

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

May 11, 2015
6:30 p.m.

Call to Order & Roll Call

Mayor O'Leary called the meeting of the City Council to order at 6:30 p.m. in the Mike Balkman Chambers at City Hall.

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

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Closed Session

The City Council recessed to Closed Session to consider the following item:

CS-1 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 O'Leary reconvened the City Council meeting at 7:03 p.m. with all Council Members present.

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Report on Action Taken in Closed Session

Mayor 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 Scott Wyant.

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Presentations

Item P-1

Presentation of a Proclamation Designating May as Older Americans Month

Council Member Clarke presented the proclamation designating May as Older Americans month.

Kay Heineman invited anyone over 50 years old to visit the Senior Center, and she discussed their mission.

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Item P-2

Presentation of a Commendation to Patricia Fountain, 2015 Senior of the Year

Council Member Weissman presented the proclamation to Pat Fountain.

Pat Foundation thanked the City for the honor.

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Community Announcements by City Council Members/ Information Items from Staff

Council Member Sahli-Wells announced that May is Bike Month, May 11-15 is Bike Week and May 13 is Bike to Work Day; she indicated that there was a proposed free bus fare day and

light rail day for those who bring a bike helmet sponsored by Metro; she discussed the upcoming bike counts on May 16 and 19 noting that volunteers were needed to help count; discussed the Air Quality Management District Lawn Mower Exchange program; she reported attending the Southern California Association of Governments conference; indicated that they were working on a Sustainability Plan for the entire region and the Transportation Plan; and she invited everyone to Walk with a Doc at Veterans Memorial Park on May 16.

Mayor O'Leary discussed items considered at the recent Los Angeles County Mayor's Gathering; he asked that staff follow up with the City of Los Angeles Mayor's Office regarding a presentation by Council Member Sahli-Wells and cost sharing; and he requested input from staff and other Council Members regarding what the City would like to see at future events involving the Mayors of the region.

Council Member Sahli-Wells reported that she would be speaking at UCLA Alumni day on May 16.

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Receipt and Filing of Correspondence

(Out of Sequence)

Martin Cole, Assistant City Manager/City Clerk, reported that correspondence received by the City Clerk's Office by 4 p.m. on items C-5, C-6 and A-2 had been distributed to Council Members and would become part of the public record.

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

Martin Cole, Assistant City Manager/City Clerk, reported that the event sponsor in item A-3 had requested that the item be deferred for consideration at a later date, and he reported that the City would be holding the first community meeting related to the prohibition of smoking in multi-family housing on May 14.

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Joint Public Comment - Items Not on the Agenda

(Out of Sequence)

Mayor O'Leary invited public comment.

The following members of the audience addressed the City Council:

Marta Zaragoza expressed concern with selective code enforcement in the east part of the City; concern with a notice of violation she received in response to her efforts to comply with the Governor's order to eliminate vegetation that uses a lot of water; she discussed other homes in the area in the same condition that have not received violations; she asked that she be able to speak with an objective staff person; expressed regret that the City had not sought comments from the East Culver City Neighborhood Alliance when renovations were made at Syd Kronenthal Park; and she expressed concern with a lack of communication and transparent government, hoping for improvement in the future.

Discussion ensued between staff and Council Members regarding complaint based enforcement; the East Culver City Neighborhood Alliance; notification; and the Syd Kronenthal playground improvement project.

Janet Hoult welcomed Mayor O'Leary; discussed other Irish-American Mayors in the country; and accomplishments of Mayor O'Leary.

Rich Cherry introduced himself as an applicant to the Cultural Affairs Commission and provided background on himself and his experience.

Mayor O'Leary noted that Mr. Cherry would have another opportunity to speak on the night that appointments would be made.

Iain Gullin discussed the immediate need for a moratorium on the issuance of permits on large home development in Culver City and the need for the City to revise current zoning and ordinances; he discussed actions of Los Angeles to restrict "mansionization" and the resulting effects to Culver City; he urged residents to stand up for their

rights; and expressed hope that there would be an agenda item to address the concerns at the next meeting.

Discussion ensued between staff and Council Members regarding previous City Council direction to agendaize the item; scheduling; the option of a moratorium; conducting a review of the status of building permits; land use regulations currently in place; the actions of other cities; providing enough information to make a decision; procedures to enact a moratorium; and the ability of the community to organize a meeting on its own while waiting for the City meeting.

Marla Koosed, Chair of the Cultural Affairs Foundation, announced the third in the Architecture Talks fundraiser series to benefit Veterans Memorial Auditorium on June 7 at Y Studios.

Cary Anderson expressed concern with talk about elimination of term limits; discussed the return of the invocation; onsite signage at the Westfield Mall approved 6 years ago; past agendas; the missing webcast from May 11, 2009; and the vote on the item to support the billboards.

Martin Cole, Assistant City Manager/City Clerk, reported a request to move item C-5 forward on the agenda.

