

SPECIAL MEETING OF THE
CITY COUNCIL, CITY OF CULVER CITY,
CALIFORNIA

March 7, 2011
5:30 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:30 p.m.

Present: Christopher Armenta, Mayor
Micheál O'Leary, Vice Mayor
Jeffrey Cooper, Councilmember
D. Scott Malsin, Councilmember
Andrew Weissman, Councilmember

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Closed Session

The City Council will adjourn to Closed Session to discuss the following items:

CS-1 Conference with Real Property Negotiators

Re: Former Railroad Spur adjacent to 8511 Warner Drive

City/Agency Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Director of Community

Development/Assistant Executive Director; Todd Tipton, Deputy Community Development Director/Redevelopment Administrator; and Murray Kane, Agency General Counsel

Other Parties Negotiators: Property Owners located between Hayden and Eastham Avenues.

Under Negotiation: Both Price and Terms of Payment, including use restrictions, development obligations and other monetary related considerations

Pursuant to Government Code Section 54956.8

CS-2 Conference with Legal Counsel - Existing Litigation

Re: Community Health Councils, Inc., City of Culver City, et al., v. County of Los Angeles

Case No. BS118018 (Re County Community Standards District for Oil Drilling Operations)

Pursuant to Government Code Section 54956.9(a)

March 7, 2011

Closed Session
(continued)

CS-3 Public Employee Performance Evaluation
Title: City Attorney
Pursuant to Government Code Section 54957

CS-4 Conference with Labor Negotiators
City designated representatives: Serena Wright, Director of
Human Resources
Employee Organization: City Attorney
Pursuant to Government Code Section 54957.6

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Recess

The City Council recessed to Closed Session at 5:30 p.m.

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Reconvene

The City Council reconvened its meeting at 7:11 p.m. with all
Councilmembers present.

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Closed Session Report

Councilmember O'Leary indicated nothing to report out of 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 Gary Silbiger, former Mayor and
Councilmember.

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March 7, 2011

Public Comment - Items Not on the Agenda.

Councilmember O'Leary invited public comment.

The following members of the audience addressed the City Council:

Kathleen McCann, representing the Culver City Sister City Committee, introduced the Culver City representatives who participated in the International Marathon in Kaizuka, Japan. Veronica Reyes and Daniel Dobbs shared their experiences as Culver City Marathon representatives and thanked the City for allowing them the opportunity to participate.

Donna LeBlanc provided a copy of an email from ReThink to the City Council.

Councilmember Weissman asked for additional information from staff regarding whether the ReThink project had changed.

Martin Cole, Assistant City Manager/City Clerk, indicated that he would follow up on the matter.

Gary Silbiger encouraged the City Council to issue a proclamation to honor Cesar Chavez on March 31, 2011 as has been done in previous years; and he announced a meeting of the Culver City Democratic Club on March 9, 2011 at the Veterans' Memorial Building.

Mayor Armenta requested that the proclamation be presented for Cesar Chavez Day. The City Council concurred with the request.

Cary Anderson expressed concern with the timeliness of the posting of the agenda and that information for Item J-4 was not posted on the City Council agenda, but instead only available on the Redevelopment Agency agenda.

Discussion ensued between the City Council and staff regarding clarification that legal notice had been posted 90 minutes before the deadline; the difference between posting notice and the actual dissemination of the staff report; the timeliness of the email notification; and Redevelopment Agency posting of agenda items.

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March 7, 2011

Presentation

Item P-1

Presentation from Southern California Aquatics to the City Council and of a Certificate of Recognition to SCAQ in Honor of their 30th Anniversary.

Councilmember O'Leary presented the Certificate of Recognition.

A representative from Southern California Aquatics thanked the City Council for the recognition and discussed their programs.

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Public Hearing

Item PH-1

Adoption by Reference of the 2010 California Building Code and Consideration of a Resolution Adopting Exceptions Thereto (Request to Continue Public Hearing to March 28, 2011).

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CONTINUE THIS PUBLIC HEARING TO MONDAY, MARCH 28, 2011 AT 7:00 P.M.

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Consent Calendar

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-3.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES FOR THE ADJOURNED REGULAR MEETING OF FEBRUARY 7, 2011 AND THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 14, 2011 AS SUBMITTED.

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March 7, 2011

Item C-2

Approval of Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for the Sewer Bypass Construction at Jasmine, Overland, and Mesmer Sewer Pump Stations, P-521.

