

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

January 28, 2013
5:00 p.m.

Call to Order & Roll Call

Mayor Weissman called the meeting of the City Council to order at 5:00 p.m.

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

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Closed Session

At 5:00 p.m., the City Council recessed to Closed Session to discuss the following items:

CS-1 Conference with Labor Negotiators

City designated representatives: City Manager John Nachbar,
Director of Human Resources Serena Wright
Employee Organizations: Culver City Employees Association,
Culver City Management Group, Culver City Police Officers'
Association, Culver City Police Management Group, Culver City
Firefighters' Association Local 1927, AFL-CIO, Culver City
Fire Management Group
Pursuant to Government Code Section 54957.6

CS-2 Conference with Real Property Negotiators

Re: Various Underground Pipelines Throughout the City
City Negotiators: City Manager John Nachbar; Assistant City
Manager Martin R. Cole
Other Parties Negotiators: Chevron, Conoco-Phillips,
Exxon/Mobil, Plains Exploration and Production Company, Shell
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

CS-3 Conference with Legal Counsel - Anticipated Litigation

Re: Significant Exposure to Litigation - (1 item)
Pursuant to Government Code Section 54956.9(b)(1)

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Reconvene

The City Council reconvened its meeting at 7:08 p.m. with all Councilmembers present.

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Report on Action Taken in Closed Session

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

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Invocation/Pledge of Allegiance

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

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Presentations

Item P-1

A Presentation to the City Council by Jersey Mike's Subs for the Culver City Teen Center Fund Raising Event

Councilmember O'Leary thanked Alvaro Garcia and Joseph Lin for their donation to the Culver City Teen Center as part of the opening of their new location and presented them with a certificate.

Alvaro Garcia thanked the City for the honor and presented the City with a check for the money raised.

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Community Announcements By City Council Members/Information Items From Staff

Vice Mayor Cooper invited everyone to visit the Culver City Dog Park until 10 p.m. every evening as the lights are now on and he expressed appreciation to the Friends of the Culver City Dog

Park for their Thank You Brunch to honor all those who had worked for the past 11 years to bring the Dog Park to fruition.

Councilmember Sahli-Wells announced a Roundtable Discussion on Affordable Housing in Culver City with Assemblymember Holly Mitchell on February 8 in Council Chambers.

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

The following members of the audience addressed the City Council:

Kay Heineman, Culver City Senior Citizens Association, thanked the Culver City Lions Club for feeding 250 seniors Thanksgiving Lunch; Councilmember O'Leary, the Doubletree Hotel, Rush Street, The Culver Hotel, Sorrento's Market, and Santa Maria Barbeque for serving a Christmas Day Lunch to over 300 seniors; and Temple Akiba and Ronnie Jayne for the holiday certificate program.

Barbara Silverstein spoke in appreciation of the Senior Center volunteers; she announced the tenth anniversary of the Senior Center on March 20; and she discussed the growth of the Senior Center and services offered.

Debbie Wallace, Culver City Homelessness Committee, encouraged everyone to volunteer for the Homelessness Count on January 30th, and she thanked the event sponsors.

Tom Camarella discussed overhead flights; his attempts to reach the Los Angeles World Airport Board staff person; he requested contact information for City's LAX Advisory Committee members; and he discussed flight paths.

Gary Silbiger discussed an article in the Los Angeles Times regarding plans for an interpretive center in the Ballona Wetlands; concern that a portion of the wetlands could be destroyed; and he requested that staff or the City Council look into the issue.

Mayor Weissman suggested that the Sustainability Committee look into the issue.

Councilmember O'Leary indicated that he was Chair and a voting member of the Santa Monica Bay Restoration Commission and that there would be opportunity for public comment.

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Receipt and Filing of Correspondence

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY VICE MAYOR COOPER, AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Joint Consent Calendar

Item JC-1

**JOINT CITY COUNCIL, HOUSING AUTHORITY AND SUCCESSOR AGENCY
AGENDA ITEM: Cash Disbursements**

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR JANUARY 5, 2013 - JANUARY 18, 2013.

