

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

February 23, 2015
6:00 p.m.

Call to Order & Roll Call

Mayor Sahli-Wells called the meeting of the City Council to order at 6:00 p.m.

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

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Closed Session

The City Council recessed to Closed Session to consider 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 54956.6

CS-2 Conference with Real Property Negotiators

Re: 10808 Culver Boulevard

City Negotiators: John M. Nachbar, City Manager; Martin R.
Cole, Assistant City Manager

Other Parties' Negotiators: The Wende Museum

Under Negotiation: Both Terms and Price

Pursuant to Government Code Section 54957.8

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Reconvene

Mayor Sahli-Wells reconvened the City Council meeting at 7:01 p.m. with all Council Members present.

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Reflection/Pledge of Allegiance

The Reflection was given by John Nachbar, City Manager, and the Pledge of Allegiance was led by Jeff Muir, Chief Financial Officer.

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Report on Action Taken in Closed Session

Mayor Sahli-Wells indicated nothing to report out of closed session.

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

Council Member Clarke discussed a recent meeting of the City Council/School Board Liaison Committee noting that a recommendation had been made to the City Council to create an amendment to City ordinances to include e-cigarettes in the existing tobacco retailer licensing ordinance and prohibit the selling of e-cigarettes to minors (to which the City Council concurred and directed the City Manager to place this item on a future agenda); he reported the passing of Virginia Plasencia, mother of City employees Lisa Melgoza and Jesse Plasencia; and he indicated that Linda Stockwell Motyl, wife of Vince Motyl had also passed away.

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT WHEN THIS CITY COUNCIL MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF VIRGINIA PLASENCIA AND LINDA STOCKWELL MOTYL.

Vice Mayor O'Leary requested follow up on whether the City had been able to provide information to the Southern

California Association of Governments; questioned whether the City could receive benefits from the GIS Services Program offered for free to members of the Southern California Association of Governments and if so he encouraged the City to sign up; and he asked that the City see how to assist the Special Olympics in July.

Martin Cole, Assistant City Manager/City Clerk, agreed to provide information to Council Members on the subject of the Special Olympics. John Nachbar, City Manager, reported he would have staff provide a response to Vice Mayor O'Leary on the other two subjects.

Vice Mayor O'Leary asked that Mayor Sahli-Wells encourage several of her colleagues on the Expo Board to suggest Members for the Commission on Alcohol and Other Drugs; discussed a lawsuit against the Santa Monica Bay Restoration Commission from the Ballona Wetlands Land Trust; and he reported judging the Miss Los Angeles County/Culver City Pageant.

Mayor Sahli-Wells announced a meeting about noise and impacts of Los Angeles International Airport on February 24 in the Rotunda Room of Veterans Memorial Building to discuss changes to overflight patterns over the past couple of years noting that they were seeking public input; she discussed notification; accessibility of City Council Members; she reported a Sustainability Subcommittee meeting on February 25; a meeting of the Community Advisory Panel on the Inglewood Oil Field on February 26; a Family Fun Ride on February 28; and a sing-along performance called Spontaneous Combustion at Veterans Auditorium on March 8.

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Joint Public Comment - Items Not on the Agenda

Mayor Sahli-Wells invited public comment.

The following members of the audience addressed the City Council:

Dr. Janet Hoult discussed overflight and noise issues; noted the importance of working with the Federal Aviation Administration; and she read a poem about the issue.

Julia Brode asked for City support for the Habitat for Humanity Project on Globe Avenue; discussed the importance of providing homes for those in need; expressed eagerness to help build homes; and she discussed efforts of surrounding cities to support low-income Habitat Builds.

Heidi Worthen Gambel provided background on herself; discussed the low income Globe Housing Project; Federal mandates for affordable housing; and she asked the City to support the Habitat for Humanity Build.

Dr. Steve Weinberg, Save the Culver Ice Rink Committee, discussed efforts to preserve the ice rink; he thanked the City Council for their support of preserving the rink; discussed the deterioration of the ice rink; he provided pictures; questioned who oversaw the ice rink and enforced the codes; and he discussed damage to the roof and rain leaking in.

Barbara Pomykalski, a former coach from the Culver Ice Rink, discussed neglect of the building; concern with the condition of the statue at the top of the building; neglect of the landowner in order to encourage the need for demolition; responsibility for maintenance; oversight of the significant designation; protections of the designation; whether the City would place a plaque on the building; and she suggested that the City communicate answers to questions regarding the ice rink.