THAT THE CITY COUNCIL:

1. APPROVE THE FINAL PLANS AND SPECIFICATIONS; AND,
2. AUTHORIZE THE PUBLICATION OF A NOTICE INVITING BIDS FOR THE SEWER BYPASS CONSTRUCTION AT JASMINE, OVERLAND AND MESMER PUMP STATIONS, P521.

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Item C-3

Adoption of an Ordinance Repealing and Replacing Chapter 9.02 of Title 9 of the Culver City Municipal Code and Adopting by Reference the 2010 California Fire Code with Local Amendments.

THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 2011-003 BY TITLE ONLY, REPEALING AND REPLACING CHAPTER 9.02 OF TITLE 9 OF THE CULVER CITY MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2010 CALIFORNIA FIRE CODE (CFC) WITH LOCAL AMENDMENTS, AND WAIVE FURTHER READING.

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March 7, 2011

Action Item

Item A-1
(out of sequence)

Approval of Schedule Modifications to Culver CityBus Lines 3 and 4 Related to Direct Service into West Los Angeles College Effective on March 28, 2011.

Art Ida, Transportation Director, provided a summary of the material of record.

Discussion ensued between the City Council and staff regarding ramifications of reinstituting the 10:30 p.m. trip and the definition of a trip.

Councilmember O'Leary invited public input.

The following members of the audience addressed the City Council:

Jan Cawley felt that the needs of the community and the homeowners were not being balanced and the buses were running at their expense; stated that the noise was very loud and physical; and she noted that the bus saved students a two-minute walk.

Katherine Howells appreciated the actions of the City Council; she expressed concern with the noise; suggested the students be dropped off at Overland Avenue; and she asked that the item be reconsidered.

Steve Mills asserted that the bus noise and vibrations were horrendous and unnecessary; discussed a reduction in the number of trips; expressed concern that residents were allegedly not noticed for a February meeting; he asked for a copy of the proposal that the City made to West Los Angeles College and he wanted the same access to the Transportation Director that West Los Angeles College has; he reported that Councilmember O'Leary had visited the Howells' house and experienced the bus noise; and he noted that the bus trip saved a couple of minutes but inflicted a large amount of noise on the surrounding neighbors.

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Item A-1
(continued)

Bob Howells was pleased that the City was considering reducing the number of trips; indicated that the noise was still deafening; he discussed the disruptions occurring every 8 minutes; questioned the need for the service; he expressed concern that the City allegedly valued the convenience of students over the residents; and he suggested keeping the same schedule but dropping students off at Freshman Drive.

At this time, Alice Prasad, Associate Analyst, reported receipt of 46 written comments in support of the item provided by Dr. Rose Marie Joyce, President, West Los Angeles College.

Public comment continued:

Dr. Rose Marie Joyce, President, West Los Angeles College, indicated that they had worked out a plan to reduce bus service by almost 50%; she supported the transit district recommendations but did not support any further reduction in service as she felt it would diminish student access and safety; she reported sincere efforts to create relief for Lakeside Villas neighbors; expressed concern with the plan as submitted, noting that the 10:30 p.m. bus was necessary to serve students; and she suggested that the proposed schedule be considered as a pilot program to be reevaluated to address shifting or growing ridership.

Betsy Regalado, Vice President, West Los Angeles College, encouraged the City Council to support the City transit district recommendation noting that their on-campus passenger carts were not permitted off campus for liability reasons and they did not have sufficient staff to transport students to and from the property line to their classes.

Michelle Long-Cottee noted that Scott Kecken had asked her to speak for him; she asserted that the City Council had to speak for the neighbors and all of Culver City; she discussed health issues of people who use the bus; noted that the neighbors had chosen to live near West Los Angeles College and enjoyed the benefits of that as well as the drawbacks; and she asserted that people deserved safe access to classes.

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Item A-1
(continued)

Ahmed Mohsin felt the proposed reduction of service would threaten the education of students; noted that most people who use the bus are lower income students; discussed effects to the disabled; and expressed concern for the safety of the students.

Scott Stamler, West Los Angeles College Associated Student Organization, expressed support for continuing the bus service and asserted that the bus served a significant amount of the student population and was an important part of providing education.

Laurence Hadjas expressed support for continuation of the bus service, noting the importance for her daughter.

Kell Stone, West Los Angeles College faculty, expressed support for continuing the bus service and discussed the importance of access to education.