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Item C-5
(Out of Sequence)

(1) Acceptance of Work Performed by R. E. Schultz Construction; (2) Authorization to file a Notice of Completion; and, (3) Authorization to Release the Retention Payment for the Syd Kronenthal Park Playground Rehabilitation Project, PZ831, after the Expiration of the 35-Day Lien Period

Mayor O'Leary invited public comment.

The following members of the audience addressed the City Council:

Irene Dorsey discussed the history of the park and of the area, and she expressed concern with changes made without the

consultation of the neighbors.

Eric Paesel expressed concern with changes to the park; the lack of community input into the item; the lack of playground equipment for younger children; and safety concerns.

Dan Hernandez, Parks, Recreation and Community Services Director, indicated that the item was a notice of completion for what has been installed; he discussed excess funding; costs for improvements to the current tot area; the recommendation to put in a shade structure; and whether the County would grant an extension for the remaining grant funds.

Discussion ensued between Council Members and staff regarding clarification that the equipment installed is designed to serve children 5 and above; whether the old equipment is obsolete; the requirement that any improvements would have to bring the area up to ADA codes; the need for additional funding; ADA compliant rubberized material; use of the excess funding; the existing tot area; grandfathering of older structures; and clarification that equipment is currently available for 1-5 year olds.

Mariena Quintanilla, Culver City East Mom's Club, expressed concern with the prioritization of the upgrades; the use of the previous equipment by preschoolers; the ability to walk to a local park; and she expressed concern with the lack of options for younger children in the City.

Peggy Koyanagi discussed the importance of having a park within walking distance; the infants area; the larger playground; and concern that the toddlers park has been taken away.

Discussion ensued between staff and Council Members regarding concerns of residents adjacent to Kronenthal Park; the upcoming budget process; providing a toddler play area; hearing resident concerns; upgrading the existing tot lot; costs to the City; addressing ADA compliance issues; making an additional allocation from the General Fund; Community Development Block Grant Funds; exploring public/private partnerships; and agreement to notify speakers when the issue is considered in the future.

Dale Larsen asserted that upgrading the toddler area to be code compliant would be insufficient; discussed the need for

a swing and a slide; the small town feel of the area; and he wanted to see the money targeted for the area.

Martin Cole, Assistant City Manager/City Clerk, read a written comment submitted by:

Ken Mand

Ken Mand thanked staff and the City Council for their support; emphasized the importance of addressing the matter as soon as possible; and he asked if a change order could be put in for the existing contract rather than beginning a whole new process.

Discussion ensued between staff and Council Members regarding community input; adding to what is in place rather than changing out the equipment; addressing the 5-12 year old population; the importance of involving the community when embarking upon park projects; prioritization; improving the outreach process; addressing the whole park rather than one section at a time; financial constraints; whether the matter will appear on an agenda of the Parks, Recreation and Community Services Commission; clarification that the item closes out the contract; moving forward with the Commission to prioritize playground revitalization in the City; the item as a budget decision; concern with other elements taking over the park; next steps in the process; current usage; carrying over the money; and utilizing the Commission as a sounding board.

Ken Mand received clarification that the current item would be passed but an item would be considered in the future.

Additional discussion ensued between staff and Council Members regarding expediting the matter; inviting the City Council and Commission to the community meeting; Brown Act issues; and format of the meeting.

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY COUNCIL MEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY R. E. SCHULTZ CONSTRUCTION FOR THE SYD KRONENTHAL PARK PLAYGROUND REHABILITATION PROJECT, PZ831; AND,

2. AUTHORIZE THE PARKS DIVISION MANAGER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY

RECORDER'S OFFICE; AND,

3. AUTHORIZE THE RELEASE OF \$8,662.00 IN RETENTION FUNDS TO R. E. SCHULTZ CONSTRUCTION AFTER THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

Responding to Irene Dorsey, Mayor O'Leary explained that the City had a legal obligation to approve the completed work and would be working to address neighbor concerns.

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JOINT CONSENT CALENDAR

Item JC-1

**JOINT CITY COUNCIL/CULVER CITY HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY AGENDA
ITEM: Cash Disbursements for April 4, 2015 - May 1, 2015**

MOVED BY COUNCIL MEMBER COOPER, SECONDED BY COUNCIL MEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR APRIL 4, 2015 - MAY 1, 2015.

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CONSENT CALENDAR

MOVED BY COUNCIL MEMBER COOPER, SECONDED BY COUNCIL MEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-4, C-7 THROUGH C-14, C-16, C-17, AND C-19.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE MINUTES FOR THE REGULAR MEETING OF APRIL 27, 2015.

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Item C-2

Adoption of a Resolution Approving and Issuing a Report on City Actions Taken in Relation to Interim Ordinance No. 2015-001 - Establishing A Temporary Moratorium on the Issuance of any New Permit, License, Approval or Entitlement Pertaining to New Massage Establishments or the Location or Relocation of Existing Massage Establishments within the City and Declaring the Urgency Thereof

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING AND ISSUING A REPORT ON ACTIONS AND MEASURES TAKEN TO ALLEVIATE CONDITIONS WHICH LED TO THE ADOPTION OF INTERIM ORDINANCE NO. 2015-001 ESTABLISHING A TEMPORARY MORATORIUM ON THE ISSUANCE OF ANY NEW PERMIT, LICENSE, APPROVAL OR ENTITLEMENT PERTAINING TO NEW MASSAGE ESTABLISHMENTS OR THE LOCATION OR RELOCATION OF EXISTING MASSAGE ESTABLISHMENTS WITHIN THE CITY AND DECLARING THE URGENCY THEREOF.