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Consent Calendar

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1, C-3, AND C-4.

Item C-1

(1) Acceptance of Work Performed by KASA Construction (2) Authorization to File the Notice of Completion; and (3) Authorization to Release the Retention Payment for the West Washington Phase III Streetscape Median Project Upon Expiration of the 35-Day Lien Period

THAT THE CITY COUNCIL

1. ACCEPT THE WORK PERFORMED BY KASA CONSTRUCTION FOR THE WEST WASHINGTON PHASE III STREETSCAPE MEDIAN PROJECT; AND,

2. AUTHORIZE THE DIRECTOR OF COMMUNITY DEVELOPMENT TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY REGISTRAR/RECORDER - COUNTY CLERK'S OFFICE FOR RECORDATION; AND,

3. AUTHORIZE THE RELEASE OF \$18,669.55 IN RETENTION FUNDS TO KASA CONSTRUCTION AFTER THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-3
(Out of Sequence)

Award of a Contract to Malibu Pacific Tennis Courts, Inc., as the Lowest Responsive and Responsible Bidder, for the Construction of the Fox Hills Park Playground Project, PZ-958

THAT THE CITY COUNCIL

1. AWARD A CONTRACT TO MALIBU PACIFIC TENNIS COURTS, INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE FOX HILLS PARK PLAYGROUND PROJECT, PZ-958, IN THE AMOUNT OF \$93,999 BASED ON ITS BASE BID; AND,

2. AUTHORIZE THE PARKS DIVISION MANAGER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED \$20,000 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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Item C-4

Approval of Amendments to Existing Personal Services Agreements with Ayala Engineering, Amireh Sewer Contractor, and Escobar Contracting, Inc.

THAT THE CITY COUNCIL:

- 1) APPROVE AMENDMENTS TO EXISTING PERSONAL SERVICES AGREEMENTS WITH AYALA ENGINEERING, AMIREH SEWER CONTRACTOR AND ESCOBAR CONTRACTING INC. FOR ON-CALL SEWER REPAIRS IN AN AGGREGATE NOT-TO-EXCEED AMOUNT OF \$100,000, AND EXPIRING ON JUNE 30, 2013.
- 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-2
(Out of Sequence)

Approval of a Purchase Order with Mity-Lite, Inc. for the Purchase of Replacement Equipment and Furniture for the Veterans' Memorial Complex

Mayor Weissman invited public input.

The following member of the audience addressed the City Council:

Rich Waters reported that the deterioration of the tables was due to past abuses; he requested supervision to ensure that the items do not have to be replaced in the future; and he requested the purchase of a movers tray to help the tables be moved safely.

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

1. APPROVE A PURCHASE ORDER WITH MITY-LITE, INC. IN AN AMOUNT NOT-TO-EXCEED \$76,000 FOR THE PURCHASE OF REPLACEMENT EQUIPMENT AND FURNITURE FOR THE VETERANS' MEMORIAL COMPLEX; AND,
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Order of the Agenda

No changes were made.

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Public Hearings

Item PH-1

Introduction of an Ordinance Amending the Culver City Zoning Map, as Referenced in Title 17, Zoning, of the Culver City Municipal Code, Section 17.200.015, Establishing Planned Development Zone No. 12 Zoning Code Map Amendment (ZCMA P-2012118) and Approving a Comprehensive Plan (CP P-2012116) to Allow a Mixed Used Development Consisting of Approximately 31,240 Square Feet of Commercial Uses and 115 Residential Units Located at 8770 Washington Boulevard

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE AFFIDAVITS OF PUBLICATION AND POSTING.

Sol Blumenfeld, Community Development Director, provided background on the Legado project.

Susan Yun, Senior Planner, provided a summary of the material of record.

Heather Leigh, Project Manager, introduced the team working on the project and provided a presentation on the company and the project.

Jeff Mertz, Project Architect, provided an overview of the project design.

