

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY
THE CITY COUNCIL, CULVER CITY HOUSING AUTHORITY BOARD,
CULVER CITY PARKING AUTHORITY BOARD AND SUCCESSOR AGENCY
TO THE CULVER CITY REDEVELOPMENT AGENCY BOARD

REGULAR MEETING OF THE
CITY COUNCIL, CULVER CITY
HOUSING AUTHORITY BOARD,
CULVER CITY PARKING AUTHORITY BOARD AND
SUCCESSOR AGENCY TO THE CULVER CITY
REDEVELOPMENT AGENCY BOARD
CULVER CITY, CALIFORNIA

August 22, 2016
6:00 p.m.

Call to Order & Roll Call

Mayor Clarke called the meeting of the City Council to order at 6:00 p.m. in the Mike Balkman Chambers at City Hall.

Present: Jim B. Clarke, Mayor
Jeffrey Cooper, Vice Mayor
Göran Eriksson, Council Member
Meghan Sahli-Wells, Council Member
Thomas Small, Council Member

Note: The City Council also sits as Members of the Governing Board(s) convened as part of the meeting.

o0o

Closed Session

The City Council recessed to Closed Session to consider the following items:

CS-1 Conference with Legal Counsel - Existing Litigation

Alliance for a Regional Solution to Airport Congestion
(ARSAC) v. City of Los Angeles et al.
VCSC Case No. 56-2014-00451038-CU-WM-OXN

Pursuant to Government Code Section 54956.9 (d) (1)
CS-2 Conference with Legal Counsel - Anticipated Litigation

Re: Initiation of Litigation - 1 Matter
Pursuant to Government Code Section 54956.9 (d) (4)

CS-3 Conference with Legal Counsel - Anticipated Litigation

Re: Significant Exposure to Litigation (1 Item)
Pursuant to Government Code Section 54956.9 (d) (2)

o0o

Reconvene

Mayor Clarke reconvened the City Council and convened the Culver City Housing Authority Board, Culver City Parking Authority Board, and the Successor Agency to the Culver City Redevelopment Agency Board at 7:06 p.m. with all Members present.

o0o

Invocation/Pledge of Allegiance

City Manager John Nachbar led the invocation and the Pledge of Allegiance was led by Scott Wyant.

o0o

Report on Action Taken in Closed Session

Carol Schwab, City Attorney, reported for the record that the facts and circumstances with regard to closed session Item CS-3 - Anticipated Litigation; Significant Exposure to Litigation; Pursuant to Government Code Section 54956.9(d) (2), were related to letters dated August 17, 2016 and August 20, 2016 to the City Council from Les Greenberg and Paulette Greenberg, respectively, making similar allegations.

Mayor Clarke indicated that no action had been taken in Closed Session.

o0o

Presentations

Item P-1

CC - Presentations of Commendations to Former Commissioners, Committee Members, and Board Members in Recognition of Their Service to the Culver City Community

Council Members presented Commendations to former Commissioners, Committee Members and Board Members in recognition of their service to the Culver City Community.

o0o

Item P-2

CC - Presentation of a Proclamation in Honor of Fiesta La Ballona 2016

Marcus Tiggs, Fiesta La Ballona Committee, introduced other members of the Committee and discussed staff, volunteers and sponsors involved in the process.

Ronnie Jayne discussed scheduled entertainment.

Bob Wayne indicated that t-shirts for the event were available and were designed by a Culver City High School student.

Celeste Anlauf extended gratitude to Fiesta La Ballona sponsors and read their names.

City Council Members were photographed presenting the proclamation to Fiesta La Ballona Committee Members.

o0o

Item P-3

CC - Update on the LAX Community Noise Roundtable from Culver City Roundtable Representative June Lehrman; and City Council Direction to Staff as Deemed Appropriate

June Lehrman, LAX Community Noise Roundtable Representative and founding member of Culver City for Quiet Skies, provided an update on recent events; discussed frequency of meetings; community participation; she announced upcoming meetings and discussed where to find additional information; the actions of Monterey Park; the North Downwind Arrival Path over Culver City; working with other cities; wider community activism; the North Downwind Arrival Study; interpretation of the Study; the request for consultant interpretation of the data; communication with the representative from Karen Bass's office; disagreement with the findings; and the system for addressing complaints.