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Item C-3

Adoption of a Resolution Recognizing and Confirming that Personnel of the Culver City Fire Department are Compensated on a Portal to Portal Basis when Assigned to Emergency Incidents in the Jurisdiction of Another Fire Agency

THAT THE CITY COUNCIL: ADOPT A RESOLUTION RECOGNIZING AND CONFIRMING THAT PERSONNEL OF THE CULVER CITY FIRE DEPARTMENT ARE COMPENSATED ON A PORTAL-TO-PORTAL BASIS WHEN ASSIGNED TO EMERGENCY INCIDENTS IN THE JURISDICTION OF ANOTHER FIRE AGENCY.

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Item C-4

Approval of an Application for \$18,178 in Grant Funds through the Fiscal Year 2015 Department of Justice Bureau of Justice Assistance Bulletproof Vest Partnership

THAT THE CITY COUNCIL:

1. APPROVE AN APPLICATION FOR GRANT FUNDS THROUGH THE FISCAL YEAR 2015 DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE BULLETPROOF VEST PARTNERSHIP IN THE AMOUNT OF \$18,178; 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 Purchase Orders for the Acquisition of Transit Bus Farebox Parts and Equipment from SPX Genfare, a Division of SPX Corporation, for an Amount Not-to-Exceed \$33,700

THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE ORDER(S) WITH SPX GENFARE, A DIVISION OF SPX CORPORATION, FOR THE ACQUISITION OF TRANSIT BUS FAREBOX PARTS AND EQUIPMENT IN AN AMOUNT NOT-TO-EXCEED \$33,700; AND
2. AUTHORIZE THE PURCHASING OFFICER TO EXECUTE SUCH PURCHASE ORDER(S) ON BEHALF OF THE CITY.

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Item C-8

Adoption of Resolutions and/or Motions Appointing City Council Members/Staff Members to Various Outside Agency Boards, City Council Subcommittees and Other Related Bodies

THAT THE CITY COUNCIL: ADOPT RESPECTIVE RESOLUTIONS/ MOTIONS RELATED TO THE APPOINTMENT OF COUNCIL MEMBERS TO VARIOUS OUTSIDE AGENCY BOARDS, CITY COUNCIL SUBCOMMITTEES, AND OTHER RELATED BODIES.

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Item C-9

Approval of a Second Amendment to the Memorandum of Understanding with the Downtown Business Association for Maintenance Services in Downtown Culver City for Fiscal Year 2015/2016 in an Amount Not-to-Exceed \$61,940

THAT THE CITY COUNCIL:

1. APPROVE A SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE DOWNTOWN BUSINESS ASSOCIATION FOR MAINTENANCE SERVICES IN DOWNTOWN CULVER CITY AT A COST NOT TO EXCEED \$61,940 FOR FISCAL YEAR 2015/2016; 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-10

Adoption of a Resolution Approving an Application for Grant Funds Through Caltrans' Active Transportation Program for Safety Improvements (Infrastructure and Non-Infrastructure) at La Ballona Elementary School in the Amount of \$600,000

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING AN APPLICATION FOR GRANT FUNDS THROUGH CALTRANS' ACTIVE TRANSPORTATION PROGRAM FOR THE SAFETY IMPROVEMENTS (INFRASTRUCTURE AND NON-INFRASTRUCTURE) AT LA BALLONA ELEMENTARY SCHOOL IN THE AMOUNT OF \$600,000.

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Item C-11

Authorization of Free Fare Days for Culver CityBus in Association with (1) Bike to Work Day 2015 (May 14, 2015) and (2) National Dump the Pump Day 2015 (June 18, 2015)

THAT THE CITY COUNCIL:

1. AUTHORIZE CULVER CITYBUS TO OFFER FREE FARES TO RIDERS WITH A BICYCLE AND/OR BIKE HELMET ON BIKE TO WORK DAY, MAY 14, 2015; AND,

2. AUTHORIZE CULVER CITYBUS TO OFFER FREE FARES TO ALL RIDERS ON NATIONAL DUMP THE PUMP DAY, JUNE 18, 2015.

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Item C-12

Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Refuse and Recycling User's Service Charge, and Setting the Date, Time, and Place for the Public Hearing to be Monday, July 13, 2015 at 7:00 P.M. in the Mike Balkman Council Chambers

THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE REFUSE AND RECYCLING USER'S SERVICE CHARGE - FISCAL YEAR 2015/2016, AND (3) SETTING THE TIME, DATE, AND PLACE FOR A PUBLIC HEARING FOR JULY 13, 2015, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-13