Ken Ruben, Southern California Transit Advocates, expressed support for maintaining the bus service and asserted that he did not object to bus noise as he understood the importance of serving the City.

Bob Sprague, Vice President, West Los Angeles College, read comments from faculty in support of maintaining the bus service.

Khin Khin Gyi, M.D., Culver Crest Neighborhood Association, discussed parking issues; the health effects of noise stress to the neighbors; electric carts purchased to transport students to areas of the college; she pointed out that students still had to walk uphill; and noted that the issue had been created by the elimination of free parking by the College.

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Item A-1
(continued)

Paul Mayberry questioned how many disabled students attended West Los Angeles College and what the College did for the City; expressed concern that West Los Angeles College allegedly threatened to sue the City after failing to keep its promise to provide the service; questioned why the City would provide bus service on a campus; noted that the College had their own shuttles; he suggested that it would be cheaper for the City to pay for a shelter than to pay for the bus service; and he discussed the lack of a police gate at the front gate of the College.

Alice Taylor, West Los Angeles College faculty, suggested that if the buses were eliminated, there would be more cars in the neighborhood; she discussed the difficulty of balancing schedules between jobs, families and studies; and she commended the City for trying to balance the issues.

Mark Salkin expressed concern with alleged misstatements from Dr. Joyce; he discussed the main entrance of the College; noted his house was built before the College; he asserted that the community has been against the expansion of the College from the start; he suggested that Councilmembers come to his house; he discussed reduced property values; he expressed concern with notification issues and that Culver Crest was not included in the study; and he felt due process had not been had.

Ashok Pariku observed many empty buses and questioned ridership numbers; he felt the College needed to make a compromise; suggested that service stop at Freshman Drive; and that buses be made more efficient.

Joshua Michael S. Edra asserted that a reduction of buses would disrupt his schedule.

Elliot I. Axelband, Raintree Townhomes, discussed medical stress and health issues caused by repetitive loud bus noises; questioned how many students were affected or disabled; pointed out that there were more distance education students than there were students on campus; and he pointed out that the faculty and students who spoke had a vested interest in the outcome of the issue.

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Item A-1
(continued)

Judy Chow reported work with international students who do not drive and therefore depend on the bus; felt that stopping the bus would discourage them from attending the College; and she encouraged maintenance of the buses.

D'Lee Mayberry reported that many colleges do not have city provided bus services on their campuses; discussed the number of people who ride the buses; clarified that the buses could still go to Freshman Drive; and she expressed concern with how much the bus costs the City in the current difficult times.

Fran Leonard, West Los Angeles College faculty, pointed out that the College served the community; noted that students relied on public participation; noted the effort to get across campus; and she felt that the proposed compromise was workable.

Mr. Searcy, West Los Angeles College Associated Students Association, expressed support for maintaining the bus service; noted that students give back to the community; asserted that residents made a personal choice to live adjacent to the College; discussed safety; and he asserted that buses were full.

Kate Barlow, Raintree Condominium Association West Los Angeles College representative, Citizens Oversight Committee for Bond Expenditures for West Los Angeles College, and a graduate student at USC, noted the legitimate concerns and issues for both sides; clarified that the on-campus shuttles had been affected by funding shortages; noted that underserved students needed support; and suggested working to find other creative solutions.

Siraze Bawa, West Los Angeles College Associated Students Organization, asserted that buses were full in the morning; discussed the importance of serving the underserved; the Culver City Transit system; his health limitations and the necessity of the bus; and rising costs and the importance of education.

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Item A-1
(continued)

Discussion ensued between the City Council and staff regarding funding; a ridership study and analysis of usage on a trip by trip basis; ridership patterns; whether the number of trips made on to campus has increased or decreased over the years; rights of homeowners versus rights to an accessible education; balance; responsibility for access; a suggestion that the College create a shuttle that picks up just inside the entrance to the campus; evaluation of the changes; the reduction in trips; impacts to the neighborhood; and legal implications with regard to the plan that could affect grant funding.

Dr. Rose Marie Joyce, President, West Los Angeles College, discussed the current method to address transportation of disabled students on campus.

