for recusal and noted that to be on the safe side, Councilmember O'Leary had recused himself although he did not have a conflict regarding the Tilden Terrace project.

Discussion ensued between the City Council and staff regarding support for the parking district; enforcement; and new street sweeping times.

MOVED BY COUNCILMEMBER COOPER AND SECONDED BY COUNCILMEMBER WEISSMAN, THAT THE CITY COUNCIL:

1. WAIVE CERTAIN REQUIREMENTS OF THE PROCEDURES AND REGULATIONS FOR PREFERENTIAL PARKING ZONES AS SET FORTH IN THE STAFF REPORT; AND

2. ADOPT RESOLUTION NO. 2011-R015 ESTABLISHING A PREFERENTIAL PARKING DISTRICT (TILDEN AVENUE RESIDENTIAL PARKING DISTRICT) AND RESCINDING RESOLUTION NO. 2009-R035.

AYES: Councilmembers Cooper, Malsin, Weissman, Armenta
NOES: None
ABSTAIN: Councilmember O'Leary
ABSENT: None

Councilmember O'Leary returned to the dais at 8:20 p.m.

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Recess

The City Council recessed to the Redevelopment Agency meeting at 8:20 p.m.

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Reconvene

The City Council reconvened its meeting at 10:40 p.m., with all Councilmembers present.

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Public Comment for Items Not on the Agenda – continued.

Mayor Armenta invited public participation.

There was no response.

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Receipt of Correspondence

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Items from Staff

No action was taken on this item.

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Items from the City Council

Items Presented by Councilmember Malsin:

- Requested that staff look into fee structures for location film shoots as he wanted the City to be more competitive, especially with regard to reality television shows.

  The City Council concurred with the request.

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Items Presented by Councilmember Weissman:

- Announced a celebration of the reopening of the Dog Park by the Friends of the Culver City Dog Park on March 12-13, 2011.

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Items Presented by Councilmember Cooper:

- Encouraged residents to return to the Culver City Dog Park when it reopens on March 12, 2011.

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Adjournment

There being no further business, at 10:44 p.m., the City Council adjourned its meeting in memory of Herbert F. Karnofsky, father of former School Board Member Marla Wolkowitz and father-in-law of former Mayor and Councilmember Ed Wolkowitz to a meeting to be held on March 7, 2011.

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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 March 28, 2011

CHRISTOPHER ARMENTA
MAYOR of the City of Culver City, California