Stephen Murray, LAX Community Noise Roundtable Alternate Representative, discussed changes to the complaint system; negative changes to the online LAX Noise Complaint Forum; and positive changes to the phone complaint system.

June Lehrman reported that the final environmental assessment is due in September with a 60-day period to sue if that is the chosen path, and she indicated that implementation after the finding of no significant impact would begin in November.

Mayor Clarke reported that Culver City is a leading advocate on the issue and he thanked LAX Roundtable representatives and members of Culver City for Quiet Skies; he reported that consultants had been hired and were examining data regarding changed flight paths in 2014-2015; additional data had been requested from the Federal Aviation Administration (FAA) to compare with Los Angeles World Airport (LAWA) data; he noted that the City website includes the link to the new LAX Noise Complaint System; City staff recently met with Los Angeles Council Member Bonin to discuss mutual concerns over the proposed flight paths; he discussed the public comment period that ended in October, 2015; communication with Karen Bass's office and the House Aviation subcommittee; other cities around the country having similar problems; release of the draft Environmental Assessment report and scheduling of a community meeting; Culver City Connect; written comments from the City on all new LAWA projects; projected annual passengers by the year 2040; the 2006 court settlement to cap the amount of passengers allowed; the increasing number of

airplanes flying over; and he thanked everyone for their efforts to log complaints.

Discussion ensued between Council Members and the speakers regarding additional things to try; the involvement of surrounding areas; reaching out to other nearby Neighborhood Councils; and placing the item on a City Council agenda once the report comes back.

Barbara Markoe, Culver City for Quiet Skies, reported frustration when she attended a LAWA presentation; discussed her involvement in the process; and she asked the City Council to help address impacts to quality of life in the City.

Ken Palmer, Culver City for Quiet Skies, commended the City Council for their help; reported meeting with an FCC representative who encouraged citizens to complain and meet with public representatives; discussed categories to cite when complaining; and he encouraged residents to get involved.

Neal Tabachnick asserted that the FAA did not care about resident concerns, rather their focus is to maximize the number of flights; he discussed cleaning off his patio furniture and boat more often due to increased flights; and he thanked the City for their help.

Discussion ensued between staff and Council Members regarding a category on Culver City Connect to report overflight complaints; clarification that residents should use LAWA rather than Culver City Connect to make complaints; the link to the LAWA site on the Culver City website; gaining media attention; the No Fly Day rally; how to navigate to the LAX Noise Information page on the Culver City website; raising awareness; and reaching out to other Neighborhood Councils on the downward path.

June Lehrman reported that lawn signs were available and she announced the next No Fly Day scheduled for October 23.

o0o

**Community Announcements by City Council Members/
Information Items from Staff**

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY MAYOR CLARKE AND UNANIMOUSLY CARRIED, THAT WHEN THE MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF MONTY MANIBOG, THE FORMER MAYOR OF MONTEREY PARK.

Council Member Sahli-Wells announced the final free performances of *Romeo and Juliet Pokemon Go!* by the Actor's Gang in Media Park on August 27-28.

Mayor Clarke reported having lunch with Jim Gibson, the oldest living elected official still living in Culver City.

oOo

Joint Public Comment - Items Not on the Agenda

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Keiko Nakashima announced A Taste of Washington West on October 15 and asked that the City consider sponsoring the event.

The City Council agreed to agendaize consideration of sponsorship of the event.

Georges Chamchoum announced the second Asian World Film Festival October 24 - November 1, 2016; indicated that all events would take place in Culver City; he discussed the success of the previous event; and he requested support from the City again.

The City Council agreed to agendaize consideration of sponsorship of the event.

Dr. Janet Hoult reminded everyone to pick up bookmarks with information on Word Painting and the Poetry Contest for the Centennial at the back of Council Chambers; she reported that the Culver City seal celebrated its 80th birthday this month; and she read a poem reminding everyone of the significance of the seal.

