

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

January 27, 2014
5:30 p.m.

Call to Order & Roll Call

Mayor Cooper called the meeting of the City Council to order at 5:30 p.m.

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

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Closed Session

At 5:30 p.m., the City Council recessed to Closed Session to discuss the following items:

CS-1 Conference with Legal Counsel - Anticipated Litigation
Re: Initiation of Litigation - (2 Matters)
Pursuant to Government Code Section 54956.9(d)(4)

CS-2 Conference with Real Property Negotiators
Re: 8511 Warner Drive
City Negotiators: John Nachbar, City Manager Sol Blumenfeld, Community Development Director; Todd Tipton, Economic Development Administrator; Murray Kane, City Special Counsel
Other Parties Negotiators: Samitaur Constructs
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

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Reconvene

Mayor Cooper reconvened the City Council meeting at 7:04 p.m. with all Councilmembers present.

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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 Brian Thomslin.

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Report on Action Taken in Closed Session

Mayor Cooper indicated there was nothing to report from closed session.

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Presentation

Item P-1

Presentation of Certificates of Recognition to the Participants in the El Marino Language Exchange Program

Dave Stewart discussed the student exchange program with Guadalajara, Mexico.

Councilmembers presented certificates of recognition to program participants.

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Community Announcements By City Council Members/Information Items From Staff

Daniel Hernandez, Parks, Recreation and Community Services Director, reported that the Los Angeles County Department of Community and Social Services had awarded the Culver City Senior Nutrition Program with the Golden Apple Award for Fiscal Year 2012-2013, and he announced full wifi service at Veterans Memorial Auditorium with service available free for the first two-hours.

Councilmember O'Leary reported attending a League of California Cities meeting in Sacramento.

Councilmember Clarke reported on his appointment to the Administrative Policy Committee of the League of California Cities.

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Joint Public Comment - Items Not on the Agenda

Mayor Cooper invited public comment.

The following members of the audience addressed the City Council:

Shireen Daytona discussed the lack of affordable housing or legal protection for renters in the City; gentrification; culvercityrentcontrol.com; rent stabilization; tenants' rights; she distributed a petition and asked for legal changes.

Monica Richardson expressed concern with the Alcoholics Anonymous (AA) group in the City; discussed the religious nature of the organization; First Amendment Rights; safety; clarification that AA is not rehab., not overseen or regulated; she felt that citizens should refuse to be ordered into AA by lawmakers; and she discussed alternative organizations.

Teri Hitt asked that a rent stabilization policy be established in the City, and that a discussion of guidelines be placed on an agenda.

Christopher Patrick King requested a formal conversation regarding housing opportunities and affordability; discussed renters; mom and pop owners; impacts of regulations; the need for an open discussion on the issue; and the Housing Opportunities Forum held last year.

Gary Abrams discussed several Councilmembers seeking re-election; questioned why the City did not assist schools; discussed Irving Place; rent control; the skating rink; the School Board; and the elimination of redevelopment.

Dean Pickard discussed the impacts of the new Crossroads Shopping Center; parking issues; safety; the need to close the Commonwealth driveway; and he asked for action on the issues.

Booker Pearson, Upward Bound, thanked the City for their support; discussed successes; requested that funds designated for rental assistance be reprogrammed for use to help with caseworkers and expenses; he discussed services;

coordination with the school system; homeless prevention; children living below the poverty line; and connection to services.

Mayor Cooper indicated that he would bring the issue up during budget hearings.

Jeremy Green, Management Analyst, read a written comment submitted by:

Rich Waters

Vice Mayor Sahli-Wells requested agendaizing a discussion of rent control for a future meeting.

Discussion ensued between staff and Councilmembers regarding having a more comprehensive discussion of housing; the term rent control; exclusions; individual landlords vs. corporations; having a discussion at a separate public meeting; appropriate meeting format; rent stabilization; consideration by the Parks, Recreation and Community Services Commission; and the Landlord Tenant Mediation Board.

The City Council provided consensus to place a discussion item regarding the subject of rent control on a future City Council agenda.

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Action Item

Item A-1
(Out of Sequence)

Consideration of Additional Information Related to the Culver City Ice Arena and Direction to Staff as Deemed Appropriate

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

Mike Bowden, Fire Marshal, discussed decommissioning the ice rink and the removal of hazardous materials.