Adoption of a Resolution (1) Approving the Engineer's Report, (2) Declaring the City Council's Intention to Order the Levy of Annual Assessments for Fiscal Year 2015/2016, and (3) Setting the Date, Time, and Place for a Public Hearing to be Monday, June 8, 2015 at 7:00 P.M. in the Mike Balkman Council Chambers for the West Washington Boulevard Benefit Assessment District No. 1

THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE WEST WASHINGTON BOULEVARD ASSESSMENT DISTRICT NO. 1, AND (3) SETTING THE TIME, DATE AND PLACE FOR A PUBLIC HEARING ON JUNE 8, 2015 AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-14

Adoption of a Resolution (1) Approving the Engineer's Report, (2) Declaring the City Council's Intention to Order the Levy of Annual Assessments for Fiscal Year 2015/2016, and (3) Setting the Date, Time, and Place for a Public Hearing to be Monday, June 8, 2015 at 7:00 P.M. in the Mike Balkman Council Chambers for the West Washington Boulevard Benefit Assessment District No. 2

THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE WEST WASHINGTON BOULEVARD ASSESSMENT DISTRICT NO. 2, AND (3) SETTING THE TIME, DATE AND PLACE FOR A PUBLIC HEARING ON JUNE 8, 2015 AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-16
(Out of Sequence)

Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Levy of Annual Assessments therein, and Setting the Date, Time, and Place for the Public Hearing to be Monday, June 8, 2015 at 7:00 P.M. in the Mike Balkman Council Chambers for the Higuera Street Landscaping and Lighting Maintenance District

THAT THE CITY COUNCIL ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE HIGUERA STREET LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT - FISCAL YEAR 2015/2016, AND (3) SETTING THE TIME, DATE, AND PLACE FOR A PUBLIC HEARING ON JUNE 8, 2015, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-17

Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Sewer User's Service Charge for Fiscal Year 2015/2016, and Setting the Date, Time, and Place for the Public Hearing to be Monday, June 8, 2015

at 7:00 PM in the Mike Balkman Council Chambers

THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE SEWER USER'S SERVICE CHARGE - FISCAL YEAR 2015/2016, AND (3) SETTING THE TIME, DATE, AND PLACE FOR A PUBLIC HEARING FOR JUNE 8, 2015, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-19
(Out of Sequence)

Adoption of a Resolution Approving an Encroachment Agreement with Zayo Group for Use of the Public Rights-of-Way on Hannum Avenue

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH ZAYO GROUP FOR USE OF THE PUBLIC RIGHTS-OF-WAY ON HANNUM AVENUE; 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-6
(Out of Sequence)

1) Approval of an 18-Month Agreement with NRG for 1A) the Installation of Electric Vehicle Charging Stations in the Ince Parking Structure for Public Use, and 1B) the Installation of Electric Vehicle Charging Stations at City Hall for Employee Use; 2) Approval of a Five-Year Agreement with NRG for the Installation of Electric Vehicle Charging Stations at City Hall for Public Use; and 3) Approval of Providing an Incentive from Non-General Funds to Employees who Charge their Electric Vehicles at Work as Part of the City's Existing Rideshare/Emission Reduction Program (which Incentive would Replace an Existing Incentive to Purchase an Electric Vehicle),

PZ831, after the Expiration of the 35-Day Lien Period

Council Member Clarke requested a staff report to educate the public about the actions being taken toward energy savings in the City.

Joe Susca, Project Manager, provided a summary of the staff report with minor corrections, including a correction of a typographical error that the agreement would be for a 10 year term.

Council Member Sahli-Wells received clarification regarding ADA compliant parking; the employee parking component; providing easy opportunity for input; and gauging demand.

THAT THE CITY COUNCIL:

1. APPROVE A 10-YEAR AGREEMENT WITH NRG FOR THREE ELECTRIC VEHICLE CHARGING STATIONS AT THE INCE PARKING STRUCTURE FOR PUBLIC USE; AND,
2. APPROVE AN 18-MONTH AGREEMENT WITH NRG FOR EIGHT ELECTRIC VEHICLE CHARGING STATIONS AT CITY HALL FOR EMPLOYEE USE; AND,
3. APPROVE A FIVE YEAR AGREEMENT WITH NRG FOR TWO ELECTRIC VEHICLE CHARGING STATIONS AT CITY HALL FOR SHARED PUBLIC USE; AND,
4. APPROVE AN IN-HOUSE PLUG-IN HYBRID ELECTRIC VEHICLE PROGRAM PROVIDING UP TO SIX EMPLOYEES THE ABILITY TO CHARGE THEIR VEHICLES AT CITY HALL AT AN EMPLOYEE COST OF \$75 PER QUARTER, WHICH IS ADJUSTED ANNUALLY TO REFLECT SCE RATE INCREASES; AND
 - A. APPROVE AN EV AND PHEV EMISSION REDUCTION PROGRAM INCENTIVE AMOUNTING TO \$60 PER EMPLOYEE PER QUARTER IN REPLACEMENT OF THE EXISTING \$50 ONE-TIME EV PURCHASE INCENTIVE.
5. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
6. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-15

Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Levy of Annual Assessments therein, and Setting the Date, Time, and Place for the Public Hearing to be Monday, June 8, 2015 at 7:00 P.M. in the City Council Chambers for Landscape Maintenance District Number 1

Council Member Cooper recused himself and exited the dais.