Letha Kemper, Culver City Presbyterian Church, urged the City Council to support the Habitat for Humanity Build; noted the importance of affordable housing; discussed the reputation of Habitat for Humanity; and she indicated that the Presbyterian Church supported the effort and has pledged to help.

Karen Claassen, Culver City Presbyterian Church, discussed concerns with urban blight; trash; a house owned by the church on Globe Avenue; the congregation; the importance of moving forward; concern with delays; economic viability of the community; and residents working in the City.

Marie Brown discussed support of the Habitat project by the Presbyterian Church; concern with the limited availability of low income housing in the area; she felt Culver City could be a model for other communities; and

she discussed the importance of getting people involved and raising consciousness.

Matthew Hetz, Culver City Symphony Orchestra, announced their concert at Veterans Auditorium on February 28.

Christiana Grotlisch, Antioch University Student, expressed support for the Habitat for Humanity Build; read an excerpt from Senate Reports from the US Congressional Series Set; discussed participatory citizenship; national and community service; and she asked for City Council support of the Build.

Discussion ensued between staff and Council Members regarding City approval of the Habitat for Humanity project; the Caltrans property; maintenance of the property; funding for the Mortgage Assistance Program; the loss of Redevelopment Agency funds; the willingness of the City to move forward; action needed from Habitat for Humanity; and the Brown Act.

Jim Shanman, Walk'n Rollers, distributed Safe Routes to School packets that would be sent home with students; discussed upcoming family rides and workshops; a membership program; tracking how many children walk and ride to school; the Family Ride on March 1 and the upcoming Easter Egg Hunt; and he encouraged everyone to visit the website.

Mayor Sahli-Wells reported that Mr. Shanman serves as the Coordinator for the grant funded Safe Routes to School program that helps reduce traffic and improve the environment in all neighborhoods.

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Receipt and Filing of Correspondence

MOVED BY COUNCIL MEMBER WEISSMAN, SECONDED BY COUNCIL MEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

Martin Cole, Assistant City Manager/City Clerk discussed the correspondence received prior to 4:00 p.m.

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Joint Consent Calendar

Item JC-1

**Joint Culver City Council/Culver City Housing Authority/
Successor Agency to the Culver City Redevelopment Agency
Agenda Item: Cash Disbursements**

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY VICE MAYOR O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR JANUARY 31, 2015 - FEBRUARY 13, 2015.

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Item JC-2

**JOINT CITY COUNCIL AND SUCCESSOR AGENCY AGENDA ITEM: Approval
of a Parking License Agreement with Consideration of a
request from Sony Pictures Entertainment to Utilize 150
Parking Spaces in the Ince Parking Structure Located at 9099
Washington Boulevard**

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY VICE MAYOR O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE A PARKING LICENSE AGREEMENT WITH SONY PICTURES ENTERTAINMENT TO UTILIZE 150 PARKING SPACES IN THE INCE PARKING STRUCTURE FOR A ONE-YEAR PERIOD WITH TWO ONE-YEAR OPTIONS.

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CONSENT CALENDAR

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY VICE MAYOR O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-4.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE MINUTES FOR THE REGULAR MEETING OF FEBRUARY 9, 2015.

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Item C-2

Approval of an Amendment to the Existing Professional Services Agreement with Utility Systems, Science, and Software in an Amount Not-to-Exceed \$146,599.20 (\$42,055.20 for Parts and \$104,544 for Installation) to Purchase and Install Replacement Parts for the Emergency Notification System and the Sewer Flow Monitoring System (ENS/SFMS); and (2) Approval of a Budget Amendment Related Thereto

THAT THE CITY COUNCIL:

1. APPROVE A BUDGET AMENDMENT APPROPRIATING \$146,599.20 FROM THE SEWER ENTERPRISE FUND **(REQUIRES A FOUR-FIFTHS VOTE)**; AND,
2. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH UTILITY SYSTEMS, SCIENCE, AND SOFTWARE, INC., FOR A NOT-TO-EXCEED AMOUNT OF \$146,599.20; 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-3

Adoption of a Resolution Authorizing the City Manager or Designee to Execute Any Actions Necessary for the Purpose of Obtaining Financial Assistance Provided by the California Department of Transportation Low Carbon Transit Operations Program

THAT THE CITY COUNCIL: ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ANY ACTIONS NECESSARY FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE PROVIDED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION LOW CARBON TRANSIT OPERATIONS PROGRAM.