Rob Pressman, TGP Design, discussed the courtyard amenities for residents.

Claudia Reisenberger, Merge Conceptual Design, described the public art project for the development.

Discussion ensued between staff, Councilmembers, and Ms. Leigh regarding maintenance of native plants; the art element vs.

landscape elements; whether the art element has been replicated at any other location; the public art budget; the water feature; the canopy; the open space community benefit; zoning ordinance requirements; municipal code requirements; and review by the Cultural Affairs Commission.

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

Mayor Weissman invited public participation.

There was no response.

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

Discussion ensued between staff, Councilmembers and Ms. Leigh regarding drawing the public to the open area on the second floor; the master sign program; the commercial space upstairs; establishing an information kiosk; the staircase; clarification that the open space would be accessible in the same way that a park is; the experiences of Expo; issues with ficus trees in the City; the public viewing deck; the outdoor café; sound mitigations for the Expo Line; the condition for the Metro passes; concern with construction parking; Condition 52; changing the wording from 'best effort' to make the statement declarative; construction hours; municipal code requirements; the administrative penalties ordinance; conformance; reuse and recycling of construction debris; City involvement; accommodating additional resident demand for bicycle parking; traffic mitigation; activating the pedestrian culture of the entire area; making all crosswalks to be high visibility; a suggestion for the City to consider the area as a whole; requirements of discretionary projects to participate in an area-wide streetscape plan; compatible design; civil drawings; required public improvements; traffic; employee parking; the percentage of restaurant usage; parking within the development; the availability of City meters; clarification that the public parking provided is a replacement for curb parking that had to be eliminated due to the development; the inclusion of parking in employee ratios; concern with the price of the parking; City jurisdiction; adding a condition that the developer ensure that employees make use of the onsite parking

provided; the customer base; the parking code; and parking supply and demand.

Barry Kurtz, Traffic Engineer for Culver City, discussed the parking code and seasonal increases.

Discussion between staff and Councilmembers continued regarding costs for employee parking; continuing issues with intrusion parking; concern with placing an undue burden on the developer; mandated employee parking as a policy discussion; acknowledgement that employee parking is a continuing issue; an observation that either the developer pays or the resident pays; conditions of approval; the 6-12 month review period; evaluating neighborhood parking intrusion issues at the review periods; projected tax revenue; gold status vs. platinum status; a suggestion to do advance marketing at USC, the California Science Center or the Hayden Tract; ensuring that occupants actually use the Metro; special conditions and mitigation measures; diligence of Planning staff and the Planning Commission; the costs of the new traffic signal at Washington and Cattaraugus; modifications on Wesley; alternative funding; associating a timetable with the improvements; infrastructure improvements funded by the Communities Facilities District; the streetscape program; the Community Benefit Contribution; a suggestion to ask for additional review beyond 12 months; landscaping; the density bonus; and reviewing the public open space over a longer period of time.

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

1. DETERMINE THAT THERE IS NO NEW INFORMATION OR SUBSTANTIAL CHANGES TO THE PROJECT SINCE THE PLANNING COMMISSION'S ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND, THEREFORE, NO ADDITIONAL ENVIRONMENTAL ANALYSIS IS REQUIRED; AND

2. INTRODUCE THE PROPOSED ORDINANCE, AMENDING THE CULVER CITY ZONING MAP, AS REFERENCED IN TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE, SECTION 17.200.015, ESTABLISHING PLANNED DEVELOPMENT ZONE NO. 12 (ZONING CODE MAP AMENDMENT, ZCMA-P2012118) AND APPROVING A COMPREHENSIVE PLAN (CP P- 2012116).

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Action Items

Item A-1

Acceptance of Donations of Equipment and Services to the City for Use in the Parks, Recreation and Community Services (PRCS) Department from the Culver City Senior Citizens Association (CCSCA) and Team Santa Monica (TSM)

Mayor Weissman invited public participation.

There was no response.