Les Greenberg discussed the Code of Ethics; expressed concern with the lack of response from the City to

possible conflicts of interest in actions of former Council Member Andrew Weissman; he discussed bias; disparaging remarks made by Vice Mayor Cooper against Farragut residents; he asked that their concerns be heard as a separate agenda item; and he suggested referring allegations to an ethics advisory committee.

Paulette Greenberg discussed a report focusing on Council Members' unethical exercise of influence on staff; erosion of public trust; the need for staff to report improper conduct; backroom dealings; the ability of staff to do their jobs free of Council Member influence; the duty of public employees and officials to report unethical behavior; and she echoed a call for an agenda item on unethical conduct, expressing frustration with the lack of acknowledgement.

Mayor Clarke reported receipt of the letters of August 17, 2016 and August 20, 2016 which would become part of the public record when the Farragut Parking Study is considered on September 12, 2016.

Lisa Schultz thanked the Greenbergs for speaking up to voice their concerns; she requested consideration of sponsorship for the sixth Affair of the Arts; she thanked the City for previous support of the event; she discussed the success of the previous event; the location; business generated; and the upcoming event.

Mayor Clarke pointed out that construction would likely be underway on Parcel B necessitating the event being held on Town Plaza again, and he received City Council consensus to consider support of the event on an upcoming agenda.

Council Member Eriksson received clarification that the recommended sponsorship policy from the Finance Advisory Committee was scheduled for City Council consideration on September 12.

Mike Harriel, Southern California Gas Company, discussed recent heat waves and flex alerts; energy reliability and conservation; ensuring an adequate supply of natural gas; the connection between natural gas and electricity; buying in bulk; renewable energy; and he invited Council Members to attend upcoming Reliability Workshops in Playa del Rey.

Jeremy Green, Deputy City Clerk, read a written comment submitted by:

Josetta Sbeglia

o0o

Receipt and Filing of Correspondence

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE RECEIVED BY THE CITY CLERK'S OFFICE BEFORE 4:00 P.M. ON AUGUST 22, 2016.

o0o

Consent Calendar

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-8, C-10, C-12 AND C-13.

Item C-1

CC:HA:SA:PA - Meeting Minutes

Council Member Sahli-Wells received clarification that a typographical error in the minutes had been corrected.

THAT THE CITY COUNCIL, CULVER CITY HOUSING AUTHORITY BOARD, CULVER CITY PARKING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY BOARD: APPROVE MINUTES FOR THE REGULAR MEETING OF AUGUST 8, 2016 AS CORRECTED.

o0o

Item C-2

HA - Approval of the Certification and Submission of the Section 8 Management Assessment Program (SEMAP)

Council Member Sahli-Wells recognized Housing

Administrator Tevis Barnes and her staff for their perfect score reporting to Housing and Urban Development.

Tevis Barnes, Housing Administrator, expressed gratitude for the recognition; noted decreases to staffing due to demise of Redevelopment; and she discussed regulation by state and federal law.

THAT THE HOUSING AUTHORITY BOARD:

- 1) 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;
- 2) AUTHORIZE THE CHAIR AND THE EXECUTIVE DIRECTOR TO EXECUTE THE SEMAP CERTIFICATION.

o0o

Item C-3

CC - Award of a Construction Contract to CJ Construction, Inc. as the Lowest Responsive and Responsible Bidder, for the Curb, Gutter and Sidewalk Replacement Project, PZ428 in an Amount Not-to-Exceed \$400,934.40 (\$334,112 Plus \$66,820.40 in Contingency Authority)

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT TO CJ CONSTRUCTION, INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE CURB, GUTTER AND SIDEWALK REPLACEMENT PROJECT, PZ428, BASED ON ITS BID; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED \$66,820.40, 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.

o0o

Item C-4

CC - Adoption of a Resolution Approving the City of Culver City's Participation in the Institute for Local Government's Beacon Recognition Program