Discussion continued between the City Council and staff regarding ridership patterns; the topography of West Los Angeles College; concern with keeping the 10:30 p.m. bus available; conducting a pilot study; the length of time Culver City has provided the bus service on campus; the College seen as part of the City; ensuring that those who need the bus are utilizing the service; quality of life for residents; the reduction in the number of trips; the importance of helping the students; the failure of West Los Angeles College to provide the service on their own; municipal bus service through college campuses; clarification that the service is operated as a separate entity from taxpayer dollars; noise issues; hope that the College will eventually fund the service; possible modifications during the summer months to address diminished ridership; whether there will be summer school this year; effective ways to publish any modifications; and the necessity of reprints of the bus schedule.

Dr. Rose Marie Joyce clarified that West Los Angeles College wanted to evaluate ridership in May and June for the fall semester and would work with the Transportation Director for the summer months.

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Item A-1
(continued)

Further discussion continued regarding the summer schedule; an end of semester review; a request for a report back from the Transportation Director and residents; and the offer from Dr. Joyce to engage in shuttle discussions.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE THE PROPOSED SCHEDULE MODIFICATIONS TO CULVER CITYBUS LINE 3 AND 4 SERVICE INTO WEST LOS ANGELES COLLEGE EFFECTIVE ON MARCH 28, 2011 WITH THE 10:30 P.M. BUS INCLUDED.

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Joint Item

Item J-1

Adoption of a Joint Resolution in Opposition to All Proposals to Abolish Redevelopment Agencies.

Staff provided a summary of the material of record.

Councilmember O'Leary invited public participation.

The following members of the audience addressed the City Council:

Kevin Lachoff, representing the Culver City Chamber of Commerce and Vice Chair of the Governmental Affairs Committee, reported Chamber support of the joint resolution and read a letter which Chamber President Steve Rose sent to Governor Jerry Brown last week.

Gary Silbiger questioned the true benefit of the Redevelopment Agency; how much money had been spent and how much taxes and other benefits had come to the City and the Redevelopment Agency; what money went to the Redevelopment Agency versus core City projects or education if the Redevelopment Agency were to change; he discussed affordable housing and blight; and he asked that real facts on how much good the Redevelopment Agency did be provided.

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Item J-1
(continued)

Tony Pappas cited a recent survey indicating a lack of support for redevelopment agencies; he felt redevelopment was fraudulent and wasteful; and he discussed a recent statement by the State Controller.

Cary Anderson discussed the importance of regulation; statements by the State Controller; and what the Redevelopment Agency had spent their money on over the last eight years.

Discussion ensued between the City Council and staff regarding acknowledgement that facts are important; money given to the schools by the Redevelopment Agency each year; the possibility of exacerbating the structural deficit by as much as \$4 million; economic development tools and job creating engines; affordable housing opportunities; criticism of Culver City for not bringing on as much affordable housing as it had funding to do; affordable housing projects currently underway; benefits to the community; the three redevelopment areas; the length of time allotted to the areas; and clarification that much blight has been eliminated during the time of the Redevelopment Agency.

MOVED BY COUNCILMEMBER COOPER, SECONDED BY MAYOR ARMENTA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT JOINT RESOLUTION NO. 2011-R017 OPPOSING ALL PROPOSALS TO ABOLISH REDEVELOPMENT AGENCIES.

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March 7, 2011

Item J-2

Consideration of (1) Designating the 2011 Taste of the Nation Los Angeles Event as a City- and Agency-Sponsored Event; and (2) Agency Purchase of a \$15,000 Marketing Sponsorship Package.

Jeremy Green, Cultural Affairs Administration and Special Projects Coordinator, provided a summary of the material of record.

Councilmember O'Leary invited public comment.

There was no response.

Martin Cole, Assistant City Manager/City Clerk, clarified that an alternative to the motion had been distributed adding a provision authorizing the assignment of the project to the City from the Agency and that Agency funds could be transferred to the City for payment thereof.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY MAYOR ARMENTA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. DISCUSS AND PROVIDE COMMENT ON THE PROPOSED TASTE OF THE NATION EVENT; AND
2. DESIGNATE TASTE OF THE NATION A CITY-SPONSORED EVENT; AND
3. AUTHORIZE THE ASSIGNMENT OF THE PROJECT TO THE CITY FROM THE REDEVELOPMENT AGENCY AND THAT REDEVELOPMENT AGENCY FUNDS CAN BE TRANSFERRED TO THE CITY FOR PAYMENT THEREOF.