Council Member Sahli-Wells received clarification regarding the previous time that the item was heard and providing sufficient opportunity for resident input, and she discussed the reduction of water consumption.

MOVED BY COUNCIL MEMBER CLARKE AND SECONDED BY COUNCIL MEMBER WEISSMAN THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE WEST WASHINGTON BOULEVARD ASSESSMENT DISTRICT NO. 2, AND (3) SETTING THE TIME, DATE AND PLACE FOR A PUBLIC HEARING ON JUNE 8, 2015 AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Council Member Cooper returned to the dais.

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Item C-18

Adoption of a Resolution Approving an Encroachment Agreement with AT&T for Use of the Public Rights-of-Way on Washington Boulevard, Huron Avenue, and Matteson Avenue

Council Member Sahli-Wells recused herself and exited the dais.

MOVED BY COUNCIL MEMBER WEISSMAN AND SECONDED BY COUNCIL

MEMBER CLARKE THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH AT&T FOR USE OF THE PUBLIC RIGHTS-OF-WAY ON WASHINGTON BOULEVARD, HURON AVENUE, AND MATTESON AVENUE; 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.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Council Member Sahli-Wells returned to the dais.

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Item C-20

(1) Consideration of a Recommendation from the Landlord Tenant Mediation Board to Approve their Proposed Bylaws; and (2) Adoption of a Related Resolution

Mayor O'Leary invited public input.

Martin Cole, Assistant City Manager/City Clerk, read a written comment submitted by:

Shireen Daytona

Council Member Weissman asked for clarification regarding term limits; the primary role of Board Members; the importance of the neutral role in mediation; disqualification; bias; memorializing grounds for disclosure and disqualification relating to mediation panels; the recommendation to increase the number of panel members; whether titles or categories are necessary; why three mediators are needed rather than one; and the word "voluntary" on page 6, item C-1.

Discussion ensued between staff and Council Members regarding differences between the Landlord Tenant Mediation Board and other bodies; term limits; mediations conducted; training; experience; the amount of work required; concern with limiting applicants; the importance of impartiality; sending a clear message to Board Members; different designations of Members on the Board; disclosure; having a cross section of designations; balance; appointment of representatives; non-disclosure of designation during mediation; why Members are selected by category; changing the title from Representative to Member; ensuring that there are people on the Board who bring the experience of being a landlord or tenant to the process; the way the guidelines are drafted; reducing the number of mediators to 1; scheduling difficulties; appreciation by citizens for having more than one mediator; the panel format vs. having an individual mediator; and ensuring that an experienced mediator is on the panel.

Judy Scott, Landlord Tenant Mediation Board Chair, clarified that the absence of term limits and the number of mediators was in the original guidelines.

Additional discussion ensued between staff and Council Members regarding designations; keeping a balance of representatives; ensuring different perspectives; having representation from each category in each panel; emphasizing the importance of impartiality to incoming Board Members; signing an agreement; conflicts of interest; alternate members; clarification that if parties do not consent to a mediation with less than three mediators the item is continued; and mediations conducted with less than a full panel.

Further discussion ensued between staff and Council Members regarding the word "requiring" in the Purposes and Objectives section of the bylaws; training; whether eviction mediations are allowable; the creation of the Board in response to the absence of rent control in the City; other requests received; the time frame for rent increases; and time limits.

Judy Scott clarified that an eviction is a legal proceeding and mediators have no authority to rule on a legal proceeding, and she noted that the Board had discussed handling other matters in addition to rent control.

Additional discussion ensued between staff and Council Members regarding funding; broadening the scope of the Board;

staffing costs; legal ramifications; California State Law; the upcoming community discussion on the role of the Landlord Tenant Mediation Board and affordable housing; mandatory mediation vs. voluntary mediation; enforcement; different types of housing not required to participate; provisions and procedures for removing Members from the Board; and grounds for a recommendation for removal from the Board.

Judy Scott reported that previously a Member was removed from the Board due to public perception of bias, and she suggested that should be included as a valid reason for dismissal.

Further discussion ensued between staff and Council Members regarding elimination of the mandatory requirement for the Board to report back to the City Council; formalizing report backs; appreciation to the Board for their work on the bylaws; scheduling a date for the upcoming discussion of affordable housing and the Landlord Tenant Mediation Board; partial terms; logistical issues; timing; staggered terms; and a suggestion to strike the word "primary" from section V a regarding primary vs. other roles.

THAT THE CITY COUNCIL:

ADOPT A RESOLUTION APPROVING THE LANDLORD TENANT MEDIATION BOARD BYLAWS WITH RECOMMENDED CORRECTIONS INCLUDING ADDING TO THE END OF THE FIRST SENTENCE ON PAGE 3 OF THE BYLAWS UNDER MEDIATION TRAINING "OR AS SOON THEREAFTER AS TRAINING BECOMES AVAILABLE"; STRIKING THE WORD "PRIMARY" ON PAGE 4 AT THE BOTTOM; AND ON PAGE 6 SECTION C-1 IN THE LAST SENTENCE, MOVING "VOLUNTARILY" FROM BETWEEN "MUST AGREE" TO "BEFORE MEDIATION PROCESS."