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING THE CITY'S PARTICIPATION IN THE INSTITUTE FOR LOCAL GOVERNMENT'S BEACON RECOGNITION PROGRAM.

oOo

Item C-5

CC - FOUR-FIFTHS VOTE REQUIREMENT: 1) Adoption of a Resolution Accepting Grant Funds in the Amount of \$200,000 from the State of California, Department of Parks and Recreation for the Hetzler Road Pedestrian Trail Improvements Project; and 2) Approval of a Related Budget Amendment

THAT THE CITY COUNCIL:

1. THAT THE CITY COUNCIL ADOPT A RESOLUTION, ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$200,000 FROM THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION FOR THE HETZLER ROAD PEDESTRIAN TRAIL IMPROVEMENTS PROJECT.; AND

2. (FOUR-FIFTHS VOTE REQUIRED) APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF \$200,000.

oOo

Item C-6

CC - (1) Approval of On-Call Professional Services Agreements with Kimley Horn and Associates, Inc, (Design Only) and Annealta Group, Inc. (Construction Management and Inspection Only), for General Civil Engineering Services to Support the Capital Improvement Program, from July 1, 2015 to June 30, 2018,; and (2) Authorize Staff to Add these Firms to the List of On-Call Firms Approved by the City Council for the Same Services with the Aggregate Amount for all Firms Remaining a Not-to-Exceed Amount of \$4,000,000, as Approved by the City Council on June 22, 2015

THAT THE CITY COUNCIL:

1. APPROVE ON-CALL PROFESSIONAL SERVICES AGREEMENTS WITH KIMLEY HORN AND ASSOCIATES, INC, (DESIGN ONLY) AND ANNEALTA GROUP, INC. (CONSTRUCTION MANAGEMENT AND INSPECTION ONLY), FOR GENERAL CIVIL ENGINEERING SERVICES TO SUPPORT THE CAPITAL IMPROVEMENT PROGRAM, FROM JULY 1, 2015 TO JUNE 30, 2018, AND
2. AUTHORIZE STAFF TO ADD THESE FIRMS TO THE LIST OF ON-CALL FIRMS APPROVED BY THE CITY COUNCIL FOR THE SAME SERVICES WITH THE AGGREGATE AMOUNT FOR ALL FIRMS REMAINING A NOT-TO-EXCEED AMOUNT OF \$4,000,000, AS APPROVED BY THE CITY COUNCIL ON JUNE 22, 2015.
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.

oOo

Item C-7

CC - (1) Waiver of Formal Competitive Bidding Procedures; and (2) Approval of a Fourth Amendment to Existing Agreement with Chiron Center, Inc. for Crisis Response Team Services Extending the Term through June 30, 2021 in an Additional Amount Not-To-Exceed \$50,000.00

THAT THE CITY COUNCIL:

1. WAIVE FORMAL COMPETITIVE BIDDING PROCEDURES IN ACCORDANCE WITH CULVER CITY MUNICIPAL CODE SECTION 3.07.075.E.3; AND
2. APPROVE A FOURTH AMENDMENT TO THE EXISTING AGREEMENT WITH CHIRON CENTER, INC. FOR CRISIS RESPONSE TEAM SERVICES EXTENDING THE TERM THROUGH JUNE 30, 2020 IN AN ADDITIONAL CRISIS RESPONSE TEAM SERVICES EXTENDING THE TERM THROUGH

JUNE 30, 2020 IN AN ADDITIONAL AMOUNT NOT-TO-EXCEED \$50,000.00 (\$10,000 PER YEAR); 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.

o0o

Item C-8

CC - Approval of Professional Services Agreement with Sam Schwartz Engineering to Conduct a Bike Share Feasibility Study in an Amount Not-to-Exceed \$37,710

Council Member Sahli-Wells discussed the location of bike share stations; attracting riders that would most benefit from the program; she expressed opposition to onsite advertising; discussed the economic analysis; Measure R transportation funding; and she wanted to see a public outreach initiative.

