REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

December 9, 2013
6:00 p.m.

Call to Order & Roll Call

Mayor Cooper called the meeting of the City Council to order at 6:00 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 6:00 p.m., the City Council recessed to Closed Session to discuss the following items:

CS-1 Conference with Real Property Negotiators
Re: 10745 Cranks Road
City Negotiators: John Nachbar, City Manager; Charles Herbertson, Public Works Director/City Engineer; Sol Blumenfeld, Community Development Director; Todd Tipton, Economic Development Administrator; and Dannie Cavanaugh with Cavanaugh Realtors
Other Parties Negotiators: Michael Myers M.D. and Pamela M. Rieder; J. S. Creations, Inc.; Domyan Properties; A. J. Khair Construction; Henry and Thao Sebata; Fortune Weavers, Inc.; EPI Investment Realty Inc.; and Matthew Colon
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 Legal Counsel - Anticipated Litigation
Re: Significant Exposure to Litigation - (1 item)
Pursuant to Government Code Section 54956.9(d)(2)

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Reconvene

Mayor Cooper reconvened the City Council meeting at 7:05 p.m. with all Councilmembers present.

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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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Invocation/Pledge of Allegiance

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

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Presentation

Item P-1

Presentation of a Commendation to Merry Lepper, "First American Woman to Complete a Marathon" (the Western Hemisphere Marathon in Culver City)

Mayor Cooper presented the proclamation.

Merry Lepper thanked the City for the honor and provided background on herself.

Councilmember O'Leary received clarification regarding training for the event.

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Community Announcements By City Council Members/Information Items From Staff

Chief Don Pederson introduced the four newest members of the Culver City Police Department.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER

CLARKE AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF DAVID SMITH.

Vice Mayor Sahli-Wells announced that the plastic bag ban would be taking effect on December 28, 2013; discussed statistics on the number of bags that would be saved; outreach; reusable bags; she thanked partner organizations in the bag ban; and she received consensus to agendize a discussion to consider changing the name of Washington Place to Nelson Mandela Place.

Mayor Cooper thanked Parks, Recreation and Community Services staff and Commissioners for their work on a draft anti-bullying policy and he commended them for their public forum on the subject.

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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:

Denise Renteria announced a ceremony to commemorate the 50th Anniversary of the failure of the Baldwin Hills Reservoir on December 14.

Michelle Weiner, Transition Culver City, thanked the City Council and staff for passing the plastic bag ban and noted that they were sewing reusable plastic bags.

Disa Lindgren thanked the City Council, staff, merchants and businesses for their support of the plastic bag ban.

Rich Waters encouraged the City to continue to take down diseased ficus trees and replant new trees, and he offered his services as an arborist with the Tree People.

Mayor Cooper observed that certain trees were already transitioning.

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Receipt and Filing of Correspondence

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY 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 COUNCILMEMBER CLARKE, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR NOVEMBER 16, 2013 - NOVEMBER 29, 2013.

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Item JC-2

JOINT CITY COUNCIL AND HOUSING AUTHORITY AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY AGENDA ITEM (FOUR-FIFTHS VOTE REQUIREMENT): Approval of an Amendment to an Existing Agreement with Modern Parking, Inc. for Parking Management Services at the Cardiff, Ince, and Watseka Parking Structures and the Venice and Virginia Parking Lots

THAT THE CITY COUNCIL AND SUCCESSOR AGENCY BOARD:

1. APPROVE A TRI-PARTY SERVICES AGREEMENT WITH MODERN PARKING, INC. FOR PARKING MANAGEMENT SERVICES AT THE CARDIFF, INCE, AND WATSEKA PARKING STRUCTURES AND THE VENICE AND VIRGINIA PARKING LOTS IN AN AMOUNT NOT-TO-EXCEED $802,575 FOR THE FIRST YEAR; AND,

2. AUTHORIZE THE CITY ATTORNEY/SUCCESSOR AGENCY GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,

3. AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY AND THE SUCCESSOR AGENCY; AND,

4. AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXTEND THE AGREEMENT BY ONE ADDITIONAL YEAR IN THE AMOUNT OF

$831,312 IF OWNERSHIP OF THE PARKING FACILITIES REMAINS UNDETERMINED.