Sol Blumenfeld, Community Development Director, reported that additional information with respect to the proposed use had been recently uncovered; requested that the item be continued after taking testimony and reviewing staff responses; he discussed historic designation of the property; zoning and land use designation; building and site specifications; parking; recommendations for preserving the ice rink; mixed use development; alternate locations; height exceptions; the surrounding neighborhood; feasible alternatives; realistic development and land use alternatives; and the exploration of zoning issues.

Discussion ensued between staff and Councilmembers regarding the variance as to use; hazardous chemicals; soil testing; the California Environmental Quality Act (CEQA); historical artifacts; archaeological resources; discretionary review; the decommissioning process; the closure plan; the permit to remove all hazardous materials; the preliminary endangerment assessment; the length of time the compressors would run after the change of ownership; responsibility; the remedial action plan and final report; ammonia removal; depth of the permafrost; testing required of the new tenant; consultations with other cities or other public agencies; research; the decommissioning process; the location of the ice rink that was decommissioned in the 1960s; and the facility closure plan.

Mayor Cooper invited public input.

The following members of the audience addressed the City Council:

Doris Namala provided background on herself and her family; felt that the issue was a public matter and that public officials needed to represent residents; she discussed safety and public health issues; eminent domain; and she expressed concern with the potential contamination of groundwater.

Mayor Cooper invited the representative from Planet Granite to make a presentation.

James Lee, Planet Granite, discussed support for the Culver City Ice Arena; public comment; misinformation; enhanced communication; the inability to satisfy the skating community; he provided history on the company; discussed community commitment; economic impacts; renovation,

construction and expansion; tax benefits; patronage of area businesses; the choice of location; negotiations; commencement of the lease; specific location needs; the original lease; redevelopment; flexibility of the owner; historic designation; intentions of Planet Granite; the suggestion to share the space; he read a statement from the property owners; discussed decommissioning; intentions of the current operator; Planet Granite consultants; timing issues; legal and contractual obligations; the commitment of Planet Granite to pay for the decommissioning and to work with the City; commitment to the location; the desire of the landlord to see an economically viable tenant; and choices of the community.

Gina Testa acknowledged that Planet Granite had a plan; noted that they would not be able to rebuild the ice rink somewhere else; discussed the number of people being put out of work; and the destruction of the thriving skating community.

Therese Steinlauf reported that her father was the architect of the ice rink; discussed the history of the rink; the need for renovation; public support for the rink; and she expressed support for keeping the ice rink open.

Brook Powell discussed the amount of money spent by her family at the ice rink; false allegations made by Mr. Lee; plans to boycott Planet Granite; and deceptive practices.

Damara Powell asked that the Ice Rink be saved.

Grace Basom did not want to see the Culver City Ice Rink closed down.

Suzy Porter asserted that the bottom line can't always be money, and she wanted to see the ice rink and the community around it continue.

Alexandra Silverman asked that the City Council do everything in their power to save the ice rink and to place restrictions on Planet Granite to make it harder for them to take the location.

Lili Burrows asked the City Council to do what they could to save the ice rink and to preserve the historic icon on the roof.

Gabriel Covalin wanted to see the ice rink saved and thought that people at Planet Granite would be heroes in Culver City if they decided not to force out the landmark out of business.

Ali Manfield asked that the ice rink be saved.

Michelle Rittel discussed all the people who would be disappointed with the closure of the ice rink; her experiences there; the community around the ice rink; she found it hard to believe that nothing could be done; and felt that the City had been treated poorly by Planet Granite.

Mindy Paige provided background on herself and indicated that she was speaking as a resident; discussed juvenile offenses in Culver City; observed that kids get into trouble when they have too much time on their hands; noted that the ice rink provided a safe place for kids; she read a letter to the Mayor from the Pasadena Police Chief; she disagreed that the City did not have power in the matter; and she asked that the owners be required to comply with all requirements and that the City not allow any flexibility.

