

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

February 11, 2013
7:00 p.m.

Call to Order & Roll Call

(Closed Session will occur immediately upon completion of
Regular Session)

Mayor Weissman called the meeting of the City Council to order
at 7:04 p.m.

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

o0o

Invocation/Pledge of Allegiance

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

o0o

Presentations

Item P-1

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

Dave Stewart, El Marino Mexico Exchange, provided
background on the program.

Councilmembers presented the certificates of recognition.

o0o

Item P-2

A Proclamation Commemorating the 15th Anniversary of V-Day

Councilmember Sahli-Wells presented the proclamation to Michelle Weiner and Lindsey Horvath.

Lindsey Horvath, One Billion Rising, provided statistics on violence against women and discussed worldwide events planned for V-Day.

Michelle Weiner, One Billion Rising, announced events planned for V-Day in Culver City.

Councilmember O'Leary encouraged everyone to be aware of the issues every day, not just on V-Day.

oOo

Community Announcements By City Council Members/Information Items From Staff

Councilmember Clarke reported attending State Senator Curren Price's Sheroges Event where Julie Lugo Cerra received recognition.

Councilmember Sahli-Wells reported that the State Division of Gas and Geothermal Resources would be holding a public meeting to discuss their draft of the hydraulic fracturing regulations on February 19 at the Doubletree Hotel in Downtown Los Angeles; announced closures associated with the paving of the Expo parking lot next week; and she announced that Zócalo Public Square would be hosting a discussion on Climate Change at the Actors' Gang Theatre on February 20.

Councilmember O'Leary questioned whether the City could create a smartphone application to identify free parking in Culver City, and he received City Council support for a discussion of several Charter Review items.

Mayor Weissman reported that he, the City Manager and the Community Development Director had spent the day in Sacramento presenting to the State Assembly Budget Subcommittee evaluating the performance by the State Department of Finance on how they are handling the winding down of redevelopment, and he discussed Parcel B and the Department of Finance's approval of the Globe Avenue project.

oOo

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 hazards created by construction and construction parking; he provided photographic evidence of numerous parking violations; he discussed the affects on delivery trucks; and enforcement.

o0o

Joint Consent Calendar

Item JC-1
(Out of Sequence)

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

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR JANUARY 19, 2013 - FEBRUARY 1, 2013.

o0o

Consent Calendar

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

Item C-3
(Out of Sequence)

Award of a Construction Contract to Insituform Technologies, LLC as the Lowest Responsive and Responsible Bidder for the Construction of Sewer Main Lining Rehabilitation Project (Phases 2 and 3), P-906 and Lining of Abandoned Sewer Force Main on Braddock Drive, P-984

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT IN THE AMOUNT OF \$3,479,199 TO INSITUFORM AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE

CONSTRUCTION OF SEWER MAIN LINING REHABILITATION PROJECT (PHASES 2 AND 3), P-906 AND LINING OF THE ABANDONED 10" SEWER FORCE MAIN ON BRADDOCK DRIVE, P-984; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO INCREASE THE CONSTRUCTION CONTRACT WITH INSITUFORM BY AN AMOUNT OF \$610,578 (17.5% OF THE BASE BID) FOR ADDITIONAL SEWER REHABILITATION; AND,

3. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXPEND AN ADDITIONAL NOT TO EXCEED AMOUNT OF \$410,223 (10% OF THE COMBINED CONTRACT TOTAL AMOUNT) FOR UNFORESEEN CONTINGENCIES; 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.

o0o

Item C-4
(Out of Sequence)

(1) Acceptance of Work Performed by Icon West Inc.; (2) Authorization to File the Notice of Completion; and (3) Authorization to Release the Retention Payment after Expiration of the 35-day Lien Period for the Construction of the Transfer Station Wall Repair Project, P-948

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY THE CONTRACTOR, ICON WEST INC. FOR THE CONSTRUCTION OF THE TRANSFER STATION WALL REPAIR PROJECT, P-948; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY REGISTRAR-RECORDER'S OFFICE FOR RECORDATION; AND,

3. AUTHORIZE THE RELEASE OF \$3,587 IN RETENTION FUNDS TO ICON WEST INC. FOLLOWING THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

o0o

Item C-1

(Out of Sequence)

Meeting Minutes

Councilmember Clarke provided additional detail to public comments made by Neil Rubenstein on page 5 of the minutes.

THAT THE CITY COUNCIL APPROVE THE MINUTES FOR THE REGULAR MEETING OF JANUARY 14, 2013 AS AMENDED.