Charles Herbertson, Director of Public Works, indicated that the Bicycle and Pedestrian Advisory Committee (BPAC) would be overseeing the development of the plan and acting as a public forum and he noted that staff would ensure that meetings were properly noticed and at a time that members of the public can attend.

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH SAM SCHWARTZ ENGINEERING TO CONDUCT A BIKE SHARE FEASIBILITY STUDY IN AN AMOUNT NOT-TO-EXCEED \$37,710.00; 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.

o0o

Item C-10
(Out of

Sequence)

CC - Receive and File the Measure Y Sales Tax Status Report as Approved by the Finance Advisory Committee

THAT THE CITY COUNCIL: RECEIVE AND FILE THE MEASURE Y SALES TAX STATUS REPORT.

o0o

Item C-12
(Out of

Sequence)

CC - Adoption of an Ordinance Repealing and Replacing Culver City Municipal Code Chapter 11.04, Alarm Systems

THAT THE CITY COUNCIL: ADOPT AN ORDINANCE REPEALING AND REPLACING CULVER CITY MUNICIPAL CODE CHAPTER 11.04, ALARM SYSTEMS.

o0o

Item C-13

CC - Approval of Agreements with Natural Tique and Upstairs/Downstairs Furniture to Relocate the Businesses Located at 8910 and 8918 Venice Boulevard

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH NATURAL TIQUE TO RELOCATE THE BUSINESS LOCATED AT 8910 VENICE BOULEVARD;
2. APPROVE AN AGREEMENT WITH UPSTAIRS/DOWNSTAIRS FURNITURE TO RELOCATE THE BUSINESS LOCATED AT 8918 VENICE BOULEVARD;

3. AUTHORIZE THE CITY ATTORNEY AND CITY SPECIAL COUNSEL TO PREPARE THE NECESSARY DOCUMENTS; AND

4. AUTHORIZE THE CITY MANAGER TO EXECUTE THE DOCUMENTS ON BEHALF OF THE CITY.

o0o

Item C-9

(Out of

Sequence)

CC - (1) Discussion of Proposed Changes to the City Council Agenda Format and Procedures; and (2) If Desired, Adoption of a Resolution Approving the Proposed Changes to the Agenda Format

Jeremy Green, Deputy City Clerk, reported that an amended resolution had been provided to Council Members to correct a clerical omission in paragraph 4 indicating that the previous format resolution would be rescinded, and she noted that there would be two separate areas for presentations: presentations to Members at 6:30 p.m. with a separate time if someone has a presentation to the City Council.

Mayor Clarke invited public comment.

The following member of the audience addressed the City Council:

Gary Silbiger discussed the importance of public participation; he expressed concern that public comment sent by email is not read at City Council meetings; discussed reading email sent to Council Members; and he encouraged the possibility for increased public participation.

Discussion ensued between staff, Council Members and Mr. Silbiger regarding the opportunity for public comment on every agenda item; clarification that those who do not want to speak at the meeting can have their comments read; clarification that the email policy has not changed; adding a clearer explanation so that people understand that if they attend a meeting but have to leave, their

comments will be read into the record; accessibility of the public record and how to access it; the subject of comments received; and the number of emails received.

Jeremy Green, Deputy City Clerk, read a comment submitted by:

Rich Waters

Additional discussion ensued between staff and Council Members regarding the portion of the agenda allowing comments from staff and Council Members; adding a place for comments from Boards and Subcommittees; Presentations to Council; scheduling a separate meeting to hear comment on the fifth Monday; public comment for Presentations; clarifying which Committee is making a presentation on the agenda; balancing the agenda; accommodating speakers; moving public hearings without comments to the end of the meeting; making translation available; costs; legal requirements; translation pay for employees; making reasonable accommodations; different languages spoken in the community; accessibility of translators for multiple languages; continued investigation of the matter; caution in the way things are worded; legal concerns; how often the issue comes up; allowing flexibility; different levels of simultaneous translation; and agreement to have the item come back to the City Council.