Councilmembers expressed gratitude for the donation.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ACCEPT DONATIONS OF EQUIPMENT AND SERVICES TO THE CITY FOR USE IN THE PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT FROM THE CULVER CITY SENIOR CITIZENS ASSOCIATION (WITH THE REQUIREMENT THAT THE COMPUTERS BE RETURNED TO THE CCSCA UPON DETERMINATION BY STAFF THEY HAVE BECOME OBSOLETE) AND TEAM SANTA MONICA.

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Item A-2

Consideration of a Recommendation from the Parks, Recreation and Community Services Commission to Extend the Designated Dog Path (Pooch Path) at Culver West Alexander Park to include the Walking/Jogging Trail Located within the Park

Daniel Hernandez, Parks, Recreation and Community Services Director, provided a summary of the material of record.

The following member of the audience addressed the City Council:

Judy Scott spoke on behalf of several neighbors in support of extending the pooch path and she indicated that she had eaten at the original Jersey Mike's Subs back in New Jersey.

Discussion ensued between staff and Councilmembers regarding verification that there had been no conflicts

regarding dogs in the park; pet waste; alerting the public to the changes; pet waste bags; verification that there have not been any complaints regarding pet waste on the pooch path; concern with increased crime at the park; concern with setting a precedent; and the City ordinance.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE THE PRCS COMMISSION'S RECOMMENDATION TO EXTEND THE DESIGNATED DOG PATH ("POOCH PATH") AT CULVER WEST ALEXANDER PARK TO INCLUDE THE WALKING/JOGGING TRAIL LOCATED WITHIN THE PARK.

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Item A-3

Discussion of the Proposed Renaming of Bush Way After Albert and Ursula Vera

Mayor Weissman invited public participation.

There was no response.

Martin Cole, Assistant City Manager/City Clerk, indicated that they would re-invite Albert Vera Jr. to attend, provide public notification, and provide additional information in the next staff report should the City Council direct the City Manager to proceed further with this proposal.

Discussion ensued between Councilmembers and staff regarding who the street was currently named after; clarification that there are no physical addresses on Bush Way; institutional memory; establishing a registry; historical significance; and streets or sites that have been named by the City.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL DIRECT THE CITY MANAGER TO PROCEED WITH THIS PROPOSAL AND RETURN IN THE FUTURE WITH A MORE DETAILED AGENDA ITEM FOR THE CITY COUNCIL'S CONSIDERATION.

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Item A-4

Approval of Closures of Steller Drive between Eastham Avenue and Hayden Avenue, Warner Drive between Eastham Avenue and Hayden Avenue, Hayden Avenue between Warner Drive and Steller Drive, and Eastham Avenue between Warner Drive and Eastham Avenue, for the Bicycle Special Event to be Hosted by the University of Southern California Cycling Team, on Sunday, February 17, 2013

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

Mayor Weissman received clarification regarding the nature of the closures.

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

Karl Tingwald, USC Cycling Team, thanked the City for their help with the event and hoped to begin a tradition.

Eric Bruins, Culver City Bicycle Coalition, reported that a children's bicycle safety rodeo would be part of the event, and he invited everyone to attend.

Discussion ensued between staff and the City Council regarding feeding hungry patrons after the event; food trucks; working with the Downtown Business Association; marketing efforts; clarification that the event organizers are paying the costs associated with the event; parking provisions; public notification; providing businesses an opportunity to weigh in on the item; door-to-door outreach; concern with implications to the businesses in the area; clarification regarding the School of Gymnastics; and clarification regarding the indemnification and hold harmless agreement and insurance.

MOVED BY COUNCILMEMBER SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE THE CLOSURE OF STELLER DRIVE BETWEEN EASTHAM AVENUE AND HAYDEN AVENUE, WARNER DRIVE BETWEEN EASTHAM AVENUE AND HAYDEN AVENUE, HAYDEN AVENUE BETWEEN WARNER DRIVE AND STELLER DRIVE, AND EASTHAM AVENUE BETWEEN WARNER DRIVE AND EASTHAM AVENUE, FOR A BICYCLE SPECIAL EVENT, TO BE HOSTED BY THE UNIVERSITY OF SOUTHERN CALIFORNIA CYCLING TEAM ON FEBRUARY 17, 2013.

