CONTINUED REGULAR MEETING
OF THE REDEVELOPMENT AGENCY,
CITY OF CULVER CITY,
CALIFORNIA

April 15, 2008
6:00 p.m.

Call to Order & Roll Call

Chair Malsin called the meeting of the Redevelopment Agency to order at 6:19 p.m. with all Members present.

Present: D. Scott Malsin, Agency Chair
Gary Silbiger, Agency Vice Chair
Alan Corlin, Agency Member
Carol A. Gross, Agency Member
Steven J. Rose, Agency Member

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Invocation/Pledge of Allegiance

Covered under the City Council meeting.

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Public Comment for Items NOT On the Agenda

None.

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Public Comment for Items On the Agenda

None.

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Consent Calendar

Moved by Agency Member Rose, seconded by Agency Member Gross, and unanimously passed to approve the Consent Calendar.

Item C-1

Secretary's Report

The Agency approved the Report of the Secretary.

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CONTINUATION OF JOINT PUBLIC HEARING

Item JPH-1
(Continued)

Proposed Entrada Office Tower to be Located at 6161 Centinela Avenue: 1) City Council Public Hearing for Consideration of: a) Appeal of the Planning Commission's Certification of an Environmental Impact Report (EIR) and Related Project Entitlements, and b) Approval of a Height Exception: 2) Agency Consideration of; a) Approval of a Design for Development, b) Approval of a Tentative Parcel Map, and c) Determination that the Project Conforms with the Redevelopment Plan.

This item was continued from the Agency Council meeting of April 14, 2008.

Staff called attention to changes made to the resolutions.

Agency Councilmember Silbiger and staff discussions focused on: public notification rules for a meeting when it is adjourned; the project's potential impact on police and fire services; the lack of global climate change standards or thresholds on which to base findings for the project; and questions on methane gas levels at the site.

At this time, Agency Member Gross called for the question. Agency Member Rose seconded the motion.

Agency Member Corlin clarified that the call for the question prevents Agency Member Silbiger from continuing his comments.

Discussion ensued regarding procedures set forth in "Roberts Rules of Order" to set time limits and/or limit debate. Carol Schwab, City Attorney clarified that a call for the question stops discussion. There is no debate about a call for the question, only a vote.

Mayor Corlin called for a recess.

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Recess/Reconvene

The Agency took recess from 7:16 p.m. and reconvened at 7:49 p.m. with all Members present.

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Discussion continued regarding procedures set forth in “Roberts Rules of Order” to set time limits and/or limit debate.

At this time, discussion regarding a methane gas issue including the validity of a methane gas map presented by Agency Member Silbiger who asked for the map to be presented into the record and an investigation made into the issue of the levels of methane gas at the project site.

Agency Member Silbiger proposed the following motion: That this item be postponed in order to allow staff to research the methane gas map.

The motion died for lack of a second.

Further staff and Agency discussion included: parking issues; possible requirements to increase the number of parking spaces; traffic mitigation measures during construction; whether the traffic analysis was flawed because it did not reflect future traffic projections; whether certain documents were part of the record; and the CFA Analysis.

Roy Nakamura, Traffic Engineer, Crain and Associates, gave detailed information on the construction traffic impact.

Max Paetzold, City Traffic Engineer, addressed the CFA Analysis.

Agency Member Silbiger read an item from the Environmental Law Reporter into the record.

Discussion ensued between the City Council and staff regarding the allowable length of time for speeches from the dais. Redevelopment Agency General Counsel Murray Kane stated that, per “Roberts Rules of Order” in an organization without special rules regarding the length of speeches, the length of the speech is limited to 10 minutes. If a speech and debate goes on for more than 10 minutes, the entire body must vote by a 2/3 vote to extend the time.

Mayor Silbiger entertained a motion to extend the time for Councilmember Silbiger.

There was no motion.

Mayor Corlin called for a vote on the motion to call the question. The vote was 4 - 0; Councilmember Silbiger chose not to vote.

The following vote was taken:

Moved by Agency Member Gross and seconded by Agency Member Rose, that the Agency Council Adopt Resolution NO. 2008-A004 Denying the Appeal, upholding the Planning Commission's decision, and certifying the final EIR for the Entrada Office Tower Project.

AYES: Agency Members Gross, Malsin, Rose, Corlin
NOES: None
ABSTAIN: None
ABSENT: None

Agency Member Silbiger did not vote on the above motion.

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Recess

The Agency Council recessed its meeting at 9:22 p.m.

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Reconvene

The Agency Council reconvened its meeting at 9:46 p.m., with all Members present.

At this time, the following motion was made:

Moved By Agency Member Rose And Seconded By Agency Member Gross, that the Agency Council limit the amount of time Council Members and Agency Members can speak to twenty minutes.

AYES: Agency Members Gross, Malsin, Rose, Corlin
NOES: Agency Member Silbiger
ABSTAIN: None
ABSENT: None

At this time, discussion ensued by the Redevelopment Agency regarding consideration of adoption of a Statement of Overriding Considerations (SOC) and a Mitigation Monitoring and Reporting Program (MMRP) and consideration of the proposed Design for Development (DFD).

Staff presented a brief summary of the sub-item.

Discussion ensued between the Redevelopment Agency and staff regarding height details on the roof, helipad, parapet, and mechanical housings; a request for the height exception findings to be put in memo form; a suggested compromise of a 120 feet height for the project and the impact that would have on the developer's financial return; and an assertion that future Los Angeles development in the immediate area will make this project seem inconsequential.