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER WEISSMAN AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL APPROVE ITEMS C-6 AND C-20.

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Order of the Agenda

Mayor O'Leary brought items A-1 and A-2 forward.

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Action Items

Item A-1
(Out of Sequence)

(1) Consideration of the Creation of the Position of Honorary City Poet Laureate; and (2) (If the Position of Honorary City Poet Laureate is Created) Appointment of a Person to Such Position

Mayor O'Leary invited public participation.

The following member of the audience addressed the City Council:

Dr. Janet Hoult discussed the position of Poet Laureate; her thoughts on creating poetry; and support for creation of the position.

Council Member Clarke received clarification regarding potential costs to the City.

Martin Cole, Assistant City Manager/City Clerk, read a written comment submitted by:

Lynn Bronstein

Discussion ensued between staff and Council Members regarding the upcoming Centennial; the Centennial Committee; the Cultural Affairs Commission; jurisdiction; creating a process to consider creating the position; other qualified poets in the community; a suggestion to have the position considered by the Cultural Affairs Commission and open to the public; appreciation to Dr. Hoult for bringing poetry to the City regularly and starting the conversation; creating a more formal structure for the position; having Dr. Hoult inaugurate the process and work to refine it; clarification that the position would be an appointment for a two year term; a suggestion to formalize a process developed during that time; and a suggestion that the term begin on June 30, 2015 through June 30, 2017 with the Poet Laureate to advise the City Council and consult with the Cultural Affairs Commission regarding a process to appoint the successor at the end of the term.

Council Member Sahli-Wells moved to appoint Dr. Janet Hoult as the inaugural Poet Laureate in the City. Mayor O'Leary

seconded the motion.

Additional discussion ensued between staff and Council Members regarding concern that the usual City processes were not being followed; a suggestion that the position be advertised; the fact that Dr. Hoult inspired the idea and a feeling that she should be the inaugural Poet Laureate; her offer to help define the role; crafting and formalizing the process; whether the position of City Historian was put out to bid; and splitting of the motion.

Council Member Sahli-Wells withdrew her motion and Mayor O'Leary concurred.

Council Member Sahli-Wells moved to create the position of Poet Laureate in Culver City. Council Member Clarke seconded the motion.

Mayor O'Leary wanted to see the position created and then opened up for public applications as soon as possible.

Roberta Sargent provided background on herself and felt that it would be important to put the position out for consideration.

Further discussion ensued between staff and Council Members regarding a suggestion to hold the entire matter over until applications have been received; providing direction in order to put out the application; direction from the Cultural Affairs Commission; concern with a drawn out process; creating the criteria; and the timeline.

Marla Koosed, Cultural Affairs Commission Chair, expressed support for the creation of a Poet Laureate; defining the position; support for Requests for Proposals; working with Dr. Hoult; she discussed the timeframe; and working with a Cultural Affairs Commission subcommittee to expedite the process.

Additional discussion ensued between Council Members regarding the feasibility of working quickly; working with a subcommittee; working with Dr. Hoult; a suggestion to name Dr. Hoult as the Poet Laureate for the Centennial Committee; support for starting the process; having the Commission define the position; and public input.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY MAYOR O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL DIRECT THE CULTURAL AFFAIRS COMMISSION TO INVESTIGATE THE CREATION OF THE POSITION OF HONORARY CITY POET LAUREATE IN CULVER CITY, DEFINE THE POSITION, AND MAKE A RECOMMENDATION TO THE CITY COUNCIL EXPEDITIOUSLY.

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Item A-2

(1) Receive a Presentation and Discuss the Proposed Vision for a "Hospitality & Entertainment District Specific Plan" Affecting Commercial Frontage Adjacent to the 405 Freeway Between the Northern and Southern City Boundaries, Including a Signage Component; and (2) Direct the City Manager as Deemed Appropriate

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

Discussion ensued between staff and Council Members regarding preparing a land plan vs. a specific plan; the signage component; community correspondence on the matter; what can be done without billboards; the need for an upgrade to the area; value to the results of the visioning process; creating a land use plan for the geographic area; economic development opportunities for the City; zoning; and considering the item without signage.

At this time, each Council Member confirmed that there was no interest in pursuing a signage component.

Woodie Tescher, PlaceWorks; presented a vision statement; discussed creating a vision for the City; defining the area; creating a well-defined entry; creating pedestrian oriented areas; the transit center; building signage and identification; way-finding signage; fragmented uses and streetscapes; connecting with other major activity centers; redevelopment of the Fox Hills Plaza; building upon what is there and adding amenities to tie things together; sustainable landscaping; mobility; and outreach events and community surveys.

Discussion ensued between the speaker and Council Members regarding incremental changes to start the process vs. a

complete vision; best sites for intervention; streetscape; and making use of the Westfield parking lot.