Note from the City Clerk: Based upon Councilmember Clarke's comments, the minutes for the January 14, 2013 City Council meeting were amended to reflect the fact that Mr. Rubenstein expressed thanks to the City Council of 2006, to the City of Culver City, his fellow veterans, and others for implementing similar free parking programs for veterans in other jurisdictions.

oOo

Item C-2

Award of a Construction Contract to Carvajal Trucking & Tractor, Inc. as the Lowest Responsive and Responsible Bidder for the 2012 CDBG Sidewalk Replacement Project, PZ963, CDBG Project No. 601474-12

Councilmember Sahli-Wells asked about the use of new materials; questioned whether more permeable materials were available that might last longer and withstand ongoing use and tree-roots better; she discussed the pilot program next to the Plunge; and she asked about a more permanent solution.

Charles Herbertson, Public Works Director, discussed previous efforts to utilize a permeable sidewalk in the City; testing rubber sidewalks; addressing uplift issues with tree roots; evaluating where to apply the alternative surfaces; and additional expense.

Discussion ensued between staff and Councilmembers regarding availability of grants; rubberized asphalt; and a request to alert Councilmembers to pilot programs being done.

THAT THE CITY COUNCIL:

1) AWARD A CONSTRUCTION CONTRACT TO CARVAJAL TRUCKING & TRACTOR, INC. AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER

FOR THE 2012 CDBG SIDEWALK REPLACEMENT PROJECT, PZ963, CDBG PROJECT NO. 601474-12, IN THE AMOUNT OF \$27,499; AND,

2) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED \$4,125, 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-5

Adoption of a Resolution Authorizing the Destruction of Certain Records Retained Within the Public Works Department

Councilmember Sahli-Wells questioned whether any of the documents slated for destruction contained any historical significance.

Discussion ensued between staff and Councilmembers regarding assurances that maps are saved; agreement to provide anything of historical significance to the Historical Society; and appreciation for the digitization of the records.

THAT THE CITY COUNCIL ADOPT A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS RETAINED WITHIN THE PUBLIC WORKS DEPARTMENT.

o0o

Item C-6

Adoption 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

Mayor Weissman invited public input.

The following member of the audience addressed the City Council:

Cary Anderson discussed construction parking; 8770 Washington Boulevard and changes to Condition 52; 4043 Irving Place; the Culver City Patch; and he questioned who would take responsibility and how enforcement would be done.

THAT THE CITY COUNCIL ADOPT 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. 10 (ZONING CODE MAP AMENDMENT, ZCMA-P2012020) AND APPROVING A COMPREHENSIVE PLAN (CP P- 2012018).

oOo

Item C-7

Approval of an Amendment to the Existing Professional Services Agreement with Bestway Recycling, Inc. to Purchase Recycling Material from the City for an Additional One Year Period

Councilmember Sahli-Wells requested a discussion about recycling and composting in the future either at a sustainability subcommittee meeting or with the full City Council, and she noted that there could be more suitable recyclers out there.

Charles Herbertson, Public Works Director, agreed to schedule a discussion at the next sustainability subcommittee meeting, and he reported a recent staff tour of a food waste recycling program noting that they continue to look at ways to expand the recycling program.

THAT THE CITY COUNCIL

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH BESTWAY RECYCLING, INC. TO PURCHASE RECYCLABLE MATERIAL, FROM MARCH 1, 2013 UNTIL FEBRUARY 29, 2014 FOR A PRICE OF \$42.00 PER TON FOR COMMINGLED RECYCLABLE MATERIAL, 75% OF THE OFFICIAL BOARD MARKETS RATE (OBM) FOR LOOSE CORRUGATED CARDBOARD, AND 90% OBM BALED CORRUGATED CARDBOARD; 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.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1, C-2, C-5, C-6 AND C-7.

o0o

Receipt and Filing of Correspondence

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

o0o

Order of the Agenda

No changes were made.

o0o

Action Items

Item A-1

Receive and File Report Regarding the City's Efforts to Create an Economic Development Strategy and Additional Outreach to Culver City Residents and the Culver City Unified School District

Todd Tipton, Redevelopment Administrator, provided a summary of the material of record.

Sol Blumenfeld, Community Development Director, discussed the resident outreach meetings; consideration of multiple candidates; and a suggestion to hold two meetings.

Mayor Weissman invited public comment.