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Consent Calendar

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-5 AND C-7.

Item C-5
(Out of Sequence)

Approval of an Agreement with RSM Services Corporation for the Purchase of the Ridecheck Plus System in an Amount Not-to-Exceed $109,580

THAT THE CITY COUNCIL:

1. APPROVE THE PURCHASE OF RIDECHECK PLUS FROM RSM SERVICES CORPORATION IN AN AMOUNT NOT TO EXCEED $109,580; 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
(Out of Sequence)

Approval of a Reciprocal Agreement for Mutual Support for Transportation Services Known as the California Transit Mutual Assistance Compact (TransMAC)

THAT THE CITY COUNCIL:

1. APPROVE A RECIPROCAL AGREEMENT FOR MUTUAL SUPPORT FOR TRANSPORTATION SERVICES KNOWN AS THE CALIFORNIA TRANSIT MUTUAL ASSISTANCE COMPACT (TRANSMAC);

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-1

Allocation of Funds for the 2014 Performing Arts Grant Program as Recommended by the Cultural Affairs Commission

Councilmember Clarke noted the uniqueness of the City and highlighted work to promote Culver City as a cultural center.

Susan Obrow, Special Events Coordinator, provided a report on the 2014 Performing Arts Grant Program.

THAT THE CITY COUNCIL ALLOCATE FUNDS FOR THE 2014 PERFORMING ARTS GRANT PROGRAM AS RECOMMENDED BY THE CULTURAL AFFAIRS COMMISSION AND AS OUTLINED IN THE STAFF REPORT.

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Item C-2

FOUR-FIFTHS VOTE REQUIREMENT - (1) Award of a Contract to PTM General Engineering Services, Inc., as the Lowest Responsive and Responsible Bidder, in the Amount of $376,421 (with Additional Change Order Authority in the Amount of $41,913) for the Construction of Linwood E. Howe Safe Routes to School Project, PZ-941, State Funded Project SR2SL 5240(028); and (2) Approval of a Budget Amendment Related Thereto

Vice Mayor Sahli-Wells indicated that she would need to recuse herself from consideration of the Irving and Farragut intersection and she reported discussion with the Public Works Director about the Ince and Lucerne intersection that would be addressed in the future.

Discussion ensued between staff and Councilmembers regarding contingency funds; unused funds; and the Braddock and Lincoln intersection.

THAT THE CITY COUNCIL:

1) APPROVE A BUDGET AMENDMENT APPROPRIATING FROM THE SPECIAL GAS TAX FUND (FUND 418) AN AMOUNT OF $22,059; AND

2) AWARD A CONTRACT TO PTM GENERAL ENGINEERING SERVICES, INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE LINWOOD E. HOWE SAFE ROUTES TO SCHOOL PROJECT, PZ-941, IN THE AMOUNT OF $376,421, BASED ON ITS BASE BID; AND,

3) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN THE AMOUNT OF $41,913 (10%) FOR UNEXPECTED ADDITIONAL COSTS; 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.

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Item C-3

(1) Approval of Final Plans and Specifications; and (2) Authorization to Publish a Notice Inviting Bids, for Construction of the Sawtelle Boulevard/Hayter Avenue/Blanco Way Traffic Signal Project (PL-002)

Mayor Cooper invited public input.

The following members of the audience addressed the City Council:

Alison Pryharski discussed notification; expressed concern with the design of the intersection; ingress and egress for her driveway; removal of street parking; and quality of life in the area.

Discussion ensued between staff and Councilmembers regarding notification procedures; budget issues; timing; taking an incremental approach; traffic signal placement; allowing those residents who weighed in the first time to be included in the process; and a suggestion to continue the matter for additional consideration.

Chip Netzel expressed support for allowing those residents who weighed in the first time to be included in the process, and for the suggestion to continue the matter for additional consideration.