Nadine Lewis discussed ways that the City could help to retain the ice rink and make it harder for Planet Granite to move in; potential blight; the failure of Planet Granite to file preliminary permits; variances; the permafrost issue; the former Polar Ice Palace; private rights over the common good; building codes; efforts to keep Occidental Petroleum from drilling off the coast; and she asked the City to do the right thing.

Ana Monasseri discussed her experiences at the rink and as a teacher; did not want to see dreams destroyed; felt that the City Council had the power to help; discussed preserving the cultural landmark; the importance of the community; and she asked that the City do whatever possible to save the ice rink.

Claire Glickman indicated that half of her life had been spent at the rink and she did not want to see it taken away.

Kennedy Clay-Lund asked that the ice rink not be closed.

Melissa Abramson discussed her experiences at the ice rink; issues with permafrost; and she asked for help with historic designation.

Kevin Klowden was pleased that Planet Granite had sent a representative to address the City; encouraged pursuit of a historic designation; discussed CEQA review; expressed frustration with misrepresentations by Planet Granite; liability of the property owners; the need for an investment of money into the ice rink; the Los Angeles Kings; fair market rate; money generated for the City; construction; jobs generated; the subscription model; the exclusive nature of the proposed business; and the number of parking spaces needed.

Grace Koplin discussed her experiences at the ice rink and she did not want to see the rink closed.

Melissa Rosales felt that if the rink were to be destroyed the community would be too; she asserted that the rink is a safe place for everyone; and she asked the City Council to do something to save the rink.

Cary Anderson noted that the Western Hemisphere Marathon no longer existed; discussed greed; the LA Kings; money promised by Planet Granite; the History of Forgetting; excluding those who can not pay for membership; and other places to skate.

Lance Linden expressed support for saving the ice rink and preserving the community.

Walter Lamb discussed the comments of the Planet Granite representative; the skate park; and he did not see how the compressor could not be turned off until the project is approved by CEQA.

Tamara and Jessica Coffin asked the Fire Department to do everything that it could; expressed concern regarding health and safety issues with regard to decommissioning the ice rink; the shifting of responsibility; and asked the City to make sure they were safe.

Mayor Cooper assured everyone that the health and safety of residents was the first and foremost concern.

Cheyenne Bell discussed a decommissioned ice rink in Lake Arrowhead and she wanted to see the Culver City ice rink saved.

Merilynn Yamada discussed the Winter Olympics; her son's membership at the Northern California Planet Granite; she noted that there was no guarantee that Planet Granite would be able to pay their rent either; and she asked the City Council to do all that it could to preserve the rink.

Kevin Healy expressed concern with misinformation given by the Planet Granite representative, and he acknowledged a coach who helped his family.

Annie Burrows questioned Mr. Lee's relationship to Planet Granite and whether he was also employed by the owner of the property; she expressed skepticism about the commitment of the company to the community; discussed the size of the company; the money that was pledged to be spent in the community; yearly membership fees; the involvement of the LA Kings; and she expressed concern that Planet Granite would fail and the ice skating rink would be gone.

Darren Eng discussed money he spends at surrounding businesses; expressed support for Planet Granite; expressed support for saving a local cultural iconic landmark community activity center; the responsibility of the City Council to support the community; historical designation; financial projections; abated rent until the cleanup is completed; responsibility for the decommissioning; previous preservation successes by the City; and he suggested seeking support from private donors and non-profits.

Hayden Paige asked the City to help save the ice rink.

Jeremy Green, Management Analyst, read written comments submitted by:

June Metzler
David Metzler
Carole Brodo

Discussion ensued between staff and Councilmembers regarding alternative uses; the need for additional information; variances; the lack of an application from the business; the 30-day requirement; continuing the compressors; accountability for developing a plan; authority of the Fire

Department; oversight; a request for a staff report outlining possibilities for saving the ice rink; eminent domain; funding support from the City; having both facilities co-exist; the experience of other cities; the magnitude of the situation; historic preservation; CEQA; understanding what is going on underneath the soil; ice issues on the sidewalk; focusing on the best interests of the community; presenting an agenda item to the City Council to make a decision on whether it could be worth it to pay to save the ice rink; appreciation to residents for their activism; the ability of the City Council to act; ensuring public safety; zoning intricacies; costs to accommodate both businesses; the lack of redevelopment money; the need for the City to focus on paying for basic services; financial responsibility; public/private partnerships; the Kirk Douglas Theatre; interest by AEG and the LA Kings; a suggestion to build a state of the art ice rink at another location; the current ice skating operator; current market rent; maintenance of the ice rink; the 2009 lease renewal; legal implications; the current lease on the property; and a request for additional information on the decommissioning of the Lake Arrowhead ice rink.