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Item A-5

Discussion of a Proposal to Establish a Centennial Committee for the 100th Anniversary of the City

Shelly Wolfberg, Assistant to the City Manager, provided a summary of the material of record.

Discussion ensued between Councilmembers and staff regarding allowing adequate time to prepare; having an entry in the Rose Parade in 2017; committee structure; maximizing civic involvement; and providing ample opportunity for volunteers.

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

David VonCannon expressed support for the establishment of the committee.

Eric Greene suggested using the centennial celebration to promote awareness of the City; he discussed Walt Disney Imagineering and encouraged the City to be open to any ideas; and he provided numerous suggestions for the celebration.

Judy Scott discussed 4121 Wade, Louie Armstrong's old house, and suggested that progress made by the City be included in the celebration.

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

Dr. Luther Henderson

Discussion ensued between Councilmembers and staff regarding the previous proposal for an oil committee; concerns with staff time; Brown Act restrictions; committee format; and an observation that the celebration was going to happen and would involve staff whether or not there was a committee.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER

O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE THE CONCEPT OF A CENTENIAL CELEBRATION COMMITTEE AND DIRECT THE CITY MANAGER TO RETURN WITH A MORE DETAILED STAFF REPORT AT A FUTURE CITY COUNCIL MEETING FOR THE CITY COUNCIL'S CONSIDERATION.

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Item A-6

Discussion of the Regular Meeting Dates of the City Council

Mayor Weissman invited public participation.

There was no response.

Discussion ensued between staff and Councilmembers regarding a suggestion to ensure that City Hall is open the Friday before each City Council meeting; support for keeping City Council meeting times consistent; providing the agenda packets a day early when City Hall will be closed on the Friday before a Regular City Council Meeting; the current ordinance; agreement to meet on the second and fourth Mondays; and the availability of special meetings if needed.

Martin Cole, Assistant City Manager/City Clerk, reported several time sensitive agenda items that created a need for a Special Meeting on February 4. He also responded that given the current language in the Culver City Municipal Code, the City Council's Regular Meetings would occur on the second and fourth Mondays of each month.

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

The following member of the audience addressed the City Council:

Cary Anderson discussed parking conditions that are not abided by; flaws in the system; construction workers parking in yellow curb loading zones; he suggested that when a building permit is pulled that parking is provided for construction workers; he reported concern with cut-through traffic in the Rancho Higuera neighborhood; and he

expressed concern with traffic figures provided for the Legado project.

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Items from Staff

None.

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Items from the City Council

Items from Councilmember Sahli-Wells

- Discussed the lost opportunity to create affordable housing with the Legado project; the density bonus; the importance of creating tools for affordable housing; the Affordable Housing Roundtable on February 8th; multi-family housing; and she received agreement to agendize consideration of ways to create affordable housing in Culver City

Mayor Weissman received clarification that affordable housing is a community benefit option.

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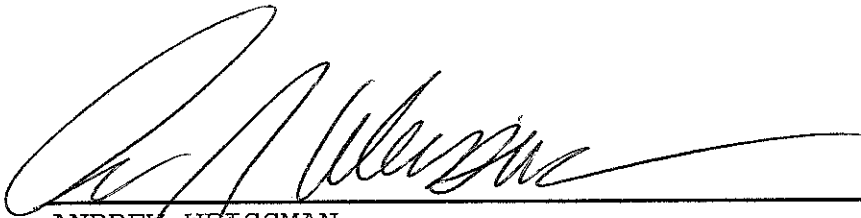
Adjournment

There being no further business, at 10:01 p.m., the City Council adjourned its meeting to a meeting on Monday, February 4, 2013 at 7:00 p.m.

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



ANDREW WEISSMAN
MAYOR of the City of Culver City
Culver City, California