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Item C-4

Adoption of a Resolution Approving a Five Year Memorandum of Understanding with the Culver City Fire Management Group for the Period of January 1, 2015 through December 31, 2019

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING A FIVE YEAR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE CULVER CITY FIRE MANAGEMENT GROUP FOR THE PERIOD OF JANUARY 1, 2015 THROUGH DECEMBER 31, 2019.

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Order of the Agenda

Mayor Sahli-Wells proposed moving item A-2 forward due to the number of speakers present.

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Action Items

Item A-2
(Out of Sequence)

(1) Consideration of a Request by the Mayors for the Freedom to Marry to Support an *Amicus* (Friend of the Court) Brief Regarding Several Marriage Cases Currently before the United States Supreme Court for Review; and (2) Direction to the City Manager/City Attorney as Deemed Appropriate

Council Member Clarke received clarification that staff would not have to be involved in the filing of the Amicus Brief.

Discussion ensued between staff and Council Members regarding review of the document; City Council instruction to staff; whether the Mayor or the entire City Council would sign on to the document; City Council policy; and City Council approval before the Mayor signs.

Mayor Sahli-Wells invited public participation.

The following members of the audience addressed the City Council:

Carlene Brown requested that the City Council give the Mayor permission to sign support for equality for all people.

Rebecca Rona discussed the importance of making the City a welcoming place for people of all sexual preferences and she noted that 500 mayors had already supported marriage equality

Karlo Silbiger discussed the lack of support in the past from the City Council; asked that the City Council express support; noted that filing Amicus Briefs is a common act by local governments; he discussed impacts to residents; actions of other area cities; the importance of human rights for the diverse populations in the City; the number of LGBT students harassed in the last year; and the impact to transforming the culture that support of marriage equality can have.

Gary Silbiger discussed towns that support marriage quality, and he asked the City Council to support it as well.

Rick Tuttle discussed the number of people in the City affected by the issue of marriage equality; discrimination in City parks; sending a clear message of equality; the Governor of California; and when it is appropriate to set aside rules in order to take a position on a human rights issue.

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

Daryl Cherness

Discussion ensued between staff and Council Members regarding the freedom to marry; effects to residents; the importance of taking a stand; the personal and local nature of the issue; the role of the City in addressing local issues and creating local policies; concern with distraction from local issues; limited resources; fundamental rights for all; concern with setting a precedent for consideration of non-local issues; religion and conflicting beliefs; criteria; moral issues; bills with a direct impact on the City; cases before the Supreme Court; the importance of developing guidelines to determine which issues to support as a City; the importance of maintaining a neutral stance on national issues; concern with divisive issues; maintaining the integrity of the forum;

and concern with religious beliefs impeding the constitutional rights of Culver City residents.

MOVED BY COUNCIL MEMBER CLARKE AND SECONDED BY COUNCIL MEMBER COOPER THAT THE CITY COUNCIL: AUTHORIZE THE MAYOR TO SIGN ON TO THE AMICUS BRIEF. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Item A-1
(Out of Sequence)

Approval of a Memorandum of Understanding Between the City and the Culver City Unified School District to Install and Maintain a Marked Crosswalk at the Intersection of Elenda Street and Garfield Avenue

Mayor Sahli-Wells invited public participation.

No speakers came forward and no cards were received.

MOVED BY VICE MAYOR O'LEARY, SECONDED BY COUNCIL MEMBER WEISSMAN AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL:

- 1) APPROVE AN MOU BETWEEN THE CITY OF CULVER CITY AND THE CULVER CITY UNIFIED SCHOOL DISTRICT; 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 A-3
(Out of Sequence)

(1) Receipt and Filing of the Fiscal Year 2014/2015 Mid-Year General Fund Budget Monitoring Report, (2) Receipt and Filing of the General Fund Financial Forecast, (3)

Provide Notification Inviting Public Comment and Input for the Upcoming Proposed Budget for Fiscal Year 2015/2016, and (4) Approval of Proposed Budget Amendments

Jeff Muir, Chief Financial Officer, provided an overview of the mid-year budget report and an update of the General Fund forecast noting that the Enterprise Funds, Special Revenue Funds and Internal Service Funds were all operating within the parameters of the adopted budget.

Mayor Sahli-Wells invited public participation.

No speakers came forward and no cards were received.