THAT THE CITY COUNCIL:

ADOPT A RESOLUTION APPROVING THE PROPOSED CHANGES TO THE CITY COUNCIL AGENDA FORMAT AND PROCEDURES AND DIRECT STAFF TO INCORPORATE COMMENTS MADE DURING THE DISCUSSION, INVESTIGATE ADDITIONAL WORDING REGARDING PROVIDING TRANSLATION ASSISTANCE, AND RETURN WITH INFORMATION FOR ADDITIONAL CITY COUNCIL CONSIDERATION.

o0o

Item C-11
(Out of

Sequence)

CC - (1) Approval of a Professional Services Agreement with Clever Devices LLC. to Design, Furnish, Install, Test, Train, Implement and Provide Support and Warranty for the Culver City Intelligent Transportation System in

an Amount Not-To-Exceed \$4,398,205, which Includes a 10% Contingency Value; (2) Approve the Relocation of 35 Bus Stops from Nearside to Farside Locations, as well as Conflicting Parking Meters from Farside to Nearside Locations; and (3) Award a Construction Contract to James Oh Construction in an Amount Not-To-Exceed \$75,000, for the Removal and Relocation of 35 Bus Stops from Nearside to Farside, Including Bus Stop Furniture, and Associated Parking Meters

Mayor Clarke invited public input.

The following members of the audience addressed the City Council:

Paul Fernandez, Culver City Music Center, expressed concern with homeless people that often sleep or hang around on bus benches; the confusing nature of the double stoplight; and concern with the bus stopping right in front of their door.

Judy Wohl expressed support for keeping to the current locations and she questioned the need for the move; she expressed concern with elimination of street parking spaces; and she asked the City Council to consider leaving the bus stop where it currently is.

Perry Badar, Culver Mail Box, expressed concern with reduced street parking.

Discussion ensued between staff and Council Members regarding the Bus Signal Prioritization Project; traffic mitigation; bus speed; reasons for the move; minimizing the effects to parking; reducing the irregularity of parking spaces on the block and increasing available parking; homeless occupation of bus benches; bus driver communication; the metal dividers on the current bus benches; the new benches; finding services for the homeless; safety; outreach; resources; bus stops in Paris; Real Time information; charging stations; making data available; and communication with ridership.

THAT THE CITY COUNCIL:

1. AUTHORIZE THE TRANSPORTATION DIRECTOR TO NEGOTIATE FINAL CONTRACT TERMS WITH CLEVER DEVICES, LTD. TO DESIGN, FURNISH, INSTALL, TEST, TRAIN AND PROVIDE SUPPORT FOR THE CULVER CITY

INTELLIGENT TRANSPORTATION SYSTEM IN AN AMOUNT NOT TO EXCEED \$4,398,205 WHICH INCLUDES A 10% CONTINGENCY VALUE; AND

2. APPROVE THE RELOCATION OF THE 35 IDENTIFIED BUS STOPS FROM NEARSIDE TO FAR SIDE, AS WELL AS THE CONFLICTING PARKING METERS FROM FAR SIDE TO NEARSIDE; AND

3. AWARD A CONTRACT TO JAMES OH CONSTRUCTION TO PROVIDE NEW MATERIAL AND SERVICES TO REMOVE 35 NEARSIDE BUS STOPS AND RELOCATE THEM TO FAR SIDE, AND REMOVE CONFLICTING PARKING METERS FROM FAR SIDE LOCATIONS AND INSTALL NEW PARKING METERS AT THE ABANDONED NEARSIDE BUS STOPS, IN AN AMOUNT NOT TO EXCEED \$72,950, PLUS \$2,050 CHANGE ORDER AUTHORITY, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$75,000; AND

4. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND

5. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-9 AND C-11.

o0o

Order of the Agenda

Mayor Clarke moved Item A-3 forward on the agenda.

o0o

Action Items

Item A-3
(Out of

sequence)

CC - Introduction of an Ordinance Amending Section 9.07.035, Construction, of Chapter 9.07, Noise Regulations, of the Culver City Municipal Code, to Allow the Limited Expansion of Construction Hours Under Certain Circumstances, as Authorized by Permit

Discussion ensued between staff and Council Members regarding changes made based on public input at the last

meeting; clarification that the proposed change would only occur in commercial zones; proximity of the closest resident; the study to ascertain impacts; the administrative process; Temporary Use Permits (TUPs); concrete pours; the hearing process; discretion; and the ability to shut construction down.