The City Council provided consensus to continue discussion of this item at the Regular Meeting of February 10, 2014.

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Recess

Mayor Cooper called a brief recess from 10:20 p.m. to 10:30 p.m.

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Receipt and Filing of Correspondence

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Joint Consent Calendar

Item JC-1

Cash Disbursements

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE CASH DISBURSEMENTS FOR JANUARY 4, 2014 - JANUARY 17, 2014.

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Consent Calendar

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE ITEMS C-1, C-2 AND C-3.

Item C-1

Adoption of a Resolution Approving the Final Map for Tract Number 63634 Consisting of a One Lot Subdivision Creating 6 Commercial Air Space Units at 13340 Washington Boulevard

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING THE FINAL MAP FOR TRACT NUMBER 63634 CONSISTING OF A ONE LOT SUBDIVISION CREATING 6 COMMERCIAL AIR SPACE UNITS AT 13340 WASHINGTON BOULEVARD.

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Item C-2

Receive and File Report of an Emergency Purchase of Equipment and Services to Replace the Boiler that Serves the Main Building at the Culver City Police Department

THAT THE CITY COUNCIL: RECEIVE AND FILE THIS REPORT REGARDING AN EMERGENCY PURCHASE OF EQUIPMENT AND SERVICES TO REPLACE THE BOILER THAT SERVES THE MAIN BUILDING AT THE CULVER CITY POLICE DEPARTMENT.

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Item C-3

Adoption of a Resolution Authorizing the Destruction of Certain Documents in the Police Department

THAT THE CITY COUNCIL: ADOPT A RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO DESTROY CERTAIN OBSOLETE RECORDS AS LISTED IN EXHIBIT A OF THE PROPOSED RESOLUTION.

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Order of the Agenda

No changes were made.

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Public Hearings

Item PH-1

(1) Consideration of the Community Development Block Grant Fund Allocation for Fiscal Year 2014/2015; (2) Adoption of a Resolution Authorizing the Filing of the Application for Funding; and (3) Approval of a Reimbursable Contract with the County of Los Angeles Concerning Culver City's Allocation

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING.

Glenn Heald, Project Manager, provided a summary of the material of record.

Discussion ensued between staff and Councilmembers regarding additional funds available next year; the Section 108 loan; the loan as a mechanism for funding certain CDBG eligible activities; criteria; ADA compliance and life safety issues; affordable housing and housing programs; eligibility for future grant cycles; 2010 census data; the allocation formulas; and funding cuts by Congress.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Mayor Cooper invited public comment.

The following member of the audience addressed the City Council:

Gary Silbiger discussed CDBG goals; the youth representative to the committee; allocating CDBG monies to low and moderate income residents; Victims of Violence; affordable housing; loans for low and moderate income residents; repayment of the Senior Center Loan; and the importance of focusing on those in need.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Councilmembers regarding agreement that the needs of low-income citizens be prioritized in the next cycle; non-profit social service organizations; and non-government organizations.

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

1. ALLOCATE FUNDING FOR THE PROPOSED FY2014/2015 CDBG PROJECTS; AND,
2. ADOPT A RESOLUTION AUTHORIZING THE FILING OF THE FY 2014/2015 APPLICATION FOR FUNDING FROM THE CDBG PROGRAM, INCLUDING ALL CERTIFICATIONS; AND,
3. DESIGNATE THE CITY MANAGER AS THE AUTHORIZED CITY OFFICIAL TO EXECUTE AND FILE ALL DOCUMENTS PERTAINING TO THE CDBG PROGRAM, INCLUDING MAKING MINOR ADJUSTMENTS TO PROJECT FUNDING TO ADDRESS THE ACTUAL FY 2014/2015 CDBG ALLOCATION; AND,
4. APPROVE THE CDBG REIMBURSABLE CONTRACT WITH THE COUNTY OF LOS ANGELES CONCERNING CULVER CITY'S FY 2014/2015 CDBG ALLOCATION; AND,
5. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
6. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item PH-2

(1) Adoption of a Resolution Adopting General Plan Element Amendment, GPE-P2013099 Regarding the City of Culver City 2013-2021 Housing Element; and (2) Adoption of a Related Negative Declaration

Jose Mendivil, Associate Planner, provided a summary of the material of record.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING.