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March 7, 2011

Item J-3

(1) City Council and Agency Board Approval of a Memorandum of Understanding; (2) Agency Board Approval of a Budget Amendment Related Thereto; and (3) City Council Approval of a Purchase and Sale Agreement for a Parking Lot Project Located along the Former Metropolitan Transportation Authority Spur between Hayden Avenue and Eastham Drive.

Sol Blumenfeld, Community Development Director, provided a summary of the material of record.

Councilmember O'Leary invited public comment.

There was no response.

Discussion ensued between the City Council and staff regarding clarification that the action would provide some much needed parking for the area; the transition from industrial to technology and the arts that demand more parking; a phasing feasibility study; soft costs; the re-draft of the Memorandum of Understanding; and cost sharing.

MOVED BY MAYOR ARMENTA, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE AND SALE AGREEMENT FOR THE CITY-OWNED PORTION OF THE SPUR TO THE SPUR PROPERTY OWNERS IN AN AMOUNT OF \$312,360.00; 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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March 7, 2011

Item J-4

Adoption of Resolutions Approving Certain Actions Related to the Transfer of Real Property and Other Assets of the Culver City Redevelopment Agency to the City of Culver City.

Sol Blumenfeld, Community Development Director, provided a summary of the material of record

Councilmember O'Leary invited public comment.

The following member of the audience addressed the City Council:

Cary Anderson questioned the transfer of the property and where the money was going.

Todd Tipton, Redevelopment Administrator, clarified that the money was going to the City's General Fund.

Councilmember Weissman received clarification regarding legal costs.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY MAYOR ARMENTA AND UNANIMOUSLY CARRIED, THAT THE CULVER CITY COUNCIL ADOPT RESOLUTION NO. 2011-R016 APPROVING CERTAIN ACTIONS RELATED TO THE TRANSFER OF ASSETS AND OBLIGATIONS OF THE CULVER CITY REDEVELOPMENT AGENCY TO THE CITY OF CULVER CITY TO MEET EXISTING OBLIGATIONS SET FORTH IN THE COOPERATION, IMPLEMENTING AND OTHER AGREEMENTS WITH THE AGENCY AND TO ACCOMPLISH OTHER IMPORTANT PUBLIC PURPOSES; AUTHORIZING AN AMENDMENT TO THE COOPERATION AGREEMENT BETWEEN THE CITY AND THE AGENCY; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO TAKE ALL NECESSARY, REASONABLE AND APPROPRIATE ACTIONS TO IMPLEMENT THE TRANSFER OF ASSETS AND OBLIGATIONS FROM THE AGENCY TO THE CITY; AND AUTHORIZING THE CITY CLERK TO EXECUTE CERTIFICATES OF ACCEPTANCE.

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Public Comment for Items Not on the Agenda - continued.

Councilmember O'Leary invited public participation.

The following member of the audience addressed the City Council:

Tony Pappas mentioned that Culver City buses run on clean energy and do not pollute; he submitted a formal objection and demand for a public investigation into the use of the public's money by the League of California Cities for a media blitz on a political issue; he reported alleged none receipt of notice for the meeting; and he requested an investigation of the continuing alleged violation of the meeting agendas by the arbitrary limiting of the public's speaking time.

Discussion ensued between the City Council and staff regarding what is emitted from Culver City buses and what constitutes a pollutant.

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Receipt of Correspondence

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

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March 7, 2011

Items from Staff

No action was taken on this item.

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Items from the City Council

Items Presented by Councilmember Cooper:

- Announced the official re-opening of the Culver City Dog Park on March 12, 2011 and invited everyone to attend.

Items Presented by Councilmember O'Leary:

- Reminded everyone to vote on March 8, 2011.

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March 7, 2011

Adjournment

There being no further business, at 11:03 p.m., the City Council adjourned its meeting to a meeting to be held on March 14, 2011.

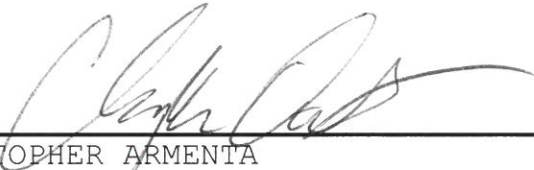
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Ela Valladares

DEPUTY CITY CLERK of the City of Culver City, California
EX-OFFICIO CLERK of the City Council, City of Culver City,
California

APPROVED April 11, 2011



CHRISTOPHER ARMENTA

MAYOR of the City of Culver City, California