Bernie Bronstein discussed original implementation of the stop sign; increased safety; traffic backup; and he expressed support for the project with a recommendation to mitigate light intrusion from the signal.

Additional discussion ensued between staff and Councilmembers regarding the proposed configuration; neighborhood input; driveway access; traffic patterns; left turn pockets; loop detection; speed of traffic; the gap between the two phases; timing; notification; revisiting the issue; addressing speeding; volume of cars; congestion; status of the light when there is no traffic; outreach to the school; the belief that a light is superior to a stop sign; liability; and ensuring that the neighborhood and community are included in the process.

THAT THE CITY COUNCIL:

1) APPROVE FINAL PLANS AND SPECIFICATIONS FOR THE SAWTELLE BOULEVARD/HAYTER AVENUE/BLANCO WAY TRAFFIC SIGNAL; AND,

2) AUTHORIZE THE PUBLICATION OF A NOTICE INVITING BIDS FOR ITS CONSTRUCTION.

{Note from the City Clerk: As indicated later in these minutes, the City Council did not take action on this Item C-3 and directed the City Manager to provide additional opportunity for public input on this subject and return to the City Council at a later date.}

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Item C-4

(1) Acceptance of Work Performed by Unique Performance Construction, Inc.; (2) Authorization to File a Notice of Completion; and (3) Authorization to Release the Retention Payment upon Expiration of the 35-Day Lien Period, for the Washington Place Streetlight Improvement Project, Phase II, PZ-684.

THAT THE CITY COUNCIL:

1) ACCEPT THE WORK PERFORMED BY UNIQUE PERFORMANCE CONSTRUCTION, INC. FOR THE WASHINGTON PLACE STREETLIGHT IMPROVEMENT PROJECT, PHASE II, PZ-684;

2) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO

EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY RECORDER'S OFFICE; AND

3) AUTHORIZE THE CITY MANAGER TO RELEASE $7,400.35 IN RETENTION TO UNIQUE PERFORMANCE CONSTRUCTION, INC. AFTER THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-6
(Out of Sequence)

Approval of a Memorandum of Understanding (MOU) Between the City of Culver City and the Culver City Senior Citizens Association

This item was pulled for consideration at a later date.

Kay Heineman, Culver City Senior Center Association, expressed appreciation for work on the creation of the MOU that she felt would benefit both the City and the Association and she hoped that the item would be approved.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS JC-2, C-1, C-2 WITH THE EXCLUSION OF THE INTERSECTION OF IRVINE AND FARRAGUT, C-3, AND C-4.

Vice Mayor Sahli-Wells recused herself and exited the dais.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER WEISSMAN THAT THE COUNCIL APPROVE CONSENT CALENDAR ITEM C-2 INCLUDING THE INTERSECTION OF FARRAGUT AND IRVING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, COOPER, O'LEARY, WEISSMAN
NOES: NONE
RECUSED: SAHLI-WELLS

Vice Mayor Sahli-Wells returned to the dais.

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Order of the Agenda

No changes were made.

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Public Hearing

Item PH-1

(1) Adoption of a Resolution Confirming the Business Improvement District Advisory Board's Annual Report and the Levy of the Downtown Culver City Business Improvement District Assessment for 2014; and (2) Appointment of Members to the Business Improvement District (BID) Advisory Board for Calendar Year 2014

Councilmember Weissman recused himself and exited the dais.

Martin Cole, Assistant City Manager/City Clerk, reported that the resolution of intention that included the notice of public hearing had been published in the Culver City News on November 28, 2013 and mailed to all affected businesses.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVITS OF POSTING AND PUBLIC NOTICE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, COOPER, O'LEARY, SAHLI-WELLS
NOES: NONE
RECUSED: WEISSMAN

Martin Cole, Assistant City Manager/City Clerk, reported that no formal written protest had been received.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY VICE MAYOR SAHLI-WELLS THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, COOPER, O'LEARY, SAHLI-WELLS
NOES: NONE
RECUSED: WEISSMAN

Mayor Cooper invited public input.