Mayor Cooper received clarification regarding the basis for estimates made.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Mayor Cooper invited public comment.

No speakers came forward.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Councilmembers regarding promotion of affordable housing; work programs in the next budget cycle; the Affordable Housing Roundtable; and support from Senator Mitchell.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ADOPT A NEGATIVE DECLARATION BASED ON THE INITIAL STUDY FINDING THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT; AND,

2. ADOPT A RESOLUTION ADOPTING THE PROPOSED GENERAL PLAN ELEMENT AMENDMENT, GPE P2013099, REGARDING THE CITY OF CULVER CITY 2013-2021 HOUSING ELEMENT.

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Action Item

Item A-2
(Out of Sequence)

Consideration of Current Vacancies on the Parks, Recreation, and Community Services Commission, the Fiesta La Ballona Committee, and the Landlord/Tenant Mediation Board and Direction to the City Manager Related Thereto

Martin Cole, Assistant City Manager/City Clerk, provided a summary of the material of record.

Mayor Cooper invited public input.

The following member of the audience addressed the City Council:

Shireen Daytona discussed her previous request to fill the vacancy on the Landlord/Tenant Mediation Board as she serves as the alternate; guidelines; Ordinance 87-010; and she requested that the City Council correct the situation by appointing her as tenant representative.

Discussion ensued between staff and Councilmembers regarding guidelines; qualifications; potential changes to the Landlord/Tenant Mediation Board; objectives of the Board; concern with a potential lack of objectivity due to Ms. Daytona's advocacy for rent control; Council discretion; titles of Committee members; filling the vacancy on the Parks, Recreation and Community Services Commission; expenses associated with filling the position; concerns with voting deadlock or lack of a quorum with a four-member Commission; whether Commissioners were advised that the issue was on the current agenda; the importance of having an open process; potential controversial items coming up in the near future; the application process; appointments to the Finance Advisory Committee; the supplemental questionnaire; a suggestion to advertise now for all positions including those that come up in June; and timing of the appointments.

The City Council provided consensus that the City Clerk should advertise for all vacancies at this time and return to the City Council in March for consideration of

appointments to certain mid-term vacancies and return in May for the remainder of the appointments.

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Public Comment - Items Not on the Agenda

Mayor Cooper invited public comment.

No speakers came forward and no cards were received.

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Items from the City Council

Items from Councilmember O'Leary

- Reported on a recent League of California Cities event and attempts by the Governor to return monies borrowed from cities
- Expressed interest in attending the February 14 CalPers Board meeting to provide input on the point value put on how much money is paid by cities, requested input from staff, and discussed the mortality assumption

Items from Vice Mayor Sahli-Wells

- Received consensus to agendize consideration of a resolution to support a constitutional amendment regarding unlimited funds into political campaigns

Councilmember Weissman requested information regarding implications for local elections.

Items from Councilmember Clarke

- Discussed strategic goals of the League of California Cities

Councilmember O'Leary discussed the new assembly and term limits.

Items from Mayor Cooper

- Reported on a meeting of the Westside Cities Council of Governments and their search for a new Executive Director
- Reported on the reappointment of Councilmember O'Leary to the Santa Monica Bay Restoration Commission

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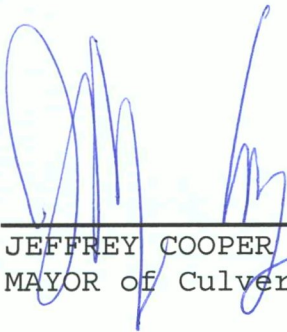
Adjournment

There being no further business, at 11:42 p.m., the City Council adjourned its meeting to Monday, February 10, 2014 at 7:00 p.m.

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



JEFFREY COOPER
MAYOR of Culver City, California