The following motion was proposed:

MOVED BY AGENCY MEMBER ROSE AND SECONDED BY AGENCY MEMBER GROSS TO ADOPT THE SOC, MMRP AND DFD.

Agency Member Corlin proposed the following secondary motion: That the maximum height to be limited to 120 feet.

The motion died for lack of a second.

Further Agency and staff discussion included: whether the developer would be willing to continue with a 120 foot maximum height restriction; whether the height reduction would limit the ability to attract quality tenants; and the rate of return on the project at 120 feet as being below the industry standard.

Brandon Taylor, Vice President, The Carlyle Group, (Applicant), explained the methods used to determine the economic feasibility of the project.

Further Agency and staff discussion included: the Agency's request for a pro-forma from the developer; the fact that the developers were not required to submit a pro-forma; the limited information that was supplied by the developer in lieu of a pro-forma; the stated development costs as being consistent with industry standards; and the height exception as valuable and needing justification.

At this time, Jack McDaniel, Westchester resident, responded to a question from Agency Member Malsin on whether lowering the building height to 181 feet would be acceptable by stating that the width was also a consideration and that the mechanical towers on the roof would be visible.

At this time, the 20 minute time limit for Agency Member Malsin was reached and a vote to extend the time by five minutes did not carry.

Further Redevelopment Agency and staff discussion focused on whether there was anything presented by the developer that was not within industry standards; whether the mechanical towers on the roof would be visible to residents of the Bluffs; and an offer of more time to allow the previous speaker to finish their response.

At this time, Jack McDaniel used a model to illustrate that the mechanical towers would be visible at a building height of 181 feet. He stated that the problem is that the building is long and narrow.

Further Redevelopment Agency and staff discussion included a call by Agency Member Silbiger to postpone the item to further consider the details.

The following member of the audience addressed the Redevelopment Agency:

Jan Koshack requested that the item be postponed in order to give other residents a chance to review this issue.

At this time, Brandon Taylor, Vice President, The Carlyle Group, (applicant) stated that they were agreeable to the parapet height limit of five feet to fourteen feet.

Further Redevelopment Agency and staff discussion included further parapet height discussions with a suggestion to adopt the height limitation and write into the conditions of approval that the developers work with the neighbors on the final height of the parapet; whether the condition would be included in the Site Plan Review; and a request from the applicant's counsel for a default provision on the parapet height.

Agency Member Silbiger proposed the following substitute motion: To bring back a decision in a few days in order to allow developers, staff, and residents to come up with solutions.

The motion died for lack of a second.

At this time, the following motion was made:

MOVED BY AGENCY MEMBER ROSE AND SECONDED BY AGENCY MEMBER GROSS, THAT THE REDEVELOPMENT AGENCY:

ADOPT RESOLUTION NO. 2008-A004 ADOPTING AN SOC AND MMRP; AND, ADOPT THE DESIGN FOR DEVELOPMENT FOR A PORTION OF 6161 CENTINELA AVENUE AMENDED TO INCLUDE A HEIGHT LIMITATION OF THE BASIC STRUCTURE OF 176 FEET WITH THE LEVEL OF THE PARAPET BEING 5 TO 13 ½ FEET SUBJECT TO THE REASONABLE APPROVAL OF THE EXECUTIVE DIRECTOR ARRIVED AT IN DISCUSSIONS WITH THE DEVELOPER AND THE NEIGHBORHOOD AND WITH A DEFAULT HEIGHT OF 5 FEET FOR THE PARAPET.

AYES:	Agency Members Gross, Malsin, Rose
NOES:	Agency Members Corlin, Silbiger
ABSTAIN:	None
ABSENT:	None

At this time, discussion ensued regarding Redevelopment Agency consideration of the proposed Tentative Parcel Map, and determination if the project conforms to the Redevelopment Plan.

The following motion was made:

MOVED BY AGENCY MEMBER GROSS AND SECONDED BY AGENCY MEMBER ROSE, THAT THE REDEVELOPMENT AGENCY APPROVE THE TENTATIVE PARCEL MAP AND FIND THE ENTRADA OFFICE TOWER TO BE IN CONFORMANCE WITH THE REDEVELOPMENT PLAN FOR COMPONENT AREA NO. 1 OF THE CULVER CITY REDEVELOPMENT PROJECT.

AYES: Agency Members Gross, Malsin, Rose
NOES: Agency Members Corlin, Silbiger
ABSTAIN: None
ABSENT: None

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Items from the Agency

Agency Member Rose asked staff to look into the new Council going entirely electronic to minimize paper waste.

Agency Chair Malsin reported on the Culver West Park improvements and noted that the Metro Committees would soon be considering funding for the Culver City station.

Agency Member Gross asked about utilities maintaining their property in the right of ways. He also asked about the Hayden Tract meeting and reported on recent meetings in Washington.

Agency Member Corlin asked about the Agency's relationship with Urban Partners.

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Adjournment

There being no further business, at 12:17 a.m., the Agency adjourned to its regular meeting on Monday, April 21, 2008, in the Mike Balkman Council Chambers.

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Alice Prasad
SECRETARY of the City of Culver City Redevelopment Agency, California

APPROVED

D. SCOTT MALSIN
CHAIRPERSON of the Redevelopment Agency, City of Culver City, California