The following member of the audience addressed the City Council:

Cary Anderson discussed the BID renewal process; additional monies available; the 18-month pilot program; the practices of Old Town Pasadena; the Downtown Business Association; repairs needed to the downtown area; employee parking intrusion into residential neighborhoods; parking turnover; and free parking.

MOVED BY COUNCILMEMBER CLARKE AND SECONDED BY COUNCILMEMBER O'LEARY THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, COOPER, O'LEARY, SAHLI-WELLS
NOES: NONE
RECUSED: WEISSMAN

MOVED BY COUNCILMEMBER CLARKE AND SECONDED BY VICE MAYOR SAHLI-WELLS THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION CONFIRMING THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD'S ANNUAL REPORT AND THE LEVY OF THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FOR 2014; AND,

2. APPOINT MEMBERS TO THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, COOPER, O'LEARY, SAHLI-WELLS
NOES: NONE
RECUSED: WEISSMAN

Councilmember Weissman returned to the dais.

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Joint Action Item

Item JA-1

JOINT CITY COUNCIL AND SUCCESSOR AGENCY BOARD AGENDA ITEM: Consideration of a Financial Assistance Sponsorship of the "Taste of the Nation" Charitable Fundraising Event Produced by the Non-Profit Organization Share our Strength

Mayor Cooper invited public input.

There was no response.

Councilmember Weissman received clarification regarding establishing protocol for sponsorships.

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

1. DETERMINED TO PROVIDE IN-KIND FINANCIAL ASSISTANCE TO SHARE OUR STRENGTH FOR ITS TASTE OF THE NATION EVENT ON SUNDAY, JUNE 1, 2014 AT MEDIA PARK AS REQUESTED; AND,

2. DESIGNATED THE TASTE OF THE NATION EVENT AS A CITY-SPONSORED EVENT.

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Item JA-2

JOINT CITY COUNCIL AND HOUSING AUTHORITY AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY AGENDA ITEM (FOUR-FIFTHS VOTE REQUIREMENT): (1) City Council Approval of a Budget Amendment and Transfer from the City's General Fund to the Successor Agency to the Culver City Redevelopment Agency; (2) Housing Authority Approval of a Budget Amendment and Transfer from the Housing Authority to the Successor Agency to the Culver City Redevelopment Agency; and (3) Successor Agency to the Culver City Redevelopment Agency Board Approval of a Budget Amendment and Distribution of $2,724,618 to the Los Angeles County Auditor-Controller to Satisfy the Other Funds and Accounts Due Diligence Review and Become Eligible to Receive a Finding of Completion from the California Department of Finance in Satisfaction of the Requirements of the California Health and Safety Code

Mayor Cooper invited public input.

There was no response.

Councilmembers and staff thanked everyone involved for their work on the item.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE A BUDGET AMENDMENT AND TRANSFER FROM THE CITY'S GENERAL FUND TO THE SUCCESSOR AGENCY IN THE AMOUNT OF

$1,462,118 (10116100.952550) AND APPROVE A BUDGET AMENDMENT AND TRANSFER TO THE SUCCESSOR AGENCY IN THE AMOUNT OF $1,262,500 (47616100.952550).

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Action Item

Item A-1

Discussion of Proposed Modifications to Annual Budget Process

Jeff Muir, Chief Financial Officer, provided a summary of the material of record.

Councilmember Clarke received clarification regarding the availability of input from Boards, Commissions and Committees.

Mayor Cooper invited public input.

The following members of the audience addressed the City Council:

Marla Koosed spoke as a private citizen and discussed the annual budget process; written recommendations from Commissions, Boards, and Committees; budget workplan recommendations; and timing.

Gary Silbiger discussed the proposed timelines; public input; providing easily understandable information; and holding public forums.

Discussion ensued between staff and Councilmembers regarding timing of the process; addressing specific items unique to the Cultural Affairs Commission; appreciation to staff for the changes; and a suggestion to utilize a two-year budget process.

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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

None.

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Adjournment

There being no further business, at 8:56 p.m., the City Council adjourned its meeting in memory of David Smith to Monday, December 16, 2013 at 7:00 p.m.

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Martin R. Cole

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