Additional discussion ensued between staff and Council Members regarding different ways to move forward without the signage component; funding; the withdrawal of Carlyle from the program; rethinking the work scope; pricing the work; alternative sources of funding; technical studies; what the City is seeking to attract to the area; doing the land plan and technical components as money becomes available; attractive elements of the vision; health concerns connected with placing a park underneath a freeway; creating green space vs. density; the General Plan; consistency; looking at the plan as an implementation tool for the General Plan; and support for economic development in the City.

Mayor O'Leary invited public participation.

The following members of the audience addressed the City Council:

Laura Stuart wanted to ensure that all stakeholders in the four neighborhoods would be part of the process, and she expressed support for revitalization of the area.

Judy Sherman expressed appreciation for the responsiveness of the City Council; support for keeping the unique nature of the City; she expressed caution with expanding the hotels too much; concern with over saturation; and she noted that Fox Hills residents were open to change.

Tony Canzaneri questioned how a land plan would help development; he noted that the City had a mature development market; discussed zoning value; entitlements; adopting a specific plan; he noted that the signs were about more than revenue; he commended the work of PlaceWorks; he encouraged the City to look at the original proposal; capitalizing on the location of the City; and he discussed demographics.

Council Member Weissman received clarification that staff felt that the overall land plan was important, and the City was not preempted from doing a specific plan.

Brooke Powell was pleased to see a proposed skating rink in the PlaceWorks visioning; discussed the need for a facility in the City; and she left a copy of her comments for the City to read.

Daryl Evans discussed the closure of the Culver City Ice Rink and expressed support for a new facility in the City. Rebecca Rona discussed improvements that she would like to see; the handling of the visioning process; community involvement; the plan that was showcased; and she wanted to see the process re-thought with a more sensible and clear approach taken.

Roberta Sargent discussed empty stores in the area; elevating the level of stores to attract residents and visitors; and a recent experience she had finding a room to celebrate an event in the City.

Rich Waters thanked the City for continuing the tradition of keeping billboards out of City limits and he suggested coordinating efforts with Los Angeles City Council Member Mike Bonin.

Ellie Burtwell discussed impacts to the area to the west of the City and asked the City to involve the Del Rey Neighborhood Council in the City of Los Angeles and City of Los Angeles Council Member Mike Bonin's office in the process.

Cary Anderson discussed signage at Westfield Culver City; presented excerpts from the May 11, 2009 meeting indicating that signage was limited to products that constitute a significant portion of business at the mall; and he indicated that he could not trust the City.

Bill Reider thanked PlaceWorks for their work; discussed risk and surety; considering all revenue streams; redeveloping the district; the sales tax increase; significant new expenses on the horizon for the City; and he encouraged the City to continue working on developing the southwest district.

Kevin Lachoff, Culver City Chamber of Commerce, discussed the Reimagine Fox Hills program; he expressed support for the continuation of the visioning process; community needs; ongoing research to fund City needs; outreach to stakeholders; and he indicated that the Chamber wanted to see the City invest in the Fox Hills area.

Manish Bhakta encouraged the City to think about the opportunity to enhance public infrastructure in the City that would encourage future development; discussed occupancy and

sales taxes brought in by the part of the City being considered; and he asserted that it was important to invest in the area so that it continues to be vibrant.

Kelly Kent Marin noted that going piecemeal sometimes comes with problems; discussed proposed additional green space; expressed concern with a recent study regarding fine particulate matter; and support for the proposed ice rink rather than green space by the freeway as the air would be filtered.

Michelle Weiner expressed support for the dialogue; discussed feedback during the visioning process; previous speakers; concern that there is not enough feedback from the neighbors in the affected area; the importance of having the whole vision; making important changes to a key intersection; and having the process not purely driven by commercialism and consumerism, but rather the people in the area.

Matt Seeberger expressed support for the removal of the billboard component but he questioned whether the process should move forward given that the driving force is mostly gone now; whether the hotels would be interested in working with the City; he discussed the pull-out of Westfield; whether resources should be expended until it is clear whether property owners will agree to work with the City; working harder on the small retail sections; concern with putting a park under a freeway; Caltrans; concern with spending money; and support for making the streetscapes better.

Dave Kingery, Carlyle Group, noted that they were going to sell but had invested a lot of time in the process; discussed hotel rates in Maria Del Rey vs. hotel rates in Culver City; encouraged the City to make improvements that would enable hotel rates to be raised; and he expressed concern that the City would not give developers enough tools to come in and invest money in the City.

Sharon Eisenberg thanked the City Council for the removal of signage from the program, and she stressed the importance of including the neighbors in the process.

Chris Luzzi expressed appreciation for the responsiveness of the City to neighbor concerns; he asked that families and children be taken into consideration when reimagining the area; he was not clear about the ban on billboards when

Westfield displays huge billboards constantly; and he expressed concern with oversight of any new plans.

Rick Tuttle discussed community involvement; the budget; the sunsetting of Measure Y; developing a contingency plan; the importance of thinking through thoroughly before moving forward; community engagement; and he expressed concern with losing neighborhood integrity.