Discussion ensued between staff and Council Members regarding the Reserve Policy; CALPERS projections; revenue generated by larger projects; a request for a copy of projections; initial project review; ancillary revenues; a reminder to the public regarding the sunset of Measure Y; healthcare cost increases; PERS employer rate increases; phased-in increases; capital improvement; how money that is saved is spent; debt service; storm water discharge requirements; paying down liabilities; the rating for the City; sales tax reliance; personnel costs; pension increases; the contingency reserve; interest; the investment portfolio; long-term liabilities; natural disasters; rental assistance; feedback from Commissions, Committees and Boards; clarifying Measure Y to the public; and next steps in the process.

Jeff Muir, Chief Financial Officer, reported that the City had received the distinguished Budget Presentation Award from the Government Finance Officers Association.

Mayor Sahli-Wells commended the Finance Department for their work and transparency.

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Public Hearings

Item PH-1
(Out of Sequence)

Adoption of a Resolution (1) Finding that the Public Health, Safety or Welfare Requires the Formation of Underground Utility District No. 11 Located Along Culver Boulevard between Sepulveda Boulevard and Commonwealth

Avenue; (2) Declaring Such Designated Area Underground Utility District No. 11; and (3) Ordering the Removal and Underground Installation of Wires and Facilities within such District

Council Member Weissman recused himself from the item and left the dais.

MOVED BY COUNCIL MEMBER COOPER AND SECONDED BY COUNCIL MEMBER CLARKE THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVITS OF PUBLICATION AND POSTING OF PUBLIC NOTICES AND CORRESPONDENCE RECEIVED IN RESPONSE TO THE POSTING OF PUBLIC NOTICES. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

MOVED BY COUNCIL MEMBER CLARKE AND SECONDED BY COUNCIL MEMBER COOPER 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 Sahli-Wells invited public participation.

No speakers came forward and no cards were received.

MOVED BY COUNCIL MEMBER COOPER AND SECONDED BY COUNCIL MEMBER CLARKE 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 COUNCIL MEMBER CLARKE AND SECONDED BY COUNCIL MEMBER COOPER THAT THE CITY COUNCIL: ADOPT A RESOLUTION 1) FINDING THAT THE PUBLIC HEALTH, SAFETY, OR WELFARE REQUIRES THE FORMATION OF UNDERGROUND UTILITY DISTRICT NO. 11 LOCATED ALONG CULVER BOULEVARD BETWEEN SEPULVEDA BOULEVARD AND COMMONWEALTH AVENUE; (2) DECLARING SUCH DESIGNATED AREA UNDERGROUND UTILITY DISTRICT NO. 11; AND (3) ORDERING THE REMOVAL AND UNDERGROUND INSTALLATION OF WIRES AND FACILITIES WITHIN SUCH DISTRICT. THE MOTION CARRIED BY THE FOLLOWING

VOTE:

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

Council Member Weissman returned to the dais.

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Item A-3
(Continued)

(1) Receipt and Filing of the Fiscal Year 2014/2015 Mid-Year General Fund Budget Monitoring Report, (2) Receipt and Filing of the General Fund Financial Forecast, (3) Provide Notification Inviting Public Comment and Input for the Upcoming Proposed Budget for Fiscal Year 2015/2016, and (4) Approval of Proposed Budget Amendments

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

(1) RECEIVE AND FILE THE FISCAL 2014/2015 MID-YEAR REPORT AS PROVIDED IN ATTACHMENT 1; AND,

(2) RECEIVE AND FILE THE GENERAL FUND FINANCIAL FORECAST AS PROVIDED IN ATTACHMENT 3; AND,

(3) PROVIDE NOTIFICATION TO PUBLIC INVITING COMMENT AND INPUT FOR THE UPCOMING PROPOSED BUDGET FOR FISCAL YEAR 2015/2016; AND,

(4) APPROVE THE BUDGET AMENDMENTS AS PROPOSED IN ATTACHMENT 2.

Martin Cole, Assistant City Manager/City Clerk, clarified the voting for item A-3.

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Public Comment - Items Not on the Agenda

Mayor Sahli-Wells invited public comment.

No cards were received and no speakers came forward.

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Items from the City Council

Items from Mayor Sahli-Wells

- Reported attending a briefing about the LAX Metro connector noting that the EIR process ended on March 6 and she encouraged residents to provide input

Items from Vice Mayor O'Leary

- Reported meeting with Lowe Enterprises regarding Transit Oriented Development and suggested putting them in touch with Expo to coordinate mobility efforts

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Adjournment

There being no further business, at 9:23 p.m., the City Council adjourned its meeting in memory of Virginia Plasencia and Linda Stockwell Motyl to Monday, March 9, 2015 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

MEGHAN SAHLI-WELLS
MAYOR of Culver City, California