Mayor Clarke invited public input.

The following members of the audience addressed the City Council:

David Hauptman expressed opposition to the changes noting the success of the process for many years; he discussed potential noise pollution; the true start time; and the three hundred-foot radius.

Gary Silbiger noted that compared with surrounding cities, Culver City already allows the longest period for construction hours; expressed concern with broad language that could allow the exception to become the rule; he felt there was no need for the change; noted the failure to require posting on site of additional construction hours requested; discussed the ability of the City Council to rule on appeal; the need to protect residents; actions of surrounding cities; concern that the City Council is too favorable to the Chamber of Commerce and big business; he questioned why the subject had been split into several agenda items; suggested that staff research what other cities have experienced; noted that the policy should not be formulated on one example; and he asked for additional input and with consideration of other issues around construction.

Stephen Murray noted the very liberal construction hours currently in place; asserted that the last two hours of construction were not very effective; discussed construction hours of surrounding cities; he expressed support for a 7:00 a.m. start time for interior construction; expressed concern with the proposed 4:00 a.m. start time and the potential for increased light pollution and noise pollution; and he expressed opposition to the proposed ordinance but felt that there was room for change.

Daniel Freedman, Culver City Residents for Responsible Development, expressed concern with the effect of the

proposed changes on non-residential projects going in next to residential units.

Jeremy Green, Deputy City Clerk, read a written comment submitted by:

Rich Waters

Discussion ensued between staff and Council Members regarding the public interest; reduced traffic congestion; the motive behind the proposed changes; the length and duration of construction; assessing impacts; concern with vague language; potential litigation; resident input on construction hours in the Washington National area; concern with codifying the changes clearly; different interpretations; a request that the language be strengthened and defined; defining the buffer zone; ensuring flexibility; large concrete pours; noise related to concrete pours; traffic circulation; refining the process; concern with creating loopholes; clarification on the proposed process; the need for additional study; how the public fits into the administrative process; the 500-foot radius vs. a 1,000-foot radius; including other businesses in the process; proposed hours; using the first request as a pilot program; allowing time to refine and define the process; the staff study; criteria; processing a TUP for this specific request as an example subject to the code being amended; finding a legal mechanism to allow a TUP to be issued in violation of the municipal code's construction hours; bringing back a mock-up of what the TUP process would look like with the understanding that that could not be approved until the code is amended; the necessity for an introduction of the ordinance if any substantive changes are made; clarification that actual construction cannot take place until the ordinance has been adopted; testing the process; and incorporating comparisons with other jurisdictions.

Council Member Small moved to direct staff to create, research, and vet a full proposal including neighborhood reaction, noise studies, and truck routes for City Council consideration, and upon approval of the item, the ordinance will follow.

Additional discussion ensued between staff and Council Members regarding clarification that the proposal should be processed as if the ordinance is in place with the

permit not approved until an ordinance is approved and goes into effect; including comparisons with other jurisdictions; assurances that a route map be provided to show that the trucks would not go through residential neighborhoods; parts of construction with major traffic impacts; clarification that concrete work usually requires an early start; exemptions for emergencies; clarification that the change affects private sector construction, not City projects; helicopter delivery of HVAC; the intent to lessen the impact on residents; specifying that exceptions are made for concrete; ensuring that a staff member is accessible during those early morning hours; providing a contact number for each project; updating outdated language on page 155; existing rules for residential construction; concern with a lack of accountability with existing rules; better enforcement; an ordinance on damage to adjacent properties; responding to complaints; the process to make a complaint; addressing nuisance issues vs. damage issues; and notification.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT STAFF TO DO A TABLE TOP EXERCISE WITH THE REQUEST FROM IDS FOR AN EARLY CONCRETE POUR TO BE BROUGHT BACK TO THE CITY COUNCIL FOR EVALUATION OF THE PROCESS AND IF ACCEPTABLE, AN ORDINANCE WILL BE INTRODUCED TO CHANGE CONSTRUCTION HOURS INCLUDING NOTICE.