The following member of the audience addressed the City Council:

Stephen Murray expressed support for developing an economic development strategy and he felt including the residential

portion was a significant step forward; he discussed home based businesses; infrastructure factors to facilitate growth; increasing disposable income; the request for fiber optics; the monopoly issue with Time Warner Cable; the need for high speed internet; a suggestion that Culver City become a gigabyte city; the request for parking supply; regional customers; and walk-able/bike-able solutions.

Discussion ensued between the speaker and Councilmembers regarding gigabyte cities; making the City attractive to high tech businesses; internet speed; the economic development outreach meetings; the desirability of fiber optics in the Hayden Tract and Fox Hills areas; and working with the City of Santa Monica.

Discussion ensued between staff and Councilmembers regarding names submitted; support for the suggestion to have two meetings; appreciation to the economic development subcommittee; clarification regarding commercial categories; the retail sales tax comparison; the Transient Occupancy Tax; reduced meter rates in certain areas; the Walker Parking Study; accommodating businesses where uses have changed; different needs at different locations; Fox Hills; employee parking demand; printing and dry cleaning; identifying projects, setting out time frames and tasks involved; the need to supply services to certain areas; accommodating uses; pop-up retail; temporary permitting requirements; bicycle parking requirements; the Hayden Tract; area amenities; interim use of properties awaiting redevelopment; the suggested use of Parcel B as an arts and crafts market; the ice skating rink; a suggestion to place a Ferris Wheel on Parcel B; way finding; improving the quality of life; the map produced by Community Development after the Expo opened; public signage; information from the business community; recreational amenities; maintenance and repair of parks; the potential to realign some of the land use; accumulating land that could be used for open space; creative office users; and considering recreational and open space as part of the analysis.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THIS REPORT.

Sol Blumenfeld, Community Development Director, confirmed that the list of names supplied to the City Manager would be used as the list to convene the successive meetings.

Responding to inquiry, Todd Tipton, Redevelopment Administrator, indicated that participants would be polled to see what times would be convenient for them to meet.

o0o

Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

There was no response.

o0o

Items from Staff

None.

o0o

Items from the City Council

Items from Councilmember O'Leary

- Reported on the meeting with the Chief of Police and School Superintendent regarding school safety and he encouraged watching a five minute safety video

Items from Councilmember Sahli-Wells

- Referenced a previous resident request for an update on the neighborhood design guidelines and questioned when a discussion of that would come forward
- Reported a request from a resident about the Accessory Structure Dwelling Ordinance and asked for further information on that subject
- Thanked Tevis Barnes and Shelly Wolfberg for their work on the Affordable Housing Roundtable that took place in Council Chambers on February 8, with appreciation also to Assemblymember Holly Mitchell who co-hosted the event that featured a diverse and knowledgeable panel which discussed clear ideas on how to help Culver City create affordable housing

- Reported attending the meeting of the Regional Water Quality Control Board on February 7 where storm water runoff permitting for PXP was discussed, and she noted the importance of protecting the watershed
- Reported attending a CAL EPA Enviroscreen workshop on February 5 that would hopefully bring money to the City to remediate environmental pollutants and she noted the importance of getting funding to do projects that are good for the environment and good for the City

Items from Councilmember Clarke

- Reported on the Homelessness Count on January 30 and thanked Christopher Patrick King for his efforts

Items from Vice Mayor Cooper

- Reported attending the LAX Commission meeting on February 6 regarding the original project approval for the expansion of LAX where they submitted their comments in writing, noting that Culver City would continue to voice their objections and seek mitigation

Carol Schwab, City Attorney, reported that Vice Mayor Cooper had met with staff members there who indicated that they might come to make a presentation of other projects going on.

Items from Mayor Weissman

- Thanked Assemblymember Holly Mitchell for her assistance with the presentation to the subcommittee evaluating the performance of the State Department of Finance in Sacramento

Carol Schwab, City Attorney, reported that once the list of appointees for the Economic Development Strategy meetings is compiled it could be made available upon request.

o0o

Closed Session

At 8:28 p.m., the City Council recessed to Closed Session to discuss the following item:

CS-1 Conference with Legal Counsel - Existing Litigation
Re: Rush Pacifica vs. Culver City Redevelopment Agency, et. al.
LACSC Case No. SC113332
Pursuant to Government Code Section 54956.9(a)

o0o

Reconvene

The City Council reconvened its meeting at 9:09 p.m. with all Councilmembers present.

o0o

Report on Action Taken in Closed Session

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

o0o

Adjournment

There being no further business, at 9:10 p.m., the City Council adjourned its meeting to a meeting on Monday, February 25, 2013 at 7:00 p.m.

o0o



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
Culver City, California