Martin Cole, Assistant City Manager/City Clerk, read written comments submitted by:

Rosie Chin
Judy Scott
Bronwyn Jamrok
Sharon Eisenberg

Discussion ensued between staff and Council Members regarding the redevelopment of the downtown area; support for the staff recommendation to create a less ambitious planning document without a full transportation and economic development analysis; community involvement; the visioning process; Playa Vista; keeping the unique nature of the City; rezoning; generating interest from developers; empty store fronts; difficulty for retail; entrances to the City; concern with creating a pedestrian environment by the freeway; putting health elements in the General Plan; health outcomes; the importance of greenspace; location; the origin of the project; resident involvement; the offer of light rail; a feeling that the project was a Trojan Horse for billboards; now that billboards are gone, whether the plan is a Trojan Horse for density and more cars; moving forward on the right foot; taking genuine input from residents and businesses; gentrification among businesses; concern for small businesses; the leap of faith with the redevelopment of the downtown area; appreciation to PlaceWorks and Mr. Kingery; benefits to the process; moving forward with a land development plan; whether there is a market for what is being proposed; freeway issues; the flood control channel to connect Ballona and eliminate riding on Sepulveda; opportunities to investigate; gauging the demand; increasing foot traffic in the area; the belief that if it is built people will come; improving the quality of stores; the proposed park under the freeway; openness to hearing options; the land plan for the area; if the downtown parking structures had not been built; if there had been no redevelopment; whether costs would have been recouped;

consistency with the General Plan; making the area welcoming to businesses; making the rules of engagement clear; beautification vs. densification; storm water and MS4 permit issues; technical components; and branding.

Woodie Tescher, PlaceWorks, discussed branding and creating an iconic identity; his work on the Santa Monica Promenade; and sending a message to the community and to the development community.

Further discussion ensued between Council Members regarding formalizing the idea of no billboards; formulating an idea and presenting it to the public vs. having the public come up with the ideas; whether to move forward with PlaceWorks; a suggestion to direct staff to pursue development of a land use plan for the area that does not include a sign component and report back to the City Council with options to consider; a suggestion that a robust public process be included; having staff return with ideas to consider and then engage the public; whether the input of the public informs City Council choices; concern with stifling staff direction and suggestions; and options available.

Sol Blumenfeld, Community Development Director, indicated that he understood the City Council to be looking for more definition on what the land use plan could be; information on pricing and how long the process would take; what the project would be comprised of and, if moving forward, solicitation of proposals from firms with a decision at that time on how to proceed.

Additional conversation ensued between staff and Council Members regarding checking in on the vision; ensuring that it is a shared vision; basic technical questions; the big picture; the vision presented vs. the vision of the community; guiding details put forward to the City Council; the direction to come back with a process; process vs. product; and a no-build option.

MOVED BY COUNCIL MEMBER WEISSMAN, SECONDED BY COUNCIL MEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT STAFF TO PURSUE DEVELOPMENT OF A LAND USE PLAN FOR THE ENTERTAINMENT AND HOSPITALITY DISTRICT WHICH SHALL NOT INCLUDE A SIGN COMPONENT AND REPORT BACK TO THE CITY COUNCIL WITH OPTIONS.

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Item A-3

Consideration of City Sponsorship for the 49th Annual 4th of July Fireworks Show Charitable Fundraising Event Produced by the Exchange Club of Culver City, a Non-Profit Organization, to be Held on the Campus of West Los Angeles College

This item was deferred to a future meeting.

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Joint Action Items

Item JA-1

**JOINT CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY/
PARKING AUTHORITY AGENDA ITEM: (1) Presentation of the City Manager's/Executive Director's Proposed Budget for Fiscal Year 2015/2016; and (2) Presentation of the Police Department's Budget Proposals for Fiscal Year 2015/2016**

Jeff Muir, Chief Financial Officer, asked that Police Chief Bixby be allowed to make his presentation at this meeting as he would not be available next week for the budget presentation.

Mayor O'Leary invited public input.

The following member of the audience addressed the City Council:

Rick Tuttle expressed concern with the sunseting of Measure Y; the Contingency Fund; and planning for the shortfall.

Scott Bixby, Police Chief, presented an overview of the 2015-2016 Police Department budget.

Discussion ensued between staff and Council Members regarding what would be done with the old safety helmets; body cameras; grants; in-car cameras; outreach and public events; issues with the app; the online traffic reporting system; and

appreciation to staff for their work.

Martin Cole, Assistant City Manager/City Clerk, reported that the City Council would be holding budget meetings on May 18 and May 19 at 4:00 p.m. in City Council Chambers with a possible meeting on May 20 at 4:00 p.m. if necessary.

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Public Comment - Items Not on the Agenda

Mayor O'Leary invited public comment.

No cards were received and no speakers came forward.

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Items from the City Council

None.

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Adjournment

There being no further business, at 12:14 a.m., Tuesday, May 12, 2015 the City Council adjourned its meeting to Tuesday, May 26, 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

May 11, 2015

MICHEÁL O'LEARY
MAYOR of Culver City, California