oOo

Item A-2
(Out of

sequence)

CC - Approval of an Amended and Restated Design for Development for the Culver Studios at 9336 Washington Boulevard

Todd Tipton, Economic Development Manager, clarified that the item would make the Design for Development (DFD) consistent with approvals for the project and consolidate information, and he noted that the 2006 DFD would only be

amended as it applies to the Culver Studios, with other properties remaining under the 2006 DFD.

Mayor Clarke invited public input.

The following member of the audience addressed the City Council:

Daniel Freeman, Culver City Residents for Responsible Development, reported multiple concerns about the project; discussed impacts to the surrounding communities; the lack of a full and adequate analysis of the project under the California Environmental Quality Act; concern that the project was split up and mitigation deferred without a full analysis; and he wanted to see the City Council deny the item.

Mayor Clarke clarified that nothing new was being approved.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE AND ADOPT THE AMENDED AND RESTATED DESIGN FOR DEVELOPMENT FOR THE CULVER STUDIOS AT 9336 WASHINGTON BOULEVARD.

o0o

Item A-1
(Out of

sequence)

CC - Appointment to a Vacancy on the Bicycle and Pedestrian Advisory Committee (BPAC)

Mayor Clarke discussed the item noting that it would not be a conflict for Robyn Tenensap to serve on both the Disability Advisory Committee (DAC) and the BPAC.

Discussion ensued between staff and Council Members regarding clarifying that traditionally residents are only appointed to serve on one Board or Committee at a time; it is not allowable for anyone to serve on more than one Commission at a time; and clarification that while the DAC can help with outreach, it is not a requirement that someone on the DAC serve on the BPAC.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPOINT ROBYN TENENSAP TO THE BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE DISABILITY REPRESENTATIVE RESIDENT SEAT FOR A 3-YEAR TERM EXPIRING JUNE 30, 2019 WITH A NOTE THAT THIS IS A SPECIAL CIRCUMSTANCE WITH REGARD TO SITTING ON TWO CITY BODIES.

o0o

Item A-4

CC - Approval of a Five-Year Professional Services Agreement with FilmL.A., Inc. for Film Permit Coordination, Notification, and Monitoring Services, at No Cost to the City

Discussion ensued between staff and Council Members regarding downsides to participation; film permit handling; advantages to working with FilmL.A.; and financial impact.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY MAYOR CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH FILML.A., INC., FOR A FIVE-YEAR TERM TO PROVIDE FILM PERMIT COORDINATION, NOTIFICATION, AND MONITORING SERVICES FOR FILMING ACTIVITIES ON PUBLIC PROPERTY, PUBLIC RIGHT-OF-WAY, AND IN CITY FACILITIES, AT NO COST TO THE CITY; 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.

Council Member Sahli-Wells expressed support for the item and discussed credit for film production.

o0o

Public Comment - Items Not on the Agenda

Mayor Clarke invited public comment.

No cards were received and no speakers came forward.

o0o

Items from Council Members

None.

o0o

Adjournment

There being no further business, at 10:12 p.m., the City Council, Housing Authority Board, Parking Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned its meeting in memory of Monty Manibog, former mayor of Monterey Park.

o0o

,

Jeremy Green
DEPUTY CITY CLERK of Culver City, California
EX-OFFICIO DEPUTY CLERK of the City Council and DEPUTY
SECRETARY of the Successor Agency to the Culver City
Redevelopment Agency Board, Culver City Parking Authority
Board, and Culver City Housing Authority Board
Culver City, California

August 22, 2016

JIM B. CLARKE
MAYOR of Culver City, California and CHAIR of the
Successor Agency to the Culver City Redevelopment Agency
Board, Culver City Parking Authority Board and Culver City
Housing Authority Board